

Module I
CONSTITUTION OF INDIA

Unit Structure

- 1.0 Objectives
- 1.1 Introduction
- 1.2 India's Constitution
- 1.3 Basic features of the Indian constitution
- 1.4 Conclusion
- 1.5 Unit end questions

1.0 OBJECTIVES

Each and every institution functions according to certain basic rules. State is a political institution. The basic rules of the state are called constitution. As a citizen of India and the student of political science every person should know about the constitution. It make the learners enlightened citizen of this country.

1.1 INTRODUCTION

The knowledge of the constitution of India is important as it lays the foundation for citizenship training. The study of the constitution aims at preparing citizens with greater consciousness. In this unit we will learn about following points: -

1. India's Constitution
2. Basic features of the Indian constitution.

1.2 INDIA'S CONSTITUTION

The constitution of India is made by constituent Assembly. According to the cabinet Mission plan, the legislative Assemblies of the provinces were to elect their representatives to the constituent Assembly. Total members of the constituent Assemblies were 389. Dr. Rajendra Prasad was elected as the President of the constituent Assembly.

Pt. Jawaharlal Nehru moved the objective Resolution which reflected the ideals and philosophy that shaped the Indian constitution.

The constituent Assembly completed the work in two years eleven months and eighteen days. From 26th January 1950 constitution of India came in force. Hence, 26th January is celebrated as the Republic day.

1.3 BASIC FEATURES OF THE INDIAN CONSTITUTION

1.3.1 Meaning:

The basic rules for the behaviour of members of a state are called the constitution of the state.

1.3.2 Importance:

In India it is the highest law of the land, constitution establishes rule of law and give political stability to the state.

The constitution of India is both evolved and enacted. It is evolved out of various Acts made during the British period. It is enacted and prepared by the constituent Assembly.

The constituent Assembly was composed as per the cabinet mission Plan. Its first session began in 1945. Dr. Rajendra Prasad with the chairman of the constituent Assembly, Dr. B.R. Ambedkar was the chairman of the Drafting committee.

The constituent Assembly prepared the constitution in two years eleven months and eighteen days. In its original form, the constitution had 395 Articles and 8 schedules. Now it has 397 Articles and 12 schedules.

1.3.3 Salient Features of the constitution are as follows:

1. Longest constitution in the world.
2. Sovereignty resides in the people
3. Parliamentary form of Government.
4. Unique blend of rigidity and flexibility.
5. Fundamental Rights.
6. Directive principles of the state policy.
7. Quasi – federal in nature.
8. Adult suffrage.

9. Independence of Judiciary
10. Judicial Review.
11. Fundamental duties
12. Sovereign.
13. Democracy.
14. Republic.
15. Secular.
16. Single citizenship.
17. Uniformity in Basic Administration.
18. Revolutionary.
19. Lawyer's paradise.
20. Judicial Review and parliament sovereignty.

1. Longhiest constitution in the world:

Indian constitution adopted by the constituent Assembly on November 2, 1949 is the lengthiest constitution originally containing 395 Articles, divided into 22 parts and 9 schedules. It is described as 'elephant size' constitution. We have incorporated 93 Amendments to the constitution on January 2003. It has been a model, for many developing countries. Now it has 397 Articles and 12 schedules.

The length of the constitution is because of several factors: -

1. It incorporates the experience of all leading constitution.
2. It prescribes constitution for the union as well as for the states.
3. It incorporates detailed provisions regarding centre – state relations.
4. It incorporates special provisions for Jammu Kashmir.
5. It includes justifiable and non – justifiable rights.
6. It contains special provisions to meet regional problems.

2. Sovereignty resides in the people:

The introduction of the constitution declares that the constitution of India was adopted and enacted by the people of India and they are the custodians of the republic.

3. Parliamentary form of Government:

The constitution of India establishes parliamentary form of government both at the centre and the states. In a Parliamentary form of government, the Prime Minister and council of Ministers are

responsible for all their actions to the government, particularly to the Lower house, Lok Sabha. Parliament keeps control on executives by various means i.e. by asking questions by no confidence motion etc.

Also in Parliamentary system there are two types of head; one is nominal and one is real. In India President is nominal and Prime Minister is real head.

4. Unique blend of Rigidity and Flexibility:

Though India has a written constitution; the Indian constitution is not as rigid as the American constitution. It has incorporated the flexible nature in the procedures for amendments. There are three methods by which the constitution is amended. The procedure for amendment is simple.

5. Fundamental Rights:

The fundamental Rights are guaranteed by the constitution to all its citizens through Part III of the constitution. The fundamental Rights. It guarantees Right to Equality, Right to freedom, Freedom of religion, Right against Exploitation, Educational and Cultural right and Right to constitutional Remedies. One can approach the Supreme Court directly in case of violation of Fundamental Rights.

There are certain restrictions on fundamental rights in the interests of public order, the sovereignty and integrity of India, public decency, morality etc.

6. Directive Principles of the state Policy:

Part IV of the constitution deals with Economic and cultural Rights. However, they are not justifiable in the court of law. The idea of a 'welfare state' envisaged in our constitution can only be achieved if the states try to implement them with a high sense of moral duty.

7. Quasi – federal in nature:

The nature of the Indian state is federal, in the sense that the powers are distributed between the Union and the state. But in times of emergency Government assumes a unitary character.

It is federal because:

1. It has two sets of government.
2. There is division of powers between the centre and the states.

3. There is independent judiciary.

It is unitary because:

1. It is described as “union of states”.
2. There is single citizenship.
3. There is single integrated judicial and administrative system.
4. There is integrated machinery for elections, audits.
5. State Governors are appointed and removed by President,
6. States depend upon the union’s grant – in – aid.
7. During emergency, it can be converted into unitary system.

8. Adult Suffrage:

All adult citizens above 18 are given the right to vote. There are no separate electorates for people belonging to different communities. Thus in India there is Universal Adult Franchise without Communal Representation.

9. Independence of Judiciary:

The constitution has made Judiciary independent from legislature and executive. Judges are free from the interference of other organs of the government, so that judges can give judgement without fear and favour. The Indian Judiciary is independent as per the norms of separation of powers. The feature that goes with the independence of judiciary are direct appointment by the President, given decent salaries and perks, judges can not be removed simply by executive.

10. Judicial Review:

It means the power of the courts to declare any law passed by the legislature and any act of executive as void, if it violates any provision of the constitution. It emphasise supremacy of judiciary.

11. Fundamental Duties:

The Fundamental Duties are incorporated in the constitution through the 42nd amendment. A set of ten duties are incorporated as fundamental Duties under Article 51A.

12. Sovereign:

India is a free and independent country. India is no more under the domination of any foreign country and any external force cannot influence its decisions.

India is a member of commonwealth Nation. But its membership does not affect the sovereignty of India.

13. Democracy:

India has representative and responsible government. Democracy has been introduced with a view to realize the political, economic and social democracy.

14. Republic:

It means that the head of the state, president, will be periodically elected by the people. Citizens' partnership in the affairs of the state is ensured.

15. Secular:

The constitution of India has created a secular state. It means

- 1) The state gives equal protection to all religions.
- 2) The state does not uphold any particular religion as the state religion.
- 3) Freedom of Religion is guaranteed in the constitution.
- 4) Equal respect for all religions.

16. Single Citizenship:

The constitution of India confers single Indian citizenship. This helps in creating feeling of oneness.

17. Uniformity in Basic Administration:

There is uniformity in most important matters of administration. e.g. single integrated judicial system, uniformity in civil and criminals laws, All India services.

18. Revolutionary:

The constitution of India has abolished several unjust practices and at the same time has provided special opportunities for the upliftment of the weaker sections.

19. Lawyer's paradise:

The constitution of India is very complex for the common man to understand. The complexity gives rise to litigation and constitutional amendments. Lawyers gain importance from this.

20. Judicial Review and Parliamentary Sovereignty Compromised:

The constitution of U.S.A. recognized judicial supremacy. The British system recognizes Parliamentary sovereignty i.e. the court can not declare any law of parliament as cancelled on any ground.

The constitution of India compromises between the two, it empowers the judiciary the power of declaring any law as null and void if it violets the Basic framework of the constitution. But the judiciary does not have the power of judicial review over the wisdom of any legislative policy i.e. important questions of public policy are to be decided on the floor of the House. Constitution gives the legislature the power to amend the constitution without destroying the basic structure.

1.4 CONCLUSION

The constitution of India is one of the most remarkable constitutions in the world. It is a confluence of East and the West.

1.5 UNIT END QUESTIONS

- 1 Examine the salient features of the Indian constitution.

SUBSTANTIVE AMENDMENTS AND RELEVANT CASE LAWS

(THE CONSTITUTIONAL FRAMEWORK)

Unit Structure

- 2.0 Objectives
- 2.1 Introduction
- 2.2 Procedure for Amendment
- 2.3 Substantive Amendments
 - 2.3.1 Constitution (4th Amendment) Act, 1955
 - 2.3.2 Constitution (16th Amendment) Act, 1963
 - 2.3.3 Constitution (25th Amendment) Act, 1971
 - 2.3.4 Constitution (42nd Amendment) Act, 1976
 - 2.3.5 Constitution (44th Amendment) Act, 1979
 - 2.3.6 Constitution (52nd Amendment) Act, 1985
 - 2.3.7 Constitution (62nd Amendment) Act, 1989
 - 2.3.8 Constitution (73rd Amendment) Act, 1992
 - 2.3.9 Constitution (74th Amendment) Act, 1992
 - 2.3.10 Constitution (86th Amendment) Act, 2002
 - 2.3.11 Constitution (92nd Amendment) Act, 2003
- 2.4 Unit End Questions
- 2.5 References

2.0 OBJECTIVE

This unit explains:

- Importance of amendment
- Describes substantive amendments
- Discusses relevant case laws along with amendments

2.1 INTRODUCTION

The Constitution is a set of fundamental basic rules governing the politics of a nation reflecting the exercise of political power. It lays down the framework and principal organs of the

government together with their functions as well as the modalities of interactions between the state and its citizens. The Constitution of India generally regarded as the lengthiest constitution of the world, came to be enforced on 26th January, 1950. It originally had 395 articles divided into 22 Parts and 8 Schedules. Although a constitution is drawn up to meet the needs of a society at a given point of time, it cannot actually be fully adequate to meet the growing and changing future needs of a modern state. Hence, a constitution is expected to be a dynamic document. It should grow with a growing nation. It should undergo suitable change to suit the changing needs and circumstances of a growing and changing people. All constitutions therefore, acknowledge the need and significance of an amendment of the constitution and accordingly provide for it. An amendment of the constitution implies 'an addition or change within the lines of original instrument, as will effect an improvement or better carry out the purpose for which it was framed.' An amendment of the constitution does not imply fundamental change or destruction of the 'basic structure' of the constitution. Article 368 (1) of the constitution of India empowers the Parliament to amend by way of addition, variation or repeal any provision of the constitution in accordance with the procedure laid down in article 368(2).

Moreover, an amendment of the constitution can be initiated only by an introduction of a bill in either House of Parliament. In each case, prior assent of the President of India is obligatory. Without the prior assent of the President the constitution cannot be amended. However, the President cannot refuse his final assent to the amendment proposals once it is passed by the Parliament.

2.2 PROCEDURE FOR AMENDMENT

Article 368(2) prescribes the following procedure for amendment of the Constitution

2.2.1 Amendment by a simple majority:

There are certain articles in the Constitution which can be amended by a simple majority (i.e., more than 50 percent) of the total members present and voting. Admission of a new state under article 2, Schedule IV and article 11 etc. for example can be amended under this category.

2.2.2 Amendment by special majority:

There are some articles in the Constitution which can be amended by a special majority (i.e., 66 percent) of not less than two thirds of the members of that House present and voting.

2.2.3 Amendment by special majority and ratification by State Assemblies:

Article 368 lays down that if the said amendment seeks to make any change in 'certain specified provisions of the Constitution' the amendment will have to be passed by special majority (i.e., 66 percent) in the Parliament followed by ratification by at least half of the State legislatures. Once this process is complete then the Bill is presented to the President for his assent.

2.3 SUBSTANTIVE AMENDMENTS

2.3.1 Constitution (4th Amendment) Act, 1955:

The Constitution (4th Amendment) Act, 1955 brought about significant changes in the Constitution with effect from April 27, 1955. It effected a change in Article 31 and substituted Articles 31-A and 305 with an objective to overcome the decisions and observations of the Supreme Court in cases like the State of West Bengal v. Bella Banerjee (A.I.R. 1954, S.C. 170)

In the mentioned case, the Supreme Court put forth the following principles.

- i. That an owner must be paid full market value, as a compensation, in every case of compulsory deprivation of property;
- ii. That the court of law is competent to determine whether or not the quantum of compensation was adequate.

In view of the above directions of the Supreme Court, it was nearly impossible for the Government to implement any scheme of socio-economic reform which was planned by the state. Hence, this necessitated the amendment of the relevant provisions of the Constitution.

The Constitution (4th Amendment) Act, 1955 therefore provided that Article 13(2) which mentions about an adequacy of the compensation, would be non-justiciable in any court of law. Moreover, the obligation to pay compensation under Article 31(2) was restricted only to two classes of cases namely 'acquisition and requisition' of property. Finally, Article 31-A was broadened in its scope, in order to enable the Government to attain the socialistic pattern of society. It also authorized the state to nationalize any trade.

2.3.2 Constitution (16th Amendment) Act, 1963:

The Constitution (16th Amendment) Act, 1963 imposed certain restrictions on the fundamental rights of citizens in the interest of the sovereignty and integrity of the country. It also made changes in the form of oath given in the Third Schedule by adding the words 'I will uphold the sovereignty and integrity of India'.

2.3.3 Constitution (25th Amendment) Act, 1971:

The Constitution (25th Amendment) Act, 1971 came into force on April 20, 1972. It introduced two significant changes in the Constitution.

- i. It amended Article 31(2) and provided that 'anybody's property may be acquired on payment of an 'amount' instead of 'compensation'. The intention was that the citizen's right to property should be transformed into the state's right to confiscation and the state should be able to deprive anyone of any property in return for any amount, payable at any time, on any terms, and the executive action, however arbitrary, or irrational, should not be subjected to the court's scrutiny. {R.C. Cooper v. Union of India (1970) 3, S.C. R. 530}
- ii. It also inserted Article 31-C which provides that 'no law giving effect to the policy of the state towards securing the principles specified in clause (b), or clause (c) of Article 39, shall be deemed to be void on the ground that it is inconsistent with, or, takes away or abridges any of the rights', conferred by Article 14, Article 19 or Article 31; and no law containing a declaration that it is for giving effect to such policy, shall be called in question, in any court, on the ground that it does not give effect to such policy.'

Criticizing the above provision as mentioned in Article 31-C, eminent legal jurist Nani A. Palkhiwala stated, 'Article 31-c is monstrous outrage on the Constitution.' It has damaged 'the very heart of the Constitution.' This poisonous weed has been planted where it will be trouble us a thousand years. Each age will have to reconsider it. '

2.3.4 Constitution (42nd Amendment), Act, 1976:

The Constitution (42nd Amendment) Act, 1976 was the most comprehensive amendment to the Constitution and carried out major changes. It received the assent of the President on December 18, 19715. Some of the far reaching changes in the Constitution introduced by this amendment are as follows:

- i. In the Preamble to the Constitution, it substituted the words 'sovereign, socialist, secular, democratic republic' for the words 'sovereign, democratic republic'. It also substituted the words 'unity and integrity of the nation' for the words 'unity of the nation'.
- ii It amended Article 31-c and provided that no law giving effect to the policy of the state towards securing all or any of the directive principles as laid down in Part IV of the constitution, shall be deemed to be void on the ground that it is inconsistent with, or takes away or abridges any of the fundamental rights, conferred by the Articles 14, 19 or 31.
- iii It inserted a new article 31-D which provide for saving of laws relating to prevention or prohibition of anti national activities and association.
- lii It inserted a new article 32-A which prohibits the Supreme Court from considering the Constitutional validity of any state law, in any proceeding under Article 32.
- iv It inserted new articles 39-A, 43-A and 48-A in the Constitution. Article 39-A provided for 'equal justice and free legal aid' to economically backward classes'. Article 43-A provided for 'participation of workers in management of industries' and Article 48-A provides for 'protection and improvement of environment and safeguarding of forests and wild life'.
- v. It provided for the 'fundamental Duties' of a citizen of India.
- vi It amended Articles 83 and 172 to increase the duration of the Lok Sabha and every Legislative Assembly from five to six years during a situation of emergency.
- vii It asserted the supremacy of the Parliament with regard to the amendment of the Constitution.
- viii It curtailed the power of the High Court and the Supreme Court with regard to the issue of writs and Judicial Review.
- ix It made it obligatory for the President to act on the advice of the Council of Ministers.
- x It transferred subjects like forests, education, population control from the State List to the Concurrent List.
- xi It provided for administrative tribunals for speedy and substantial justice.
- xii It granted the Union Government the power to deploy armed forces in any state to deal with a 'grave situation of law and order'.

- xiii It authorized Parliament to make laws to deal with the anti national activities and such laws were to take precedence over fundamental rights.

2.3.5 Constitution (44th Amendment) Act, 1979:

The Constitution (44th Amendment) Act, 1979 received the assent of the President on 30th April, 1975. The 44th Amendment is significant because it seeks to remove partially the distortions that were introduced into the Constitution by the Constitution (42nd Amendment) Act, 1975. Some of the other features of this amendment are as follows.

- i It modified the emergency provisions of the Constitution to ensure that these were not misused in future.
- ii It restored to the Supreme Court and High Courts the jurisdiction and power they enjoyed before the 42nd amendment was passed.
- iii It deleted the right to property from the list of fundamental rights.
- iv It took away from the centre the power to send its armed forces to any state to meet a grave situation there.
- v A new directive principle was inserted by adding a new clause to Article 315. It stated that the state shall, in particular, strive to minimize the inequality in income, and endeavor to eliminate inequalities in status, facilities and opportunities, not only among individuals but also among groups of people residing in different areas or engaged in different vocations.
- vi The Constitution (42nd Amendment) Act, 1976 had amended Article 71 so as to make ministerial advice binding on the President. This provision is now amended by adding a new provision to Article 74(1). It stated that the President may require the Council of Ministers to reconsider its advice to him, either generally or otherwise. However, the President shall act in accordance with the advice tendered such reconsideration.
- vii The Constitution (42nd Amendment) Act, 1976 extended the life of Lok Sabha and State Legislative assemblies from five to six years. The 44th amendment reduced it again to five years by amending articles 83 and 172 accordingly.

2.3.6 Constitution (52nd Amendment) Act, 1985:

The Constitution (52nd Amendment) Act, 1985 was unanimously passed by Parliament to curb defection of a Member of Parliament or State Legislature by disqualification. The main features of this amendment are as follows:

- i A Member of Parliament or State Legislative Assembly belonging to any political party shall be disqualified from being a member of that House. (a) if he/she voluntarily gives up his/her membership of such political party or (b) if he/she votes or abstains from voting in such House, contrary to any direction issued by the political party to which he/she belongs, unless there is a prior permission or condoning of the act by such political party within 15 days from the date of such voting or abstention.
- ii An elected member of House who has been elected as such, set by any political party shall be disqualified for being a member of the House if he/she joins any other political party after such election.
- iii However, the amendment permits a group of people to leave a party and split it in the process.
- iv A nominated member of the House shall be disqualified from being a member of the House if he joins any political party after the expiry of six months, from the date on which he takes his seat.
- v The amendment also added the Tenth Schedule to the Constitution which contains provisions regarding disqualification on ground of defection.

2.3.7 Constitution (62nd Amendment) Act, 1989:

The Constitution (62nd Amendment) Act, 1989 was enacted with an objective to amend article 334 of the Constitution which provides for the reservation of seats for the Scheduled Castes and Scheduled Tribes and the representation of Anglo-Indian Community by nomination in the Lok Sabha and in the Legislative Assemblies of the states. This amendment was necessitated as this particular provision's validity was to expire after a period of forty years from the commencement of the Constitution. There was a general political agreement that although the Scheduled Castes and Scheduled Tribes have made progress in the last forty years, there are enough compelling reasons which require this provision to continue. Through this amendment therefore, the reservation for the Scheduled Castes and Scheduled Tribes and the representation of the Anglo-Indians by nomination was extended for a further period of ten years.

2.3.8 Constitution (73rd Amendment) Act, 1992:

The Constitution (73rd Amendment) Act, 1992 inserted Part IX containing Articles 243 to 243-O relating to establishment and operation of the three tier system of panchayat in the rural areas, (a) the village panchayat at the village level (b) the district

panchayat (c) the intermediate panchayat which stands between the village and the district panchayat.

This amendment also provided a constitutional guarantee to formation of panchayat, direct elections to all seats in panchayats, reservation of scheduled castes, scheduled tribes, etc. It fixed the term of panchayat at five years and provided for mandatory election at the end of the term. It incorporated XI Schedule in the Constitution which contains 29 subjects, on which the panchayats shall have the administrative control.

2.3.9 Constitution (74th Amendment) Act, 1992:

The Constitution (74th Amendment) Act, 1992 added Part IX-A to the Constitution which lays down the procedure for constitution and composition of urban local bodies or municipalities and Wards Committees. It also provides for reservation of seats for women, scheduled tribes in the municipalities. It also added a XII Schedule to the Constitution which contains 18 subjects on which municipalities shall have administrative control.

2.3.10 Constitution (86th Amendment) Act, 2002:

The Constitution (86th Amendment) Act, 2002 was carried out in 2002. It made free and compulsory primary education a fundamental right. It stipulated that the government shall provide free and compulsory education to all children from the age of six to fourteen in such a manner as the state may by law determine. Further, it seeks to compel parents to send their children to school by making it a fundamental duty under article 51-A. The amendment also enjoins on the state to make endeavor to provide early childhood care and education to all children till they complete six of age.

2.3.11 Constitution (92nd Amendment) Act, 2003:

This amendment has added four new languages – Bodo, Dogri, Maithali and Santhali – to the Eighth Schedule of the Constitution. With these additions the total number of languages in the 8th Schedule has risen to 22.

2.4 UNIT END QUESTIONS

1. Discuss the need and importance of amendments in the Constitution.
2. Explain the main features of the Constitution 42nd and 44th amendments.

3. Discuss the constitutional significance of 73rd and 74th amendments.
4. Explain why the constitution 86th amendment is important.
5. Discuss how the Constitution 92nd amendment is relevant today.

2.5 REFERENCES

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Module II
PHILOSOPHY OF THE
CONSTITUTION

Unit structure

- 3.0 Objective
- 3.1 Introduction
- 3.2 Philosophy of the Constitution
- 3.3 Preamble and Philosophy of the Indian Constitution
- 3.4 Fundamental Rights Meaning and Nature of Rights.
- 3.5 Fundamental Rights - Meaning of Fundamental Rights
- 3.6 Directive Principles of State Policy
- 3.7 Unit End Questions
- 3.8 References

3.0 OBJECTIVE

‘Unity in diversity’ is the important feature of Indian society. In this type of society list of fundamental rights gives security and safety to the people.

In this unit we will learn about following points: -

1. Preamble and philosophy of the Indian constitution
2. Fundamental Rights

3.1 INTRODUCTION

Rights are indispensable for the development of human personality. In the absence of rights, no individual can attain progress, In a democracy great importance is given to an individual’s growth and therefore the citizens rights get prominence.

3.2 PHILOSOPHY OF THE CONSTITUTION

Decades before the enactment of the constitution, the political leadership of the country had evolved the philosophy of the future Indian state. These were summed up by the constituent Assembly in ‘The objective resolution’, moved by Jawaharlal

Nehru. This resolution was adopted by the Assembly on 22nd January 19415.

The Objective Resolution:

The fundamental source of philosophy of the Indian constitution is the objective Resolution It was as under: -

1. Constituent Assembly declares India as an independent, sovereign, republic and to draw up for her future governance a constitution.
2. India shall be union of states.
3. All powers and authority of India and Government are derived from the people.
4. People will get guarantee about Justice, equality and liberty.
5. Adequate safeguards shall be provided for minorities, backward and depressed.
6. Whereby shall be maintained the integrity of the territory of the Republic.
7. State will contribute to the promotion of world's peace and the welfare of mankind.

Indian constitution has embodied the objectives expressed in this Resolution. The ideals embodied in the objectives Resolution are reflected in the preamble to the constitution.

3.3 PREAMBLE AND PHILOSOPHY OF THE INDIAN CONSTITUTION

3.3.1 Meaning:

The Preamble is an introduction of the constitution.

3.3.2 Importance:

It is a summary and essence of the constitution. It sets out the goals, the values and the ideals for which our, country stands. The objectives specified in the preamble contain the basic structure of our constitution. The Preamble is a part of the constitution. It highlights the important principles and philosophy of the Indian constitution. It is regarded as the soul of the constitution.

3.3.3 The Preamble reads as:

“We the people of India, having solemnly resolved to constitute India into a sovereign, socialist, secular, Democratic, Republic and to secure to all its citizens:

Justice :

social, economic and political.

Liberty:

Liberty of thought, expression, belief, faith and worship.

Equality

of status and of opportunity; and to promote among them all;

Fraternity

Assuring the dignity of the individual and the unity and integrity of the nation;

In our constituent assembly this twenty – sixth day of November 1949, do hereby adopt, enact and give to ourselves this constitution.

The 42nd amendment to the constitution in 1976 incorporated terms such as ‘socialist and secular’ and unity and Integrity’ of the nation in the preamble.

3.3.4 Philosophy of the constitution:

Preamble shows the philosophy and important principles of the constitution. It contains following important points: -

1. Sovereignty of the people.
2. Nature of the Indian state.
3. Goals and objectives of the constitution.

1] Sovereignty of the people:

When we read the preamble, introductory words shows that Indian people made Indian constitution and accepted for them. The power to govern is drawn from the people of India therefore; sovereignty resides with the people of India.

2] Nature of the state of India:

Preamble shows the nature of the India is as follows –

1. Sovereign:

This means that India is no more under the domination of any foreign country and any external force can not influence its decisions. it is a free and independent country. It is supreme over its internal and external matters. It is free to take its own decisions.

2. Socialist:

This word was inserted in the preamble by the 42nd amendment. It envisages the goal of a 'welfare state'.

3. Secular:

This was also inserted by 42nd amendment. India is a secular country; it means there is no official religion in India. It is separation of state and religion. People enjoy right to freedom of religion. People can profess practice and propagate religion of their choice. All religions will receive equal treatment. It is neither a theocratic not an atheistic state. Freedom of religion is guaranteed in articles 25-29 of the constitution.

4. Democratic:

India is a democratic country. The democratic has been introduced with a view to realize the political, economic and social democracy. Political democracy means one vote for one person and rotation of government. There will be representative and responsible system of government. Social democracy means absence of discrimination on the basis of caste, religion, race, gender etc. Economic democracy means to bridge the gap between rich and poor in terms of income and distribution of wealth.

5. Republic:

India is a Republican form of govt. there is sovereignty of the people. Head of the state 'President' is elected by the people. After independence we have put an end to the hereditary rule of British Crown. Thus the nature of the Indian state is sovereign, socialist, secular, Democratic and Republic.

3] Objectives of the state:

Preamble shows the aims and objectives of the state i.e. Justice, liberty, Equality, Fraternity and to maintain unity and Integrity of the country.

1. Justice

Social : Justice in social spheres means no discrimination in the society. It stands for a welfare state.

Economic : Justice in economic sphere means economic equality, equal opportunities to all.

Political : Justice in political sphere means equal protection to all and equality of law.

It intends not only creating an environment in which social, economic and political justice is assured but also work positively against any form of discrimination existing in the society on the basis of caste, community, race, religion etc.

2. Liberty:

Our constitution believes in freedom of different nature – social, civil and political as articulated through the fundamental rights in the constitution. e.g. freedom of thought, expression, belief, faith and worship.

3. Equality:

It means equality of status and opportunity, 'Equality before law' and 'equal protection of law', equality at public places, equal opportunities to all are guaranteed under the fundamental Rights in Right to Equality.

4. Fraternity:

Fraternity means a sense of common brotherhood and sisterhood of all Indians". Liberty, equality and fraternity forming a union of trinity in the sense that, if we divorce one from the other, it defeats the very purpose of democracy. All the three values are necessary to maintain the dignity of the individual and unity and integrity of the nation.

5. Dignity of the individual:

It is essential for attaining democracy as a way of life, it means that the personality of each individual should be recognized and respected.

3.3.5 Evaluation:

The structural part of the constitution is, to a large extent, derived from the Government of India Act, 19315.

Whereas it's philosophical part has many other sources. In our constitution, fundamental rights partly derive its inspiration from the Bill of rights enshrined in the American constitution, Directive Principles of state policy from the Irish constitution. We have added the principle of cabinet government and executive – legislature relationship from the British experience. Besides these, we have

also many indigenous and innovative ideas like Panchayats, international peace and security.

The objectives specified in the Preamble contain the basic structure of the constitution which cannot be amended in exercise of the power under article 368 of the constitution.

Pluralism is the keystone of Indian culture whereas religious tolerance is the bedrock of Indian secularism.

The Preamble may be involved to determine the ambit of fundamental rights and Directive principles of state policy. From the preamble it is clear that India has emerged as a sovereign, socialistic, secular, Democratic, republic ensuring to its citizens Justice, Liberty, Equality and Fraternity.

Check your progress :

- 1) What is the objective Resolution ?
- 2) State the objective of Resolution.
- 3) What do you mean by Preamble of the Constitution ?
- 4) Give meaning and importance of Preamble .
- 5) How preamble reads ?
- 6) Discuss how Preamble expresses the philosophy of the Constitution ?

3.4 FUNDAMENTAL RIGHTS

Rights are our own demands for our own development when recognized by the society and state, these demands become rights. According to Harold Laski, 'Rights are those conditions of social life without which no man can seek to be himself at his best'.

Nature :

1. An individual is entitled to rights because he is a part of society.
2. Rights are never unrestrained. Certain restrictions have to be imposed on an individual's rights for the sake of common interest.

3. The nature of rights changes as the society undergoes change. People put forth new demands. Out of these demands new rights emerge. For example the demand for transparency in administration resulted in recognizing the 'right to information'.
4. Besides individual development, 'rights' have other objectives to attain. Rights provide special opportunities of development to the socially and economically weaker sections of society. It gives minorities a sense of security.

3.5 FUNDAMENTAL RIGHTS - MEANING OF FUNDAMENTAL RIGHTS

3.5.1 Meaning:

Basic civil and political rights of the citizens are called fundamental Rights. Part III of the Indian constitution has made elaborate provisions in regard to the fundamental rights.

3.5.2 Importance:

Fundamental rights have paramount importance in the constitution as it declares that all laws inconsistent with the fundamental rights shall be void. State shall not make any law which takes away or abridge the rights conferred in part III of the constitution.

The fundamental rights are provided to protect the dignity of the individual and to create conditions in which every human being can develop his or her personality to the fullest extent possible. The constitutional remedies make the fundamental rights active, alive and functional. These rights create positive conditions for the civilized social economic and political life.

3.5.3 Classification of fundamental Rights:

Fundamental rights are classified in six, based on nature, are as follows: -

1. Right to Equality (Arts 14-18)
2. Right to Freedom (Arts 19-22).
3. Rights against Exploitations (Arts 23-24).
4. Right to freedom of Religion (Arts 25- 28).
5. Cultural and educational rights (Arts 29-30).
6. Right to constitutional Remedies (Arts 32- 35)

**(Summary Table on)
Fundamental Rights.**

1	2	3	4
Meaning of fundamental rights	Importance of the fundamental rights	Classification of the fundamental rights 1. Right to equality 2. Right to freedom 3. Right against exploitations 4. Right to freedom of religion. 5. Cultural and educational rights. 6. Right to constitutional remedies.	Restrictions on fundamental rights

1. Right to Equality (Arts 14-18): -

Right to equality has five aspects. These aspects are as follows.

Right to Equality				
1	2	3	4	5
Equality before law.	No discrimination at public places.	Equality of opportunity	Abolition of untouchability	Abolition of titles

1. Article 14:

The state shall not deny any person 'equality before law' and 'equal protection of law' within the territory of India. Equality before law implies the absence of any special privilege in favour of an individual. Equal protection of law means that all people will get equal treatment in similar circumstances.

2. Article 15:

Directs that the state shall not discriminate against a citizen on grounds of religion, race, caste, sex or place, birth or any of them. Art 15 also prohibits discrimination by the state and the citizens with regard to access to shops, hotels, public entertainment, wells, roads etc.

Limitation on this right are:

Recognizing need of special protection, it offers special protection for women and children. State can provide reservation for socially and educationally backward classes.

Art 16 Gives equal opportunity to all in public employment. No citizen shall be discriminated against or be ineligible for any employment under the state on grounds of religion, race, caste, sex, place of birth, descent or residence.

Art 17 provides for abolition of Untouchability:- In pursuance of this article the Parliament enacted Untouchability offences Act in 1955, It has been renamed as protection of Civil Rights Act 1995 Thus untouchability has been abolished by law.

Art 18 State has abolished all the titles to create equality among citizens. Military and Academic distinction are exempted from the provision for they are an incentive to further efforts for the perfection of the military power of the state. During British rule some titles were conferred on people along with certain privileges. This practice has been abolished.

Check your progress

- 1) Explain meaning and nature of rights
- 2) What do you mean fundamental Rights?
- 3) Why fundamental Rights are important?
- 4) Give the list of fundamental Rights.
- 5) Write on various aspects of right to Equality

2. Right to Freedom (Art 19-22) :

This right includes six types of freedoms essential for the around development of human personality. They are –

- a) Freedom of speech and expression.
- b) Freedom to assemble peacefully without arms.
- c) Freedom to form associations and unions
- d) Freedom to move in any part of Indian Territory.
- e) Freedom of occupation, trade and business.

Freedom as fundamental rights has been explained under Arts 19-23. All citizens shall have the right to freedom of speech and expression, peacefully assembly without arms, forming association, free movement and freedom to settle anywhere within country. Citizens have been granted freedom to express one's conviction and opinions freely by word, writing, printing, pictures. It includes the freedom of press. Therefore, pre- censorship of

newspapers are invalid. The rights have some reasonable restrictions: -

1. The grounds of restrictions for freedom of speech and expression are-
 - a. Security of the state
 - b. Friendly relation with foreign states.
 - c. Public order.
 - d. decency and morality
 - e. Contempt of court.
 - f. Defamation,
 - g. Sovereignty and integrity of India.

- 2 The right of assembly includes the right to hold meeting and to take out processions. This right is subject to the restriction of being peaceful and without arms.

3. Citizens have right to form, to join an association or trade union, every citizen of India has also the right to reside and settle in any part of India but the grounds of restriction include the interest of general public as well as state.

Article 19 (1) (f): was related to Right to property. Under this right citizens have rights to acquire, hold and dispose of property. This is dropped through the 44th amendment to the constitution in 19715. Hence Right to property is not a fundamental right but it is a legal right. All citizens shall have the right to practice any profession, occupation, trade or business, with reasonable restrictions, in the interest of general public.

Right to life and personal liberty:

The right to freedom guarantees the right to life and personal liberty. Accordingly, no person can be deprived to his life and personal liberty without the authority of law. No person can be arrested or detained without substantial reason.

Protection of life and personal liberties means that “No person shall be deprived of his or her life and personal liberty except according to procedure established by law”. Thus assures personal liberty of citizens against the arbitrary action on the part of the law enforcing authorities. Accordingly, Article 22 guarantees four rights to the person who is arrested under an ordinary law. i- The right to be informed as soon as, may be the ground of one’s own choice. ii – The right to consult and to be represented by a lawyer of one’s own choice. iii. The right to be produced before a magistrate within 24 hours . iv. The freedom from detention beyond the set period except by the order of the magistrate.

Further sub-classes of Art 22 deals with the preventive detention. Preventive detention is opposite to punitive detention. While the purpose of punitive detention is to punish a person for what he has already done.

The objective of preventive detention is not to punish a person for having done something but to intercept before one does it and to prevent him from doing it. The following are some of the preventive detention laws in operation.

1. MISA – Maintenance of Internal security Act 1971.
2. COFEPOSA – Conservation of Foreign Exchange and Prevention of smuggling Activities Act 19715.
3. TADA – Terrorist and Disruptive Activities Act 19815.
4. POTA – Prevention of Terrorist Activities Act, 2002.

3] Right against Exploitation: - Arts 23 -25 –

Art 23 prohibits trafficking in human beings, beggar, slavery and other similar forms of forced labour. Art 23 – clause 2 – permits the state to impose compulsory services for public purposes.

Trafficking in human being means selling and buying men, women and children like commodities. This has been prohibited by law. Art 24 – Children below the age of fourteen can not be employed in hazardous places like factories and mines.

This provision is important as it enables people to live a life with dignity

Summary Table on - Right Against Exploitation

1	2	3	4
Importance of this right	Prohibition of traffic in human beings and forced labour	Prohibition of employment of children	Establish dignity of the individual

4] Right to freedom of Religion: - (Art 25 to 28)

It guarantees secularism as one of the ideals of the constitution. It guarantees freedom of conscience, freedom to profess, practice and propagate any religion.

Restrictions:

Reasonable restrictions to this freedom are religious liberties subject to public order, morality, and health.

Every religious section can establish and maintain institutions for religious and charitable purposes.

But to ensure the secular character Art 27 provides ' no one shall be compelled to pay any tax for the promotion or maintenance of any particular religion.

There is prohibition of religious instruction in state aided institutions. This is to ensure the secular character of the state.

Summary Table on - Right to freedom of Religion

1.	2	3
Importance of this right	Aspects	Restrictions
	1. Freedom of conscience, profess any religion, 2. Freedom to manage religious affairs 3. Freedom to establish religious institutions 4. No religious education in educational institutions	

5] Cultural and Educational Rights: - (Art 29 – 30):

India is a multi – cultural, multi linguistic, multi religious country. There is a common desire to preserve and promote one's own language and culture. That is why cultural and educational rights are given to citizens. This enables them to maintain their distinct languages and culture and establish educational institutions for promotion of the same.

Art 29 confers on minorities' right to establish and administer educational institutions and provides following four distinctive rights:

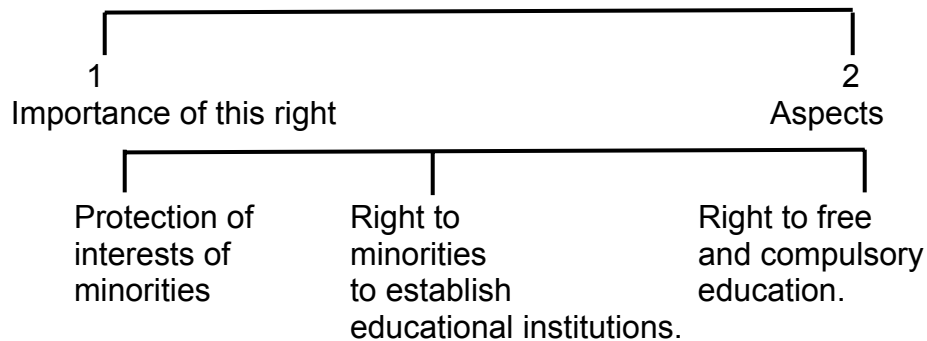
- a. Right of any section of citizens to conserve its own language script or culture. (Art 29(1),
- b. Right of the citizen not to be denied admission to any state maintained institutions on grounds of religion, caste, race and language (Art 29 (2)
- c. Right of all religious and linguistic minorities to establish and administer educational institutions of their choice (Art 30(1)
- d. Right of an educational institution not to be discriminated in matters of state aid on grounds that it is managed by a religious or linguistic minority (Art 30(2)).

Importance of this right is, minorities shall be protected in respect of their language, script and culture.

Right to free and compulsory education :

Eighty-sixth (86th) amendment of the constitution in 2006, lays down that the state shall provide free and compulsory education to all children of the age of six to fourteen years.

Table-Cultural and Educational Right



6] Right to constitutional remedies: (Art 32 – 35):

The right to constitutional remedies protects the citizens against encroachment on their fundamental rights. This right ensures that no person is deprived of his rights. It empowers the citizens to approach the court against any act of violation of fundamental rights. Dr. Ambedkar called it “the very heart and soul of the constitution.”

Art 32 guarantees to a person the right to move the Supreme Court directly for the enforcement of their fundamental rights. The Supreme Court can issue various kinds of writs for the enforcement of these rights. One can seek redressal through following petitions.

1) The writ of habeas corpus:

It is a powerful safeguard against arbitrary acts not only on private individuals but also of the executive. This writ can be filed by anyone including the arrested person, his relatives, friends etc. This petition will force the arresting authorities to produce the person bodily in the court.

2) The writ of Mandamus:

This writ commands the person to whom it is addressed to perform public or quasi public legal duty which he has refused to perform and the performance of which cannot be enforced by any other legal remedy.

3) The writ of Prohibition:

It simply means to stop. The Supreme Court or high court issues directions to an inferior court forbidding the latter to continue

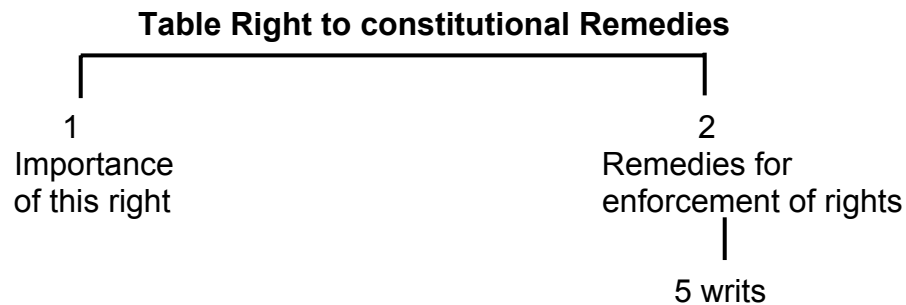
proceeding in a case in excess of its jurisdiction or to encroach on jurisdiction with which it is not legally vested.

4) The writ of certiorari:

It is issued to a lower court after a case has been decided by it denouncing or abolishing that order. The objective is to secure that order. Jurisdiction of an interior court does not encroach the jurisdiction which it does not possess.

5) The writ of quo warranto:

It is a proceeding by which the court inquires into the legality of the claim, which a party asserts to a public office and to remove from his or her employment if the claim is not found.



Check your progress

- 1) Write on Right to Freedom.
- 2) What is the importance of Right to freedom ?
- 3) What are the limitations on right to free freedom ?
- 4) Explain Right against Exploitation.
- 5) Explain Right to freedom of Religion.
- 6) Give short note on cultural and Educational Right.
- 7) Give importance of Right to Constitutional Remedies.

3.6 DIRECTIVE PRINCIPLES OF STATE POLICY

In Part IV of the constitution, Directive principles of the state policy are explained from Art 36 – 51. It is borrowed from the Irish constitution.

3.6.1 Meaning:

Directive Principles are in the form of guidelines for the state in deciding the socio – economic development of India.

3.6.2 Significance:

1. Welfare state:

The objective of directive principles is to embody the concept of 'welfare state'. The Indian constitution guarantees its citizens justice, freedom and equality. Hence citizens have been given certain rights. However, by merely guaranteeing freedom and equality, people cannot be made happy and their life prosperous. The state must formulate various projects for its citizens and through them must secure individual welfare and the nation's progress.

2. Development:

After independence, India faced many challenges. This country was to be transformed into a developed and progressive country. Therefore, it was necessary to implement a dynamic and rigorous programme of development. Guidance was necessary to decide priority areas to be focused on. Such guidance came from the directive principles of state policy. It shows the path to the state for development.

3. Supplement of fundamental rights:

Directive principles deal with the social, economic and cultural rights. These principles have enabled the government to make laws to protect the weaker sections of society and abolish inequality and eradicate poverty.

3.6.3 Nature of Directive Principles:

Directive Principles are fundamental in the governance of the country. But they are not justifiable in the court of law when it is violated. Their nature is moral. These principles are only the directions to the state and law making bodies to keep in mind while framing policies and laws.

3.6.4 Directive principles in the constitution:

For the easy understanding of the Directive Principles, they are classified into four categories: -

A Social principles

B Economic Principles

C Political principles

D International principles.

A] Social Principle:

1. The state must provide free and compulsory education to all the children below fourteen years of age.
2. It should promote the interests of the weaker sections especially for the SC and ST.
3. The state should strive to improve public health and impose a ban on intoxicating drugs harmful to health.
4. The state should support the development of agriculture and animal husbandry on scientific lines.
5. The state shall strive to preserve and protect the environment, forests and wild life.
6. The state should protect and preserve historical and national monuments.

B] Economic principles:

1. The state should provide adequate means of livelihood to all its citizens.
2. It should use the material resources of the country for the well being of the entire society.
3. It should prevent the concentration of wealth in the hands of a few.
4. It should ensure equal pay for equal work to all men and women alike.
5. The state should ensure that no person is compelled to enter into a vocation unsuited to his age and ability.
6. The state shall strive to create conditions that will help children grow in a free and healthy atmosphere
7. The state shall create a legal system that promotes justice and provides free legal aid to the weaker sections of society.
8. All citizens should be given the right to work and the right to education. They should be provided assistance in old age and illness.
9. The state shall strive to secure just and humane conditions of work for the workers.
10. The state shall promote cottage industries.
11. It should ensure workers participation infactory management by making suitable laws.

C] Political Principles:

1. The state shall organize village Panchayats for enhancing people's participation in political affairs.
2. The state should strive to implement uniform civil code for all the citizens of India.
3. The Judiciary should be separated from the Executive to secure the independence of the former.

D] Principles concerning International Relations:

1. The state is expected to devise a foreign policy that promotes international peace and security.
2. It shall promote honourable and friendly relationships among nations.
3. It shall resolve international disputes by peaceful means and arbitration.

3.6.5 Distinction between Fundamental rights and directive Principles:

1. Fundamental rights have judicial protection. Whereas directive principles of state policy do not have such protection. We cannot approach the court in case of nonimplementation of the directives.
2. Fundamental Rights provides individual freedom and liberty to the people. These are basic civil and political rights of the citizens.

Directive Principles are the guidelines for the state. It shows the path to the government for formulating policies towards welfare state.

Directive Principles deals with the social, economic and cultural rights.

3. Both together bring balance between individual liberty and public good.
4. In case of a conflict between Directive Principles and fundamental rights, the latter must prevail. But Parliament can amend the constitution and modify fundamental Rights to give effect to Directive Principles.

3.6.6 Table Directive principles:

Table Directive principles				
1	2	3	4	5
Meaning	Significance	Nature	Classification	Difference
Guidelines to the state.	1) Welfare state 2) Development 3) Social 4) Economic 5) Cultural 6) Rights.	Not justifiable	1) Social 2) Economic. 3) Political. 4) International.	

3.7 UNIT END QUESTIONS

1. Discuss 'preamble' as expression of the philosophy of the Indian constitution.
2. Discuss the unique and outstanding features of the constitution of India
3. Discuss the unique and outstanding features of the constitution of India.
4. Critically examine the significance and utility of the preamble to the constitution of India.
5. Discuss the philosophy of the constitution of India.
6. Elaborate Right to Equality and Right to freedom.
7. Critically examine the provisions regarding fundamental Rights.
8. Attempt and discuss classification of the Directive principles.
9. Write short notes on
 1. Objective Resolution. 2. The Preamble
 - A) Right to freedom of religion. B) Right to constitutional Remedies. C) Fundamental Duties. D) Relationship between fundamental Rights and Directive principles. E) Importance of Directive principles.

3.8 REFERENCE

1. Introduction to the constitution of India by Durga Das Basu.
2. Dr. M.V. Pylee – constitutional Government of India.
3. The constitution of India – 2004.

Module III
**INSTITUTIONS: STRUCTURE, POWER
AND FUNCTIONING PARLIAMENT**

Unit structure

- 4.0 Objective
- 4.1 Introduction
- 4.2 Parliament the structure
- 4.3 Powers and functions of Parliament
- 4.4 Relationship between two houses
- 4.5 Changing Role of the Parliament
- 4.6 Issue of Parliamentary sovereignty
- 4.7 Role of Parliament
- 4.8 Decline of Parliament
- 4.9 Conclusion
- 4.10 Unit end questions

4.0 OBJECTIVE

To learn about the law making body of the government.

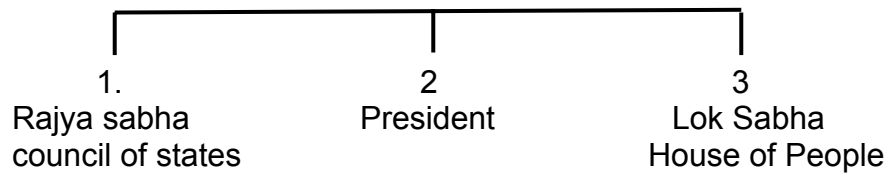
4.1 INTRODUCTION

The Indian parliament is the legislative organ of the government. It represents the people as well as epitomises unity of India. Articles 79 to 122 of the Indian constitution describe the Parliament; which is known as 'sansad', Indian Parliament is bicameral.

4.2 STRUCTURE OF THE PARLIAMENT OF INDIA

Article 79 says "There shall be a parliament for the Union, which shall consist of the president and two Houses, to be known as the council of state and House of the people."

Composition of Parliament



4.2.1 President:

President is not the member of any House, but he is considered as an inseparable part of the Parliament. Every Bill passed by the Parliament must have his assent to become an Act. He has a special power of summoning meetings of the parliament.

4.2.2 The Rajya Sabha (The Council of states)

Composition of the council of States:

It represents the states. Rajya Sabha promotes and protects the interest of various states in India. This the upper House of Parliament. It (Total seats) consists of 250 members. Out of these 238 members are indirectly elected by state assemblies and union territories and 12 members are nominated by the President. These are the people who have knowledge and skill in the field of arts, science, literature and social service. Their nomination to the Rajya Sabha makes their services available to the nation.

Division of seats:

In Indian federal system there is not equal representation in the Rajya Sabha, like American senate. In India every state has different number of representatives depending upon the population of the state. E.g. Uttar Pradesh sends 31 members, Maharashtra sends 19 and Goa send 1 member in the Rajya Sabha.

Election:

Out of 250 members of the Rajya – Sabha, 238 are indirectly elected. For the purpose of this election Proportional Representation by means of single transferable vote system is used. In this system, the voter is supposed to indicate his choice by giving numbers to the candidates as per his order of preference. The system of proportional representation is complicated. A candidate cannot get elected unless he secures certain proportion of votes. People are not directly involved in this election. The elected members of Legislative Assemblies elect the Rajya Sabha members. The nominated members and the Legislative Council members do not participate in this election.

Tenure:

Rajya Sabha is a permanent body. Members are elected for a period of 6 years. After every 2 years 1/3rd of its members retire by rotation. It is a continuous house

Qualifications of members:

1. He must be a citizen of India.
2. He must have completed 30 years of age.
3. Additional qualifications may be prescribed by parliament from time to time.

Disqualifications:

1. A person will occupy only one seat at time.
2. A person will be disqualified if he holds any office of profit under the central Government or state Government.
3. If he is of unsound mind.
4. If he has indulged into corrupt electoral practices and proved guilty then he is disqualified from elections for a period of 6 years.

Chairman and Deputy Chairman:

The Vice President is the ex- officio chairman of the Rajya Sabha. In the absence of the chairman, the Deputy Chairman functions as the chairman. He is a member of the House and elected by the House.

Table Composition of Rajya Sabha

1	2	3	4	5	6
Representation	Strength	Election	Tenure	Qualifications	Chairman
Represents the states	250	Indirect	permanent house.		Vice president

The Lok Sabha (The House of People) :**Composition:**

Lok – Sabha is known as the lower House of Parliament. It is known as House of people because it represents the people of India. The members of Loksabha are directly elected by the people.

Strength:

There can be a maximum of 552 members in the Lok Sabha. Out of these not more than 530 members are from the federating units i.e. states. Not more than 20 members are representatives from union territories and 2 members may be nominated by the President from Anglo – Indian community, if he feels that the community is not adequately represented.

Distribution:

The seats are distributed on the basis of population Uttar Pradesh sends maximum members 80 to the Lok Sabha whereas Mizoram, Nagaland and Sikkim send one member each to Lok Sabha. Maharashtra sends 48 members to the Lok – Sabha.

Tenure:

Normal life of Lok Sabha is Five years. It can be dissolved earlier by the President. In case of emergency, the parliament can extend the life of Lok Sabha by one year. Fresh elections must be conducted within six months after emergency has been lifted.

Qualifications : - A person must possess following qualifications for membership of Lok Sabha. -

1. He must be a citizen of India.
2. He must have completed 25 years of age.
3. He must possess other additional qualifications as decided by the parliament from time to time.
4. His name should appear in the voter's list.

Mode of Representation:

All citizens of India who have completed 18 years of age can vote for Lok Sabha. It is a direct election. Representation is on geographical basis. For the purpose of elections entire territory is divided into smaller geographical units. Each one of this unit is called a constituency. Each constituency represents more or less same number of people. In case of Lok Sabha only one representative is to be elected from each constituency. Hence it is called as a single member constituency. The candidate who secures maximum number of votes is declared elected.

e.g. –

Candidate	Votes polled	Result
A	10,000	elected.
B	9,000	
C	8,000	

Candidate 'A' is declared elected as he has polled maximum number of votes. However, it must be noted that he is not supported by majority. Candidates 'B' and 'C' have polled 1700 votes together. These votes are more than the votes polled by 'A', But these votes being fragmented 'A' gets elected.

Speaker and the Deputy Speaker:

The speaker is the presiding officer of the Lok Sabha. His position is of dignity and honour. His status is equivalent to the Chief Justice of India. In the absence of the speaker, the Deputy Speaker presides over the house.

Election:

The speaker and the Deputy Speaker are elected by majority by members of Lok – Sabha. Generally, the majority party decides the speaker and the opposition gets the post of Deputy Speaker.

Tennure :

Of the speaker and the Deputy Speaker- The speaker and Deputy Speaker hold the office during the life of Lok Sabha. They remain in office till the newly elected members choose the speaker and the Deputy Speaker.

His office may be terminated earlier if

1. He ceases to be a member of Lok Sabha
2. He resigns.
3. He is removed.

The members of Lok Sabha can remove the Speaker. Such a resolution should be tabled with 14 days notice. When the resolution comes for discussions, he can participate and vote. In case of a tie on this resolution he cannot vote.

Table - Composition of Lok Sabha

1	2	3	4	5	6
Representation	Strength	Tenure	Qualifications	Election	chairman
↓	↓	↓	↓	↓	↓
Represents the people	552	5years		direct	speaker

Powers and Functions of the speaker:

The powers, *position and functions of the speaker are similar to* those of the speaker of the House of Commons in England.

1. The speaker presides over the meetings of the House.
2. He maintains order, decency and decorum in the House.
3. In the absence of quorum, he adjourns the House. Quorum is the minimum number of members required for the functioning of the House. Generally it is 1/10th of the total membership. In the absence of quorum House has to be adjourned.
4. He decides to admit questions, motions, Bills etc. he is the sole authority to decide the urgency of any matter.
5. He adjourns the House in case of chaos.
6. If the answer given by a minister is not satisfactory, then he can pressurise the minister to give proper answer.
7. He protects the special privileges of the members.
8. He presides over the joined sitting of both the Houses.
9. He should be impartial and does not vote. But in case of a tie he has a casting vote that decides the dispute.

Powers and Functions of the Parliament:

India has adopted parliamentary form of government. In this system executive is a part of the legislature and can remain in power only so long as it enjoys the confidence of the legislature. Executive i.e. the government is responsible to the legislature. Hence in Parliamentary system Parliament is the most important organ of the Government. It has dual responsibility 1. Legislative functions 2. Executive functions.

1. Legislative function:

The basic function of the Parliament is to make laws. As the situation changes there is a need to amend old laws, to make new laws and repeal old laws. This is done by parliament. In the modern welfare state this function has substantially increased. The Parliament has the power to make laws on the subjects given in the union list and the concurrent list.

2. Formation of the Cabinet:

It is the function of Parliament to form cabinet by the leader of majority party. The cabinet looks after the day to day administration and decides policies of the government. Such a government is responsible to parliament.

3. Control of Cabinet:

Union parliament exercises control over the union executive and administration. Council of Ministers is collectively and every minister is individually responsible to the Union Parliament. It enforces responsibility through questions, resolutions, adjournment motions, budgetary discussion, vote of no confidence etc. Question Hour is the most important instrument of parliamentary control. The first hour of every working day is reserved for this purpose. By raising questions, the members of parliament can focus public attention on the policies and activities of the government.

Debates on Adjournment Motions is a tool of day to day control. It is utilized for raising a discussion in the House on any specific questions of urgent nature and of public importance.

The cabinet remains in power as long as it enjoys the confidence of the Parliament. Any minister can be asked questions and supplementary questions by the member of parliament. The cabinet has to resign if a no confidence motion is passed. Ministers are responsible to the parliament. Matter of urgent public importance are discussed by the member of the Parliament. It ensures accountability of the executive in the parliamentary system.

4. Financial Powers:

The Union parliament enjoys absolute control over the purse of the nation. The parliament alone has power to levy a new tax. The finance Minister submits the Annual Budget before the Lok Sabha. The parliament discusses it in detail and approves it.

Money Bills are introduced only in the Lok Sabha and requires sanction only of the Lok Sabha.

5. Judicial Powers:

The Parliament can remove the President, Chief Election commissioner, the judges of the high court and Supreme Court by impeachment. The parliament has the power to punish any one for breach of its privileges or for its contempt.

6. Power of amending the constitution:

Parliament has the authority to amend the constitution. Approval of both the Houses is essential for amendment. However, amendment cannot change basic framework of the constitution.

7. Electoral Functions:

Parliament elects the president and the Vice – president.

8. Venting of Grievances:

It vents the grievances of the people through various parliamentary measures. The Parliamentary debates, questions etc are highly informative. The legislature plays vital role in mobilizing popular support for the regime as well as for developmental activities.

Table- Powers and Functions of Parliament

1	2	3	4	5	6	7	8	9
Legislative	Formation	Control	Financial	Judicial	Power	Electoral		
	of	on				of		
	cabinet	cabinet				amending		
						the constitution		
							Venting	
							of	
							Grievances	
							Emergency	

4.4 RELATIONSHIP BETWEEN THE TWO HOUSES

Except for the Money Bill both the Houses have equal powers. However, as far as money bill is concerned it can be introduced only in the Lok Sabha and requires the sanction of the Lok Sabha.

The Lok Sabha can pull down a government where as a Rajya Sabha cannot do it.

This does not mean that the Rajya Sabha is a powerless house - Rajyasabha has some special powers such as creation of All India services, shifting a subject from the state list to the concurrent list, approval of proclamation of emergency etc. It is important to note that Rajya Sabha cannot be destroyed by Lok Sabha. If the Lok Sabha is dissolved, all powers of parliament are enjoyed by the Rajya Sabha. Thus Lok Sabha has superior position regarding money bill, But Rajya Sabha has some special powers.

4.5 CHANGING ROLE OF THE PARLIAMENT

The Legislature constitutes the heart of the representative democratic system. Enactment of laws is its main function but it also supervises and controls the whole governmental system. In developing countries like India, the legislature plays vital role in mobilizing popular support for the regime as well as for developmental activities. But the decline in powers and significance of the legislature during the 20th century is a world – wide

phenomena and India is no exception to this trend. In this context we will study about issue of parliamentary sovereignty the role of parliament and decline of parliament, in India.

4.6 ISSUE OF PARLIAMENTARY SOVEREIGNTY

The position of the Indian Parliament is half way house between the British Parliamentary sovereignty and the American supremacy of the constitution.

British Parliament is supreme. British parliament can do everything that is not naturally impossible. The laws enacted by the British parliament are regarded as the supreme laws. Court cannot decide its validity. Thus English courts are denied any power “to sit as a court of appeal against parliament”. Theory of the Parliamentary sovereignty is maintained in England.

In USA there is supremacy of constitution. It means constitution is supreme and courts have the power of interpretation of the constitution. Supreme Court has power to invalidate a law enacted by the congress (Parliament) not only on the ground that it transgresses the legislative powers vested in it by the constitution or by the prohibitions contained in the Bill of rights but also on the ground that it is opposed to such general principles as due process of law. Thus the supremacy of the constitution is maintained.

Indian constitution embodies a healthy combination of the theory of the supremacy of the constitution like US and the theory of the parliamentary sovereignty like England. Indian Judiciary is empowered to declare a law as unconstitutional if it is beyond the competence of legislature and against the constitution. But at the same time, judiciary has no power to ascertain wisdom of legislative policy.

Secondly constitution can be amended by Union parliament and can overcome difficulties created by judicial decisions.

It was expressed by Pandit Nehru that “No supreme Court can stand in judgment over the sovereign will of parliament. It can pull – up that sovereign will if it goes wrong; but where the future of the community is concerned, no judiciary can come in the way, It means Legislature must be supreme and must not be interfered with by the courts of law in such measures as social reform.”

Thus compromise between judicial review and parliamentary sovereignty is one of the basic features of the constitution of India.

Disturbance:

In 1976, 42nd amendment Act disturbed the balance between the Parliamentary sovereignty and Judicial review by moving towards the former by introducing some new provisions to the constitution. But in 1977, 43rd and 44th amendments Acts restored it,

Thus balance between the parliamentary supremacy and the judicial review has been achieved which makes the Indian parliament not as omnipotent as British Parliament and not as helpless as American Congress.

4.7 ROLE OF PARLIAMENT

The role and functions of Parliament assume great significance in view of the basic principles associated with parliamentary democracy.

A parliamentary form of government acknowledges the fact that in this system, parliament derives its power directly from the consent of the people expressed through periodic elections and that it exists to implement the will of the people. In this system the executive not only emanates from parliament but is also accountable to parliament for all its acts of omission and commission. This accountability of the executive to parliament represents the will of the people, it should be able to oversee and keep the executive under control and constant surveillance.

Parliaments have now become multi – functional institution.

It is the political nerve centre of the country, acting as a mirror of the society. Parliament performs a variety of functions such as: -

1. Law making or Legislative function.
2. Ensuring executive accountability through control of cabinet.
3. Control over the budget, financial powers.
4. Amending the constitution.
5. Representational role, formation of the cabinet.
6. Educational role.
7. Venting of Grievances of the people.
8. Training and recruitment of leadership, electoral function
9. Powers relating to emergency.

Thus parliament is a multi – functional institution. But the decline in powers and role of the legislature during the 20th century is world – wide phenomena and India is no exception to this trend.

4.8 DECLINE OF PARLIAMENT

Day-to-day parliament is losing in its effectiveness. Factors responsible for the decline of Parliament and erosion of its powers are as follows: -

- 1 Usurpation of powers by the executive branch
- 2 Judicial intervention
- 3 One party Dominance system
- 4 Rigid party discipline
- 5 Disinterested Attitude
- 6 Complex nature of Governmental Business
- 7 Delegated legislation
- 8 Lack of knowledge of the member of parliament
- 9 Weak opposition
- 10 Internal emergency
- 11 limitations on the powers of parliament

4.8.1 Usurpation of powers by the executive branch :

Indian parliament is primarily a law – making body, however, the initiative in this regard has gradually shifted by the council of Ministers.

A The council of Ministers initiates almost all legislations described as “official bills”

B Speaker determines the weekly business in consultation with the minister for parliamentary affairs. Discussions on the public policies are initiated by ministers. Parliament looks upon executive branch for guidance and assistance and follow the lead provided by council of Ministers.

C In addition, it hands over substantial powers of ‘subordinate legislation to the executive branch.

D President Summons and prorogues the sessions of the parliament, places the agenda of his government in his ‘Inaugural Address’. President can dissolve House of People and make very extensive use of power to issues ordinances when Parliament is not in session.

E A Bill enacted by parliament can become a law only when it receives President’s assent. President can return any bill for reconsideration or refuse assent Thus there is transformation of parliamentary government into Cabinet Government or Prime –

Ministerial Government. From 1947 to 1989, the executive branch in general and the prime Minister in particular usurped sizeable powers of Parliament and rendered the Parliament to “post-facto approval giving body”.

2. Judicial Intervention:

Doctrines of supremacy of constitution and judicial Review have effected decline of Parliament. Many laws enacted by parliament have been set aside by the Supreme Court.

In 1967, Supreme Court tried to curb Parliament’s power to amend fundamental rights. In 1974 Supreme Court laid down doctrine of the ‘Basic structure’. In 1980, Supreme Court, invalidated part of forty – second amendment. This ‘on-going war’ between Parliament and Supreme Court has contributed to the decline of Parliament. Parliament, in 1970’s, supported doctrine of ‘committed judiciary’ and strengthened the executives branch.

3. One party Dominance system :

Most of the time (except 1969 to 1970, 1977-79 and 1989-93) Union Parliament was dominated by the congress party. Hence decisions and policies were decided on party forum and only formal sanction was accorded by parliament. Thus the real centre of power was the High Command of the Congress party and parliament played secondary role.

4. Rigid party discipline:

Leadership of the dominant party insisted on observance of the party directives by the members of the parliamentary party. They were required to account and vote as per the instructions of the party leadership. They cannot violate party directive. If they act contrary to party directive, they attract disqualification from the membership of parliament. With the passage of the Anti-Defection bill in 1985, independence of members of parliament has been curtailed. On the name of party discipline party members in the parliament became ‘yes-man’ or ‘no man’,

6. Disinterested attitude:

Very few members of the Parliament have interest or aptitude for legislative work. Hence most of the time members of parliament just give their presence in the working of parliament. Result is parliament is losing in its effectiveness.

7. Complex nature of governmental Business:

Nature of governmental Business had become more technical and complex. it is beyond understanding of the large

majority of the members of parliament. Hence civil servants have abrogated powers owing to their expertise.

8. Delegated legislation:

Logical consequence of the complex nature of law making has been delegated legislation. Parliament lays down the broad outline of legislation. Parliament lays down the broad outline of legislation and delegates power to the executive branch to make detailed rules and regulations. The quantum of delegated legislation is increasing which indicates decline in the powers of the legislature.

9. Lack of Knowledge of the members of parliament:

The scope and variety of legislations has increased and lack of technical knowledge prevents parliament from exercising effective control.

10. Weak opposition:

Parliamentary system is based on two equally strong party systems. In Indian party system one, party is dominant. In the era of the one party dominance, the government could brush aside all opposition because of weak opposition party.

11. Internal Emergency:

During the internal Emergency (1975-77) parliament was a mere “rubber – stamp” of the council of ministers.

4.8.2 Limitations on the powers of Parliament:

Indian parliament is not sovereign or supreme in the sense the British parliament is. The limitations on the powers of parliament are as follows:

A. Supremacy of the constitution:

In India there is supremacy of the constitution. Constitution defines and limits powers of parliament. Owing to the federal system of India, there is division of powers between the Union and the states. Parliament cannot enact laws on subject in the state list. Owing to supremacy of the constitution, any law enacted by parliament is liable to be declared as ‘Ultra vires’ by the Supreme Court. Parliament can enact only such laws which confirm with the provisions of the constitution. Thus supremacy of constitution limits the powers of parliament.

B. Amendment of the constitution:

Parliament can amend the constitution. But parliament has to seek approval of legislatures from more than one half states for enacting certain amendments to constitution

C. President's Assent:

A bill enacted by parliament can become a law only when it receives president's assent. President can return any bill for reconsideration or refuse assent.

D. Financial matters:

Parliamentary control over financial matters is not absolute. No tax can be levied and expenditure cannot be incurred without approval of the parliament. However, parliament has no power to vote on the non – votable items of the Budget. No money bill can be introduced in parliament without prior- permission of president. Parliament can accept or reject budget proposals but does not have power to alter these proposals.

Thus all above factors are responsible for the decline in the powers of the parliament.

Revival of parliament:

A section of Indian scientists are of the view that the parliament has reasserted its powers. A vote of no confidence had forced the national Front Government to resign in November 1990. The parliament had initiated impeachment proceedings against a Supreme Court judge who was facing corruption charges.

The Parliament compelled the Rao Government to constitute the joint parliamentary committee on the stock scam and at least four Ministers, involved in the scam have been made to resign. A number of amendments had to be withdrawn as there was not sufficient support for them in the parliament.

Secondly the pattern of committee system has been adopted in India. This would enable the parliament to exercise greater degree of control and ensure accountability of the executive branch.

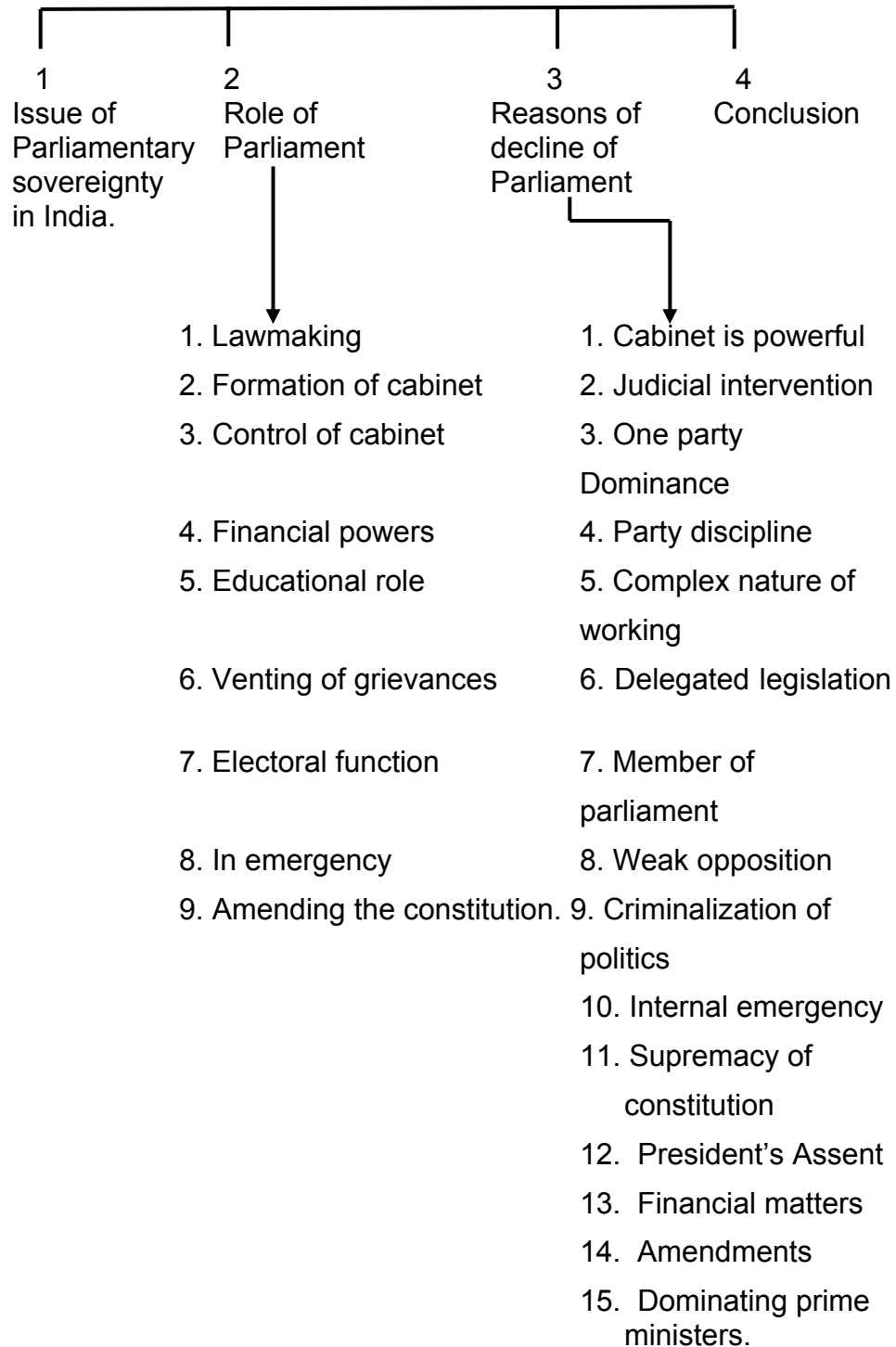
4.9 CONCLUSION

Though role of parliament is losing in its effectiveness and the government of day is safe behind the support of majority in the Lok – Sabha. Though important decisions are taken elsewhere the

parliament is still treated as a formal centre and focus in political system of India.

Table:

Changing Role of Parliament and decline of parliament



4.10 UNIT END QUESTIONS

1. Discuss the composition of the parliament.
2. Write on the powers and functions of Parliament.
3. Write short note on:
Importance of Parliament in parliamentary system of India.
4. Account for the decline of the Parliament.
5. Write on the changing role of parliament in India.
6. Give reasons of decline of parliament.

THE UNION EXECUTIVE

Unit structure

- 5.1 Introduction
- 5.2 The President-Power's and role
- 5.3 The Prime-Minister- Powers and Role
- 5.4 The Council of Ministers
- 5.5 Unit end questions

5.1 INTRODUCTION

The modern world has been witness to many forms of governance. There have been monarchies, one party rule, military rulers, dictators and democracy. Even in democracy we find two broad categories: parliamentary system [which can be roughly called British model] and presidential system [which is American system]. In our Constituent Assembly there was a lot of debate about the form of government. After lot of debate, we decided to opt for Parliamentary form.

Even in Parliamentary form one can identify two sub-forms. One is called Monarchy-democracy and other is republic-democracy. For simplicity purpose the monarchy-democracy can be identified with UK and republic-democracy can be identified with India. For the students of political science what is necessary to know is that in Monarchy-democracy, the Head of the State is a hereditary position whereas in republic-democracy like India, such office is an elected office, directly or indirectly. In India the office of the President is elected by the MPs and MLAs. Our President Mrs. Pratibha Patil is the 14th President of Indian Republic. In case of the USA, the presidency is known as Executive Presidency where the powers of the Head of the State as well as the Head of Government are concentrated in one person. In India these two offices are separate. The Head of the State is indirectly elected by the elected members of the people [MPs/MLAs] whereas the Head of the Government is normally the leader of the majority party/coalition who is called the Prime Minister.

5.1.1 Nature of the President of India:

In our Constitution we find elaborate provisions about the office of the President. The article 53 provides that “the executive

powers of the Union *government* will be vested in the President of India”, But he cannot exercise these powers on his own, It is exercised by him either directly or through the officers sub-ordinate to him and that too, in accordance with the Constitution.

Article 54 provides that ‘the President is not elected directly by the people, but by an Electoral College consisting of [1] all MPs of Lok Sabha and Rajyasabha [2] all MLAs of Vidhansabhas [not MLCs]. The MLAs of the Union Territories are not eligible to vote. The article 54 further provides that each member of the Electoral College will have only one vote. But the value of each vote of MP will vary from state to state depending upon the population. Similarly the value of vote of each MLA will vary from state to state depending upon the population of the state.

Article 55 provides that two principles shall govern the election, [1] the Constituent state of the Indian Union are given uniformity or near uniformity in the scale of representation and [2] parity is established between the states as a whole of Indian Union Article 52 of the constitution establishes the office of the ‘President of India’ But it is not specified whether the Indian President is the head of the state or head of the government. The article mentions that ‘there shall be a President’. The framers of the constitution were quite clear in their minds about the nature of the office of the President. The President represents the nation but he does not rule it.

5.1.2 Functions and Powers:

By now it is clear that Indian President is quite close to the British Monarch. We have article 53 which mentions that ‘there shall be a....’ For better understanding of the powers and functions of the Indian President the article 53 must be read with article 74 which makes the advice of the council of ministers binding on the President

The powers given to the President of India are quite vast and numerous, These powers can be grouped as under:

A] Executive Powers:

[1] As noted before article 53 vests all executive powers of the Union in the President. Also article 77 mentions that the entire business of the government of India is conducted in the name of the President.

[2] In his capacity as the executive head, the President makes all important appointments like the Chairmen and the members of

the UPSC, Attorney-General, Comptroller and Auditor General [GAG].

- [3] Article 53 provides that the President is the Supreme Commander of the armed forces. He can declare war, can enter into peace treaties. However parliamentary approval is necessary for such actions.
- [4] Article 78 provides the President shall have the right to be informed about all the decisions of the cabinet. Similarly he has right to seek information about the activities of the government.
- [5] As far as foreign affairs are concerned, he appoints India's ambassadors to other countries. He also receives visiting heads of the state of other countries. He confirms recognition to the ambassadors of other countries appointed to India,

B] Legislative Powers:

Here we must begin by mentioning article 79 which provides that 'there shall be a Parliament with two houses and a President' Though the President is not a member of the Houses, he enjoys legislative powers.

- [1] He summons and prorogues the Union Parliament. He can dissolve the Loksabha.
- [2] Article 85 enjoins that he must ensure that a period of not more than six months lapses between two sessions of Union Parliament.
- [3] He can summon a joint session of the Loksabha and Rajyasabha to resolve a deadlock about a non-money bill.
- [4] The President inaugurates the first session of Parliament after every general election. Similarly every year, the first session of the Parliament is inaugurated by the President. While doing this, he addresses the House in which the domestic and foreign policies of the government of the day are specified.
- [5] Article 86 empowers the President to send messages to either house regarding a bill pending before the house. The message may contain some issues which he thinks are important.
- [6] Each and every bill passed by both houses goes to the President for his assent. He cannot return a money bill as it is presented with his prior permission. But he can return a non-money bill for reconsideration with or without his suggestions.

- [7] The President has power to nominate 12 persons as MP to Rajyasabha. Such persons are eminent people from art literature, sports and science etc. For example Shabana Azmi [cinema], R K Narayan [literature] was nominated on Rajyasabha.
- [8] In addition to money bill, there are some bills which require prior permission of the President. For example a bill for the formation of new states or alteration of boundaries [art 3].

C] Financial powers:

- [1] No money bill can be introduced unless it has received prior permission of the President Similarly article 112 provides that the President shall cause to lay before the house every year an annual statement of estimated income and expenditure which is popularly known as 'Budget'.
- [2] The President appoints the Finance Commission [FC] every *five* year. The FC is to recommend some formula for sharing of the resources of the Union government between the states.
- [3] He can sanction expenditure from the Contingency Fund of India to meet emergencies like flood, earthquake, famine, etc.

D] Judicial Powers:

- [1] If an impeachment motion is carried by both Houses, the President removes the concerned judge from the office.
- [2] He can transfer judges of High Courts.
- [3] The President has powers to grant amenities, pardons. In some cases he can commute sentences.

[E] Powers relating to the States:

- [1] The President can give or refuse to give consent to the bills reserved for his approval by the Governors of the state.
- [2] He appoints the Governors of the state. They remain in office during the pleasure of the president.
- [3] He can issue instruction to the Governors. The compliance of these instructions is mandatory.

F] Emergency Powers:

The President of India enjoys some unusual, extra ordinary powers to face emergency situations which are discussed below:

- [1] Article 352 provides that in case there is a national emergency due to war external aggression and internal armed rebellion, then the President is empowered to declare emergency covering the entire country or some part thereof
- [2] Article 356 provides that when the affairs of the state cannot be carried on as per the provisions of the Constitution, the President, on the basis of the Governor's report or even without the report, can dismiss the state government either by dissolving the state assembly or put it in suspended animation. In such a case the Governor **runs** the state in the name of the President. This is popularly known as 'President's rule.
- [3] Article 360 provides that in case the financial stability of the country **is** threatened, the President can declare financial emergency. The financial emergency can never in force for more than a month, unless it is extended by the resolution in Parliament In independent India we have had no situation to declare the financial emergency.

5.2 ROLE OF THE PRESIDENT

On one hand the President of India has tremendous powers and on the other hand he is merely a rubber stamp. There is clear provision in our constitution which mentions that there shall be a council of minister to aid and advise the President', This provision makes it amply clear that there shall always be a council of ministers to help the President to discharge his constitutional duties. The various provisions about his role are discussed below:

a] Executive powers:

- [1] The article 53 provides that 'the executive powers of the Union shall be vested in the President'. These shall be exercised by him either directly or through officer sub-ordinate to him. Similarly article 75 provides that 'other ministers [but not the Prime Ministers] will be appointed by the President but only on the advice of the Prime Minister
- [2] Article 74 provides that 'there shall be a council of ministers headed by the Prime Minister to aid and advise the President who shall act in accordance with the advise.' Till 1976 this was the legal position. It is clear that by definition it is an advise

which can be rejected. Till 1976 there was hardly any situation when the President had rejected the advice tendered by the Council of Ministers. Mrs Indira Gandhi, the then Prime Minister brought in clarity in this relationship. She piloted 42nd amendment in 1976 which made explicitly clear that the advice given by the council of ministers would be binding on the President. The amended article 74[1] now reads as 'provided that the President may require the council of ministers to reconsider such advice, totally or partially. The President shall act in accordance with such advice when it comes back to him with or without modifications.

[3] In India we have provisions for the President's rule at the state level but no such provision is made for the President's rule at the Centre. There shall always be a council of ministers to aid and advise the President. At state level, the government can be run by the Governor with the help of senior bureaucrats which is commonly known as 'President's Rule'. But no such provision is available for the President's Rule at the Centre. There shall always be a Council of ministers headed by the Prime Minister to aid and advise the President. This is described as 'President-in-council'

[4] It is also provided that no court is empowered to inquire into either the content or the wisdom of the advice given by the Council of ministers to the President. This has been specified in the article 74[2].

Check your progress :

- 1) Explain nature of the President of India.
- 2) Write on constitutional functions and Power of President.
- 3) Evaluate the role of the President.
- 4) Is Indian President Nominal.

5.3 PRIME MINISTER

5.3.1 Position:

As noted our system is based on British model where the Prime Minister is the real executive who heads the council of ministers. This is why the Prime Minister becomes the most

powerful person in the parliamentary system. His position could be understood as under:

[1] Head of the Council of Ministers:

Article 74 provides that there shall be a council of ministers headed by the Prime Minister to aid and advice the President. This was amended by 42nd amendment 1976 which clarified that 'there shall be a council of ministers with the Prime Minister at the head to aid and advice the President who shall, in the exercise of his functions, act in accordance with such advice.' The wording 'the Prime Minister shall be at the head of the council of ministers' clearly proves the eminent position the Prime Minister occupies in the council of ministers.

[2] Appointment of the Prime Minister:

According to the well established Parliamentary conventions, the leader of the majority party is appointed as Prime Minister by the President. Only when no party gets a clear majority the President can use his discretionary power to appoint the Prime Minister as was the case in 1989 when V P Singh was appointed as Prime Minister.

[3] As ministry-maker:

Though the Prime Minister is appointed by the President, the other ministers are appointed by the President on the advice of the Prime Minister. The article 75[1] clearly provides that 'the other ministers shall be appointed by the President on advise of the Prime Minister'.

[4] Tenure of Council of Ministers:

Though article 75[2] provides that 'the ministers shall hold the office during the pleasure of the President* in reality it means the pleasure of the Prime Minister. The Prime Minister can sack, promote, and demote any minister. A minister may resign on his own but does not offer any threat to the entire council of ministers. But if the Prime Minister resigns then the entire ministry has to go. This proves the preeminence of the Prime Minister.

[5] Collective responsibility:

The article 75[3] provides that 'the council of ministers shall be collectively responsible to the House of the people'. This is possible only through the Prime Minister. As noted resignation of a minister does not mean resignation of the entire ministry. But the

resignation of the Prime Minister means the resignation of the entire ministry,

[6] Link between the Presidents:

Council of Ministers and the Parliament: The Prime Minister acts as a link between the President on one hand and the Parliament on the other hand. Article 78 provides that 'the Prime Minister has to perform functions like [a] to communicate to the President all important decisions of the Council of ministers regarding the administration of the country, [b] to provide such information as demanded by the President about the various policies and plans of the government, [c] Submit the suggestions of the President for the consideration of the council of ministers.

5.3.2 Functions and powers of the Prime Minister:

By now it is clear that the Prime Minister is the most powerful person in the parliamentary system. He enjoys vast powers and has to look after many functions discussed below:

1] Leader of the council of ministers:

Once the President has appointed the Prime Minister, the next step is the ministry formation which is the sole responsibility of the Prime Minister, The Prime Ministers not only forms the ministry but also allots portfolios. Also others ministers must enjoy the confidence of the Prime Minister to remain in the office. All important decisions are taken only after consultation with the Prime Minister.

2] Leader of the Cabinet:

Cabinet is nothing but a small group out of the Council of ministers. Normally a cabinet minister is the senior leader of the ruling party is a departmental head of a ministry. The Prime Minister leads the cabinet meetings by chairing them, by influencing the discussion in the cabinet. Also there are many important sub-committees of the Cabinet. For example, Cabinet committee on Security [CCS], Cabinet Committee on Appointments [CCA], etc. These sub-committees are headed by the Prime Minister.

3] Leader of Lok Sabha:

Conventionally the Prime Minister is always a member of Lok Sabha. There can be exceptions to this rule. Dr Manmohansingh is a member of Rajya Sabha. If the Prime Minister is member of Lok Sabha, it automatically gives him the leadership of

the Lok Sabha. The Prime Minister often uses the platform of the Lok Sabha to announce major policy decisions of the government.

4] Leader of the Parliament:

Though normally the Prime Minister is a member of Lok Sabha, he has the role of the leader of the entire Parliament. He is regularly consulted by the Speaker of the Lok Sabha and Chairman of the Rajya Sabha about forming the agenda of the house.

5] Federal system:

India is a quasi-federal system. There are some nationally important bodies like the Planning Commission, the National Development Council, etc. In these platforms the Prime Minister gets to discuss regional leaders to understand their problems.

6] Foreign Policy:

Right from the days of our first Prime Minister Pandit Nehru, the foreign policy was always shaped by the Prime Minister. Though there is normally a foreign relations minister, one can see the stamp of the Prime Minister on the main policy direction. It was Pandit Nehru's vision that gave us 'Non-alignment Movement'. In addition to the policy planning the PM attends many international conferences, seminars, various UN meetings as a representative of India.

7] Main administrator:

As a leader of the country the Prime Minister is also the main administrator of the system. He has to take interest into defence, economic, commercial matters as well as internal security issues. For this purpose he gets assistance from the Cabinet Secretariat, the Research and Analysis Wing [RAW], the Intelligence Bureau [IB], etc.

8] Patronage:

Though most of the important appointments are made by the President, all of them are done on the advice of the Prime Minister. To that extent the PM enjoys enormous power of patronage who can appoint people to powerful posts like Governors, Ambassadors, etc. He can favour or disfavour a particular industrial group.

9] Elections:

In democracy elections are very important as they test the popularity of various political parties. The election also decides the

future rulers of the country. As a PM it becomes the main responsibility of the PM to campaign extensively to get his party back into power. Hence he has to shoulder the major share of the campaigning. He becomes the star campaigner for the ruling party.

10] Leader of ruling party:

As per the convention, the leader of the majority party becomes the Prime Minister. It also means the PM leads the ruling party. This puts on him another set of responsibilities about the ruling party and its members. He functions like a link between the organizational wing and the parliamentary wing of the party.

[11] Public Opinion:

As leader of the entire country the PM gets to mould public opinion towards some progressive measure or the other. Take the example of Women's Reservation Bill. The ruling coalition led by the Congress is trying to get this passed. For this Dr Manmohansingh is trying to create a broad-based consensus of like-minded parties. This is the way he can mould public mind towards progressive policies.

5.3.3 Role of the Prime Minister:

By now it is clear that the position of the PM in modern parliamentary system is very important. In a traditional society like India, the position of the PM becomes all the more powerful. He can make or mar ministers. Each and every minister must enjoy his confidence. He allocates portfolios. He can shuffle, reshuffle his team. He can drop some ministers, promote some, and demote some. His word is final. While in the House, he shapes the debate, clarifies the issues of the day, add value by giving direction to the debate. Through various platforms he shapes public opinion towards better tomorrow. As a leader of the council of ministers he interacts with the President, the House and co-ordinates many important policy initiatives.

Here we must mention some reality. A PM is normally quite powerful. But it does not mean all the PMs have been powerful. This depends upon some other factors as well. If the ruling party does not enjoy clear majority in the House and is dependent upon the support of the allies, then the PM becomes weak. He has to go on consulting his allies. Also the personality of the incumbent matters a lot. A strong person like Mrs Indira Gandhi would always be a powerful PM whereas a mild person like Lal Bahadur Shastri will always be a mild PM. A lot would depend on many factors.

In the case of Indian democracy one can find two phases of PM's position. Till 1977, the PMs enjoyed enormous power and prestige. The Janata Party rule 1977-79 like a coalition where the PM had to keep everybody happy. Also he had to worry about fights within the ruling party. This made Morarji Desai a weak PM, Then again the phase of weak PMs began from 1989 when V P Singh became the PM. Since then India has been witnessing the coalition era where the PM has to depend on the support of over dozen parties.

5.4 THE COUNCIL OF MINISTERS

The Parliamentary system functions on the principle of collective responsibility. It means that the team of ministers led by the PM is collectively responsible to the House. This shows that in Parliamentary system the council of ministers is quite an important body. Also it is provided in our Constitution article 74[1] that there shall always be a council of ministers headed by the Prime Minister to aid and advise the President. This provision also informs us about the importance of the council of ministers. In case one government has lost the confidence of the House, the old government continues to function as 'caretaker ministry' till new team takes over. This did happen in India in April 1999 when the Vajpayee ministry lost of vote of confidence. But Loksabha elections were held in October 1999, Till then Vajpayee government continued as caretaker ministry.

As we have noted while discussing the President and Prime Minister that the President functions with the aid and advice of the council of ministers headed by the Prime Minister. If we read this provision carefully it becomes clear that what the council of ministers tenders is an 'advice' and not an 'order'. In the strict legal sense an advice can be rejected. What would happen the President was to reject the advice of the council of ministers? Initially it was expected that such situation would not arise. However our first President Dr Rajendra Prasad was not very happy with this provision and wanted clarity about the nature of the advice given. This clarity came by 42nd amendment 1976 which made the advice binding on the President. The 44th amendment 1979 made a slight change in this position. It empowered the President to return the advice only once with or without suggestions. But if the advice comes back to the President with or without changes, then he must accept it. This has happened often in the past couple of decades. In March 1991 the then PM Mr Chandrashekhar advised the President to hold assembly elections in Punjab. The President R Venkataraman was not in favour of this decision. He sent it back to the council of ministers for reconsideration. The council of ministers did not change its advice and the President had to sign the order.

5.4.1 Formation of the council of ministers

We have seen the importance of the council of ministers in the parliamentary form of government. Now let us understand the process of formation of council of ministers. Here we need to discuss two steps [1] appointment of the Prime Minister by the President and [2] appointment of other ministers. The appointment of the Prime Minister is a mere formality if any party/coalition has got clear majority. At this stage we are interested to know about the formation of council of ministers. Article 75[1] provides that 'other ministers shall be appointed by the President on the advice of Prime Minister'. This article makes it amply clear that ministry-making is the prerogative of the PM. As noted the PM allocates ministry, he can shuffle, reshuffle his ministry. He can drop some ministers, promote/demote some ministers.

In terms of tiers, the council of ministers is a three-tier body. The first level is 'Cabinet ministers', the second level is 'minister of state' with or without independent charge and the third level is 'deputy ministers'. Very rarely there can be fourth tier which is 'Parliamentary secretary'. These levels are discussed below:

Cabinet Ministers:

A cabinet minister is the head of the department. This post normally goes to the senior leaders of the ruling party/alliance. The Cabinet is the highest policy and decision making body, which is a small group of the council of ministers. Their number is normally 15 to 20. They run their departments quite independently. However they consult the Prime Minister for major policy decisions.

Ministers of state:

They are number 2 in the hierarchy. They assist the Cabinet ministers. If the department is big, they get independent charge of a section. If the department is not big, then they help the cabinet minister in the day to day administration of the department.

Deputy Ministers:

They are number 3 in the hierarchy. They are either attached to the Cabinet minister or minister of state. They help their seniors in running the department. But they do not enjoy any independent decision making power.

Parliamentary Secretary:

Their ideal description is 'trainee minister'. For this young politicians are appointed so that they get experience of running the ministry. They assist the ministers in parliamentary work.

5.4.2 Functions, powers and role of the Cabinet:

It is interesting to note that the Indian constitution did not make a mention of “cabinet” till 43rd amendment which was passed in 1971. Till then the Constitution discussed the ‘council of ministers’ and not the ‘cabinet’. By now we know about the cabinet ministers, ministers of state. The ultimate decision-making policy-making body is cabinet where only cabinet ministers are invited. But the decision taken by the cabinet are regarded as the decisions of the council of ministers. Similarly ALL ministers are collectively held responsible for the decision taken by the cabinet.

It is clear that in the parliamentary system cabinet is the most powerful body where important decisions are taken, policies are decided. The cabinet meeting is held every week. The agenda for the meeting is prepared by the Cabinet Secretariat which is headed by the Cabinet Secretary, the senior-most IAS officer. The cabinet meetings are recorded by the Cabinet secretary. The decisions in the cabinet are taken by consensus. In case a minister disagrees with any decision, he has to resign. He cannot disown the decision or policy. This is the basis of collective responsibility. If he disagrees with any decision he has to resign or the Prime Minister can sack him.

Functions of the Cabinet:

According to the ‘Rules of Business’ framed, the Cabinet has to perform following functions:

[1] Policy formulation:

As we noted, the cabinet is the highest policy making body. In cabinet meetings domestic issues as well as international issues are thoroughly discussed and *policy* is formulated. Once policy is decided, decisions are taken, they are communicated to the concerned ministries by the Cabinet secretary. In case an urgent issue is scheduled for discussion which needs the presence of a junior minister, he is invited to attend only for that item on the agenda.

[2] Legislation:

In Parliamentary system, law-making is the most important job. The draft legislation is discussed in the cabinet meetings before it is presented in the Legislative body. In cabinet meeting, all aspect of the proposed legislation is discussed from various perspectives. Once a draft is cleared in the Cabinet meeting, the next step is its introduction in the legislative body.

[3] Ultimate control:

In addition to policy formulation, the cabinet is also the ultimate controlling body which supervises, controls the functioning of important projects, schemes, etc. In other words, the administrative machinery of the government is supervised by the cabinet.

[4] Co-ordination:

As noted detailed discussions are held in the cabinet meetings. This leads to effective co-ordination among the various departments. During the course of the implementation of policies, there are possibilities of overlap, confusion, duplication of work, etc. All this gets resolved in the cabinet meetings as all important ministers are present in these meetings.

[5] Financial Control:

If on one side cabinet is the ultimate decision-making body, on the other side it is also a place where financial control is exercised. In the cabinet meetings, review of various schemes is regularly taken and cost control is put into practice. Since the Finance Minister is a senior member of cabinet, he gives regular briefing to the cabinet and corrective actions are taken in time.

[6] President's rule:

In our constitution article 356 provides for the President's rule in the state. When the state government cannot be run according to the provisions of the constitution, the state government can be dismissed and President's rule is imposed. This decision is taken at the cabinet level.

[7] Appointments:

Important appointments are finalized in the cabinet meetings. The Governors, Ambassadors, Chief Election Commissioner, etc are decided in the cabinet meetings. Now we have committee system. For appointments, there is a cabinet sub-committee known as 'Cabinet committee on Appointments [CCA].

5.5 UNIT END QUESTIONS

- 1 Critically examine the role of the president under Indian Constitution.
- 2 Elaborate powers and functions assigned to the President.
- 3 Discuss the role of the Prime Minister in the Indian Polity.
- 4 How is the Council of Ministers formed? What are its functions?

JUDICIARY-SUPREME COURT OF INDIA

Unit Structure

6.0 Objective

6.1 Introduction

6.2 Structure of Indian Judiciary

6.3 Independence of the Judiciary

6.4 Functions and Powers of Supreme Court

6.5 Meaning of Judicial Review

6.6 Development of Judicial Review

6.7 Judicial Activism

6.8 Unit end questions

6.9 References

6.0 OBJECTIVE

- Learning objectives of this unit are to study about.
- Structure of Judiciary.
- Independence of Judiciary.
- Powers of Supreme Court.
- Understanding Judicial Review and Judicial Activism.

6.1 INTRODUCTION

Democratic states provide for division of power between three institutions of the state viz Legislature, Executive and Judiciary. Legislature makes law, executive implements law and Judiciary interprets the law. India being democratic country its constitution has provided elaborate machinery for dispensation of justice & interpretation of Constitution is a living document that provides oxygen to the body politic, Constitutional Principles remains same but its application must be made relevant according to changing times. Further, provision of fundamental rights is meaningless if they are at the mercy of the executive. Judiciary therefore, plays vital role in protecting the principles and values of constitution.

6.2 STRUCTURE OF INDIAN JUDICIARY

Dr. Ambedkar said that “The Indian federation, though a dual polity, has no dual judiciary at all. The High Court and the Supreme Court form one single integrated judiciary having jurisdiction and providing remedies in all cases under Constitutional law, civil law or Criminal law” It mean India has single Judiciary with supreme Court at the top followed by High Courts at the state level. Below the High Court are district and session courts. It must be known that every state doesn't have separate High Court, e.g. The jurisdiction of Mumbai High Court extends to Diu and Daman and Goa. Kolkata High court jurisdiction extends to Andaman and Nicobar Union Territory. In all there are twenty one High Courts for 28 states of India including 7 Union territories.

The single integrated judicial system has brought jurisdictional unity in India. The judges of Supreme Court are drawn from the High Court. Again the judges of High Court are transferable across Indian state. This has provided uniformity in judicial standards and ethos.

6.3 INDEPENDENCE OF THE JUDICIARY

The Constitution has made provisions so as to maintain independence of the Judiciary.

1. Composition:

Art124 of the constitution provides that there shall be supreme court of India with consisting of chief Justice and seven judges. Further it says Parliament by law may increase the number of judges. The supreme court of present comprises 25 judges including chief Justice of India.

2. Appointment of Judges:

Art 124 (2) Provides that judge of supreme court shall be appointed by the president of India after consultation with the Judges of the supreme court and of the High courts. In case of chief Justice appointment the president may not consult other judges. After 1993, Supreme Court decision it is now convention that senior most judge of Supreme Court becomes chief Justice of India.

3. Qualifications for appointment of Judges:

Act 123 provides following qualification

- a. He must be a citizen of India

- b. He has been Judge of a High court for at least five years continuously; or he has been on advocate of High court for at least ten years continuously or he is in the opinion of the President of India a distinguished jurist.

4. Tenure:

A person continues as judge of Supreme Court during his good behaviour or till he attains 65 years, whichever is earlier.

5. Removal:

Under Article 124 a Supreme Court Judge can be removed on the grounds of misbehavior or incapacity only. The procedure to remove a judge is called impeachment' Any house can initiate impeachment motion and if it is passed by 2/3rd majority in each house the judge will be removed.

6. Immunities:

Action and decisions of the judges in their official capacity are immune from criticism. Under Article 121 conduct of Supreme Court judge cannot be questioned in parliament.

6.4 FUNCTIONS AND POWERS OF SUPREME COURT

1. Original Jurisdiction:

Article 131 deals with original jurisdiction. The functions are purely federal in character that may include disputes between Union and the states, Government of India and government of states or between two or more states. The original jurisdiction is exclusive that means such disputes can come only to Supreme Court and not any other court. If a suit is brought against government by private party it cannot be tolerated.

2. Writ Jurisdiction:

If there is violation of fundamental rights a person under Article 32 can ask the Supreme Court to issue writs. But this applies only if fundamental rights of a person are infringed.

3. Appellate Jurisdiction:

Supreme Court is a court of appeal. When lower or High court gives a judgments the person can appeal to the supreme court against the judgment of the lower court. Appeal to the Supreme Court can be made in three type of cases.

- a. Cases involving interpretation of the constitution
- b. Civil cases, irrespective of any constitutional question
- c. Criminal cases, irrespective of any constitutional question

4. Appeal by special Leave:

There may be some instance where Supreme Court may interfere with the judgment of High Court or tribunals where the question of justice is involved. Such residuary power is given to Supreme Court under Article 136.

5. Advisory Jurisdiction:

In some circumstance the President may refer the matter to Supreme Court to seek opinion. The president may consider that the matter involves important question of law or public interest, hence it will be appropriate to seek opinion from Supreme Court.

6. Court of Record:

All the proceedings of the Supreme Court are recorded and assume the form of case law. Such decisions are binding on all courts in India.

6.5 MEANING OF JUDICIAL REVIEW

Judicial Review is the power of Supreme Court to declares law made by parliament as null and void if it goes against the principles of Indian constitution. Judicial Review is nowhere mentioned in the constitution. The Court has assumed this implied power on basis of its role as protector or interpreter of Indian constitution.

The Indian constitution has provided the doctrine of 'procedure establish by law' whereby parliament can enact law but at the same time will practice self restraint so that fundamental rights of people are not violated. The Supreme Court under Article 32 can issue writs to protect the fundamental rights of people.

6.6 DEVELOPMENT OF JUDICIAL REVIEW

The first time judicial Review was invoked was during Shankari Prasad vs Union of India in 1951. Here the petitioner challenged the first Amendment to the constitution on the grounds it violates fundamental rights. The same objection was raised in Sajjan Singh vs state of Rajasthan. In both cases supreme court stated Parliament has power to amend Fundamental Rights. In

1967, in the case of Golaknatha, Supreme Court in its verdict said parliament has no power to take away fundamental rights. Thus it questioned parliament's power to amend the constitution. The parliament later passed the 24th & 25th amendment to restore it powerback. Finally in the Keshavanand Bharti case Supreme Court struck balance between power of parliament to make laws and its power to judicial review. Supreme Court for the first time invoked the doctrine of 'Basic structure' whereby it said parliament can amend constitution but cannot harm basic principles of the constitution. Unfortunately Supreme Court didn't lay down as what constitute 'Basic structure' It evolved over period of time. Later Indira Gandhi made some drastic changes in the constitution through 42nd amendment during emergency. The 42nd amendment was reviewed in the Minerva Mills case where Supreme Court struck down major portion of 42nd amendment and restored the balance between parliament and Supreme Court to the 1976 status quo. In the 1980 and 1990's Supreme Court has time and again used judicial review as a tool to prevent the legislature and executive from transgressing into its area. In 2005 the Supreme Court questioned the validity of Ninth schedule by stating laws incorporated into 9th scheduled can be subjected to judicial review if it infringes fundamental rights of individuals.

6.7 JUDICIAL ACTIVISM

In the 1980s politics in India was undergoing major transformations like weakening of congress rule, increased regional politics, growing corruption and criminalisation, decline of parliament etc. The welfare state was failing to deliver promises to the poor masses. The parliament and the Executive were lacking the will and efficiency to implement public policies. In the scenario the Supreme Court assumed the role to itself of acting as guardian of the poor and deprived sections of the society,

The Supreme Court started looking into issues related to poverty, public service, corruption, rights of dalits, adivasis women and children, environmental protection, labour problems etc. This was done through the mechanism of public Interest Litigation. (PIL) it is a kind of litigation where court can take issues that affect the public at large. This is different from adversarial litigation where parties in conflict can only approach the court. In PIL court can take on issue if brought by any person of the society who is genuinely concerned about issues that affect the society. eg. M.C Mehta, environmental lawyer filed cases regarding pollution in Delhi and supreme court gave judgement on it.

In other case called Prakash Singh case the Supreme Court gave clear guidelines on how to reform the police system in India.

The court in Unnikrishnan case said that education is fundamental right of every child. The effect of this judgement was parliament amended the constitution to make primary education a fundamental right.

Judicial Activism started due to eminent judges like Justice Bhagwati and Justice Krishna Iyer who believed that it is the duty of Supreme Court to protect the rights of the weaker sections of the society through judicial means. Judicial activism played vital role in reinforcing constitutional values that were flouted by the executive and legislature.

It is sometimes said judicial activism is not healthy practice because Supreme Court should not decide public policy which is in the domain of parliament. Further court lacks the resources to implement the judgement. It can direct the legislature or executive but cannot force the latter.

6.8 UNIT END QUESTIONS

1. Discuss the composition and powers of the Supreme Court
2. What is independence of judiciary and what Provisions have been made to ensure independence of the Supreme Court?
3. Write short notes on the following:
 - a) Judicial Review
 - b) Judicial Activism

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MODULE IV
THE FEDERAL STRUCTURE AND ITS
DYNAMICS
CENTRE-STATE RELATIONS

Unit structure

- 7.0 Objective
- 7.1 Introduction
- 7.2 Legislative Relationship between Center and States
- 7.3 Executive and Administrative Relations between the Center and the States
- 7.4 Financial Relations between the Center and the States
- 7.5 Unit end questions.

7.0 OBJECTIVES

Today Indian Union comprises of twenty eight states and seven union territories. Student of political science should know nature of Indian federal system.

- To study about center–state relations.
- To study about conflicts between the state and resolution mechanism on that.
- To study about actual working of Indian federal system.

7.1 INTRODUCTION

Indian constitution establishes a quasi – federal system. It means the outward structure of the government is federal but spirit is unitary. In case of national or economic crisis it is transformed into a unitary system. Federal government is stronger than the regional governments. In this unit we will learn about nature of Indian federal system.

Indian federation is the product of an evolutionary process. The Government of India Act, 1935, introduced the element of federalism in view of the fact that India was a country of sub continental size. It is multi – religious multi – racial and multilingual

nation. In view of this reality the Indian constitution adopted federal system.

The word 'Federal' is nowhere used in the constitution of India. Article 1 merely states that "India, that is Bharat, shall be a union of states." About the nature of Indian Federal system Dr. B.R. Ambedkar clarified that 'it established a dual polity with the union at the centre and the state in the periphery, each endowed with sovereign powers to be exercised in the field, assigned to them by the constitution. The union is not a league of states, united in a loose relationship; nor are the states the agencies of the Union, deriving powers from it. Both the Union and the states are created by the constitution. The one is not subordinate to the other in its own field; the authority of one is not subordinate to the other in its own field; the authority of one is co –ordinate with that of the other."

There are different parties in power in the center and state. There is no co- operation between two. The reality of Indian federalism is conflict as well as co- operation between two sets of government. There is no denying of the fact that the Indian constitution makers intended to establish a strong center to preserve the unity and integrity of the Indian state. Their intention has been made clear by centralizing tendencies imbibed in the constitution itself. Till 1967 inspite of a strong centre, the state did not feel that their autonomy was jeopardized. In 1967, in eight state the non- congress governments came in power and after that the issue of preservation of autonomy of the state was raised. In this unit we will study about the working of the Indian federal system during the 20th and 21st century.

Center-state Relation:

Indian federal system is quasi-federal. It is federal in its form and Unitary in its spirit. Even the pattern of the Union state relation defined in the constitution accounts for greater centralization. Hence, it is a cause for the grievance on the part of the states.

Centre-state Relation are as follows:

- 1] Legislative Relation
- 2] Executive and administrative Relationship
- 3] Financial Relationship.

7.2 LEGISLATIVE RELATIONSHIP BETWEEN CENTER AND STATES

(A) Three List of Legislative Items:

- 1) Union List 2) State list, 3) Concurrent list.

Union List consists of 97 subjects of all India importance. The most important subjects in the union list are – Defence of India, Naval, Military and Air forces, Atomic energy, foreign affairs, Railways etc. The subjects of the Union List are placed under the exclusive jurisdiction of the Union government.

State list consists of 66 subject, which are primarily of regional interest .The state governments have full authority to make laws on any of the subjects mentioned in the state list, e.g. public order, police ,prisons, local government ,public health etc

Concurrent list consist of 47 subjects. The subjects included in the concurrent list have varying degrees of local and national interest. Hence both the union and states have powers to make laws on any of the subject included in the concurrent list. Incase of a conflict between the union law and the state law over the same subject, the union law would prevail over the state law .

(B) Residuary power with the union:

All the subject and power are divided into three lists. But there may be some subjects who might not have been included in any of the above three list. Such subjects are known as residuary powers .In U.S.A. and AUSTRILA the residuary powers are left to the states and not to the Union. Hence, there the state are stronger than the center. But in India the residuary powers are left to the union. It made the union stronger than the states.

(C) Power of parliament to legislate on state list in the National Interest :

The union can pass a law on any of the subjects of the state list, if Rajyasabha passes a resolution, supported by a majority of 2/3 rd members present and voting, to the effect that, in the national interest, the Parliament should make a law on a subject included in the state list.

(D) National Emergency:

When proclamation of a national emergency is issued by the President, the scheme of division of powers is set aside. Union Parliament has authority to pass a law even on those subjects, which are included in the state list. Thus in case of emergency the Indian constitution becomes unitary.

(E) On request from state:

The union can pass law on the state list, if two or more state legislatures so desire and pass a resolution to that effect. Such a

law passed by the parliament, will be applicable only to those states, which have asked for it. Such a law is valid for a period of one year.

(F) International Treaties and Agreements:

The parliament has power to make laws on any of the subjects included in the state list to implement any international treaty. It should be noted that no other federal constitution has such a provision.

(G) During president's rule:

When the president issues a proclamation of the failure of constitutional machinery in the state, he may declare that the power of the legislature of the state shall be exercisable under the authority of the parliament.

(H) Power of parliament to legislate for union Territories:

The distribution of legislative and executive power does not apply to the union Territories, for which, the parliament is empowered to legislate on any subject included in all the three list.

7.2.1 Conclusion:

Legislative relationship between the union and the states shows that the Indian constitution has created a federation with a strong union and weak states.

7.2.2 Summary Table

Summary Table On Legislative Relations between the center and States
1) Three lists of legislative subjects
2) Residuary powers with the union
3) Power of Parliament to legislate on state list in the national interest
4) National emergency
5) On request from state
6) International treaties
7) During President's rule
8) Power of parliament to legislate for union territories

7.3 EXECUTIVE AND ADMINISTRATIVE RELATIONS BETWEEN THE CENTER AND THE STATES

Its significant aspects are as under-

7.3.1 (1) Executive power :

Executive power of the union and of the states is co-extensive with their legislative power.

(2) Obligation of states and the union:

Article 256 of the constitution lays down an obligation on union and the states. Every state is required to exercise executive power as to ensure compliance with the laws, enacted by parliament. Union executive is required to give necessary direction to states.

(3) Control of the union over states:

In normal times Article 257 empowers Union to give directions to the states in the following matters:-

- 1) To ensure that exercise of executive power of every state shall not impede or prejudice the exercise of the executive power of the union.
- 2) To construct and maintain means of communication of national or military importance.
- 3) To ensure protection of railways within state
- 4) Government of India may deploy any armed force of the union or any other force for dealing with any grave situation of law and order in any state. Such armed force shall act in accordance with direction of the Government of India.

(4) Control of the union over the state during Emergencies:

According to the constitution Union exercise control over the states during emergencies, as explained below.

(A) When a National Emergency is proclaimed by the President, the union Government can issue directives to the state regarding the manner in which the executive power of the state is to be exercised.

(B) During a proclamation of financial emergency union is empowered to give direction to states to observe financial property specified directions. These include reduce salaries and allowances of all or any class of person serving in connection either the affairs

of a state or the union, including the judges of the supreme court and the High court, and to reserve all money bills or other financial Bills for the consideration of the president after they are passed by the legislature of the state.

(5) The president can give power and Duties to state:

President of India, with the consent of the state Government is empowered to give certain power and duties relating to state officials.

(6) Sanction for enforcement of Directives:

When any state fails to comply with, direction given by the union, President treats that as failure of constitutional machinery and propose president's rule under Article 357.

(7) Control of the union over state during peace time:

(A) To ensure the drawing up and execution of schemes specified in the direction to be essential for the welfare of the scheduled Tribes in the state.

(B) To secure the implementation of the provision of adequate facilities for instruction in the mother tongue of the primary stage of education to children belonging to linguistic minority groups.

(C) To ensure the development and enrichment of the Hindi language so that it may serve as a medium of expression for all the elements of the composite culture of India. Thus the union exercises control over the states in the above mentioned matters during normal peace time also.

(8) Adjudication of Disputes relating to water of interstate rivers:

Article 262 empowers the parliaments to provide by law for the adjudication of any dispute, with respect to the use, distribution or control of water of any interstate river. Parliament may also provide by law ,that neither the supreme court nor any other court shall exercise any jurisdiction in respect of any such dispute.The provision is very significant in the light of the many inter- state multi – purpose river valley project such as Damodar –Valley corporation. Accordingly, parliament has passed the Interstate water disputes. Act 1956, under which the Union Government empowered to appoint a tribunal for the adjustment of an inter-state river disputes.

(9) Establishment of an Interstate council:

Art, 263 empower the president to establish an inter- state council as and when necessary, which will be charged with the following three specific duties-

- (A) To enquire in to and advise upon disputes which may have arisen between states.
- (B) To investigate and discuss subjects, in which some or all of the states or the union have a common interest.
- (C) To make recommendations upon any such subject and, in particular recommendations for the better co- ordination of policy and action with respect to these subject.

10) Establishment of All India services:

If the council of states has declared by a resolution supported by not less than 2/3 members present and voting, that it is necessary in the national interest to do so, parliament may by law, provide for the creation of one or more all India service, common to the union and the states and regulate the recruitment and the condition of services of person appointed to any such service.

7.3.2 Conclusion:

Thus constitution of India has made elaborate provision regarding Administrative and executive relationship between the union and the states .The pattern of relationship shows centralized tendencies of the Indian federal relationship.

Summary Table On Executive and Administrative Relationship	
1)	Executive powers co-extensive
2)	Obligation of states
3)	Control of the Union over the states
4)	During emergencies control of the Unions
5)	President can give duties to states
6)	Sanction for enforcement of Directives
7)	During peace time control
8)	Adjudication of disputes
9)	Establishment of an Inter-State council
10)	Establishment of All India Services

7.4 FINANCIAL RELATIONS BETWEEN THE CENTER AND THE STATES

The scheme of distribution of the resources of revenue between the union and the states is as under.

(1) Union sources:

The main sources of the revenue of the union are income tax, corporation tax, currency, coinage and foreign exchange, custom duties, excise duty on tobacco and other goods produced in India, on income other than agricultural income etc.

(2) State sources:

The following are the main sources of revenue of the states- Taxes on agricultural income, taxes on lands and buildings, sales tax, taxes on vehicles, taxes on luxuries, entertainment tax, Tolls, land revenue etc.

(3) Union financial assistance to the states:

The constitution makers were aware of the inadequate financial resources of the states. Therefore provisions have been made to allot or share a number of union resources with the states. The constitution lays down that duties levied by the union Government on stamp and medicine and toilet preparation are collected and appropriated by the states. Certain taxes are levied and collected by the union but distributed between the union and the states e.g. the tax on income other than agriculture income. Certain taxes are levied and collected by the union but given to the state e.g. duties on succession to property and estate duty on property.

(4) The finance commission:

President can appoint a finance commission after every five years. The finance commission recommend the distribution of funds between the union and the state. The constitution also provides for the financial assistance to the state in the form of grants-in-aid. The principle on which such assistance is to be given recommended by the finance commission.

(5) Financial control by the union in emergencies:

While a proclamation of national emergencies is in operation, the president may direct that distribution of revenues between the union and the states shall be suspended for a period

not extending beyond the expiration of the financial year. President can also give direction to states to reserve all money bills for the consideration of the president.

(6) Grants in Aid:

Grants in aid have become a common device to adjust the finances between the federal and the state Government in the federal politics. Grants in aid can be given to particular projects or to help a state in any situation. Grants in aid used to help the economically poorer states so as to produce disparity between states as far as possible. All the Grants in aid are paid on recommendation of the finance commission they are statutory grants .Provision for the payments are already made from the consolidated fund of India.

7.7.1 Conclusion:

Financial relationship between the union and the states shows that the centre has more sources of revenue.

7.7.2 Summary Table On :

Financial Relations between the Center and the States
(1) Union sources
(2) State sources
(3) Union financial assistance to the states
(4) The finance commission
(5) In emergencies Financial control
(6) Grants in Aid

7.5 UNIT END QUESTIONS

- 1 Examine the working of the center state relation in India in the administrative and financial field.
- 2 Explain the legislative relationship between center and the state.
- 3 Write on financial relationship between center and the states.

DEMAND FOR SMALLER STATES

Unit Structure

- 8.0 Objectives
- 8.1 Introduction
- 8.2 Demand for smaller states
- 8.3 Why the demand for smaller states
- 8.4 Changing federal perspective in India
- 8.5 Assessing the demand for small states
- 8.6 Conclusion
- 8.7 Looking ahead
- 8.8 Unit End Questions
- 8.9 References

8.0 OBJECTIVES

This unit introduces:

- The demand for smaller states
- Explains the reasons for such demands
- Discusses the demands in changing situations
- Assesses the demands objectively
- Analyses the demands from future perspectives

8.1 INTRODUCTION

The Indian model of federalism is unique in its own way. In practice it is quite different from the classical models found in countries like the United States, Canada and Australia. One distinguishing feature is the unilateral power enjoyed by the Union Parliament to reorganize the political structure of the country by forming new states and to alter the areas, boundaries or names of the existing states. However, despite having the constitutional power, the national leadership initially was dissuaded from conceding to the demands for creating the smaller states. It was mainly because of the overwhelming concerns for nation building and economic reconstruction of a young nation. Even most states were not formed on the linguistic basis which was in fact an

acknowledged principle of the formation of independent nation states in 19th Century Europe.

However, the formation of linguistic states began to be emphasized in the post independent India. The Congress, the ruling party at the centre took considerable time in implementing its assurance to recognize the states on a linguistic basis after it came to power in independent India. Many believed the formation of linguistic states as an important step towards the democratic restructuring of the India state. Under British rule, there were multi-lingual provinces based on administrative needs. There were host of princely states too. The formation of linguistic state was regarded as a democratic move so that people speaking the same language could have the administration and the education in their own language.

The communists along with others were in forefront of the mass movements which developed for linguistic states. After the martyrdom of Potti Sriramulu Andhra Pradesh became the first state to be formed on linguistic basis. Potti Sriramulu was a Gandhian and a revolutionary who went on a hunger strike for the creation of a separate state for the Telugu speaking people of Madras Presidency, and he lost his life in the process. The States Re-organisation Commission in 1956 led to other linguistic states being formed.

Although due to the popular unrest, linguistic states were finally created in the late 1950s and 1960s but the process remained incomplete. During the following decades, only some of the centrally administered union territories were upgraded to full-fledged states. However, long standing demands for the smaller states like the Vidharba, Saurashtra, Telangana continued to be sidelined.

8.2 DEMAND FOR STATE AUTONOMY

The arrival of new millennium witnessed the creation of three new states – Chhatisgarh, Uttarakhand and Jharkhand carved out from the parent states of Madhya Pradesh, Uttar Pradesh and Bihar. As a logical consequence, India has more recently, witnessed a renewed assertion from historically constituted regions for the creation of smaller states. These regions include Telangana in Andhra Pradesh, Gorkhaland and Kamtapur in West Bengal, Coorg in Karnataka, Mithilanchal in Bihar, Saurashtra in Gujarat, Vidharba in Maharashtra, Harit Pradesh, Poorvanchal, Braj Pradesh and Avadh Pradesh in Uttar Pradesh, Maru Pradesh in Rajasthan, Bhojpur comprising areas of eastern Uttar Pradesh, Bihar and Chhatisgarh and Bundelkhand comprising areas of Uttar

Pradesh and Madhya Pradesh, a greater Cooch Behar state out of the parts of Assam and West Bengal.

8.3 ADMINISTRATIVE REFORMS COMMISSION

The renewed demand for smaller states can be attributed to the following three factors. First, electoral politics in the 'post-congress dominance' has been marked by the politicization and mobilization of social cleavages (a division between two groups of people or things) along territorially confined lines of caste, religion and region by state-level 'ethnic' political parties. Symptomatic of the federalization of the party system, even the national parties with distinct regional character increasingly adhere to region specific electoral campaign and policies.

Second, centralized federalism under the shadow of the development planning model failed to achieve its avowed aim of bringing about equitable development across and within the regional states. The subsequent transition to a neo-liberal market economy model based on competitive federalism has further accentuated regional inequalities in terms of income and consumption begetting the perception of neglect and discrimination in the peripheral regions. Relatively developed regions within the larger states have invariably benefited more from the flow of private investment as compared to regions on the periphery with disturbed law and order situation and poor economic and social infrastructure, e.g., Telangana in Andhra Pradesh or Vidharba and Marathwada in Maharashtra.

Third, India has also been witness to what may be called the 'secession of the rich' as regions attracting huge private investment and registering impressive growth, have started resenting the dependence of relatively under-developed regions on the revenue transferred to them, e.g., Harit Pradesh in Uttar Pradesh. Local elite complain of 'reverse' discrimination as other politically dominant regions manage to corner financial deals/grants/lucrative portfolio. In response, they want statehood with the full powers.

8.4 SARKARIA COMMISSION REPORT

The above mentioned developments mark the shift in India's federal perspective. First, regional identity, culture and geographical differences now appear to be better recognized as valid bases for administrative divisions and political representations as democracy matures, deepens and widens.

Second, smaller states are being proposed on the ground of good governance and development rather than merely on the linguistic or cultural principles as was the case of the first two phases of reorganization.

Third, recently even dialect communities have been asking for their own territorial homeland while underlining the cultural and literacy distinctness and richness of the dialect, e.g., the demand for Bundelkhand.

8.5 ASSESSING THE DEMAND FOR STATE AUTONOMY

Do we really need smaller states in India? If the answer is affirmative then the following three arguments in favor of the demand could be considered. First, if the argument that 'small is beautiful' does find resonance in the developmental experiences of the newly created smaller states. Factual analysis shows the development and efficiency argument does work in favor of the new states when compared with the parent states. During the tenth five year plan period, Chhatisgarh averaged 8.2 percent growth annually compared with 8.3 percent by Madhya Pradesh, Jharkhand averaged 8.1 percent annually compared with 8.7 percent by Bihar and Uttarakhand achieved 8.8 percent growth annually compared with 8.6 percent by Uttar Pradesh. It apparently suggests that, getting 'a territory of their own' unleashes the untapped/suppressed growth potential of the hitherto peripheral regions.

Second, comparatively smaller but compact geographical entities tend to ensure that there is better democratic governance, as there is greater awareness among the policy makers about the local needs. Smaller spatial units having linguistic compatibility and cultural homogeneity also allow for better management, implementation and allocation for public resources in provisioning basic social and economic infrastructure services. A relatively homogeneous smaller state allows for easy communicability, enabling marginal social groups to articulate and raise their voices.

Third, smaller states provide gains for the electorates in terms of better representation of their preferences in the composition of the government. In a patronage – base democracy like in India, the amount of the transfer of state resources /largesse a constituency/region gets depends crucially on whether the local representatives belongs to the ruling party. Understanding this electoral logic of patronage distribution, the electorates of a smaller region have a propensity to elect representatives with preferences more closely aligned to those of the bigger regions within the state.

Such a motive, however, would no longer operate once the region constitutes a separate state.

Apart from the favorable arguments there are some apprehensions which have been raised against creating smaller states.

First, reminiscent of 'partition anxiety' many fear the rise of regional and linguistic fanaticism as threats to national unity and integrity. A global surge in ethno-nationalist conflicts serve to rekindle these fears. No region however, has ever experienced secessionist movement, after being recognized as a separate state except for a brief period in Punjab.

Second, many believe that bigger states ensure cohesion and stability as against smaller states. However, there are myriad forms of political violence going on unabated in the big states, e.g., in Uttar Pradesh and Andhra Pradesh and West Bengal. In these cases, violent movements are expressions of a demand for recognition, justice and autonomy. Relatively homogenous smaller states would always be better poised to provide a wide range of policies in response to local conditions.

Third, smaller states like mineral rich Chhatisgarh and Jharkhand are often viewed as being much more vulnerable to the pressures of the corporations and multi-nationals due to their small scale economies and the greed of the newly emergent regional elite. This however, is not confined only to the smaller states otherwise how do we explain the presence of coal mafias and land sharks in the bigger states like Andhra Pradesh and Karnataka.

Fourth, political expediency and opportunism rather than the objective evaluation of democratic and developmental potential are set to be involved in the making of the new states. Even if this was present in some instances, it is not the norm. Certain principles have always been adhered to without exception with the establishment of the states in the past. The demand for a new state; (a) is not to be communal or secessionist in nature; (b) should have popular support and enjoy a broad consensus; (c) should be agreed upon by the parent state; (d) aims at the creation of socially and economically viable state.

8.6 CONCLUSION

According to some scholars, the linguistic basis is the main principle. It is on this basis that the federal system operates. The federal structure functions on homogeneous, well defined states. Those who advocate the breaking up of existing linguistic states

and the creation of smaller states are asking for the weakening of the federal structure. It will lead to the centre dominating the states. Currently, India has strong language based states, like the four southern states, Maharashtra, Gujarat, Punjab and so on. It is mainly because of them, the states are able to have their role in federal system. The powers and rights of the states will get weakened further if the identity and role of linguistic states are weakened. Indian states like Tamil Nadu, Karnataka, Andhra Pradesh, Maharashtra and Gujarat have better scope for economic, social and cultural development because they are clearly defined linguistic units.

Those who oppose the demand for smaller states feel that it is an idea being promoted by the vested interests. The enemies of the nation want to balkanize India. They want to break into small bits and pieces which can be gobbled up at will or left to languish in their fragmented insignificance. Those who are agitating for smaller states are actually promoting the interests of those who wish to weaken the unity and integrity of the country.

However some argue that smaller states lead to better administration and more development. Some political analyst including those from the ruling Congress and the UPA demanded the bifurcation of Uttar Pradesh on various grounds. Many Marxist leaders however, argue that there can be no hard and fast rule about the size of states, and correlating them to development and better administration. Most of the linguistically reorganized states are the better administered ones. They are also bigger in size like Maharashtra, Tamil Nadu, Karnataka and so on. Some of the smaller states like Himachal Pradesh have also developed better. However, it ought to be remembered that there are a number of states which are smaller in size but they suffer from maladministration and have also failed to develop economically. Many advocate that it is better not to divide the linguistically homogeneous states as it will undermine federalism and allow the centre to dominate.

The demand for smaller states, according to some scholars, is based on the principle that in a mature democratic country like India, it is important to have grassroots representation. In other words, the people responsible for governance in any particular administrative area must be aware of, and sympathetic to, the needs and aspirations of the general population which inhabits that area. When, for example, Uttarakhand was carved out from the large Uttar Pradesh, it was argued that an administration based in distant, and very different, Lucknow could have little idea of and less empathy with, the requirements and desire of the hill people of Kumaon and Garhwal. A similar rationale is put forward for Gorkhaland: why should plains dwelling Bengalis control the lives

and fortune of the people who live in the tea rich hills of Darjeeling and Kalingpong?

The situation in Hindi states, however, needs to be viewed differently. There is a demand that a large state like Uttar Pradesh be broken up. Most of the states in north India have not been organized on a linguistic basis like the non-Hindi states. All the northern states belong to the same Hindi region. So the division of these states will not be on the same level as that of the linguistically reorganize states. So the division of Madhya Pradesh into MP and Chhattisgarh cannot be seen on a par with the division of the state which had been formed on the basis of linguistic reorganization. The question of UP being divided is not doing violence to the linguistic principle.

With Telangana issue almost resolved and it being likely the 29th state, the agitation for Gorkha Land, Bodoland and Karbi Anglong have been revived. This is in addition to the existing demands for a separate state in Maharashtra and Harit Pradesh and Poorvanchal in Uttar Pradesh. It may eventually mean that the government will increasingly find it difficult to put them aside.

Irrespective of these demands being raised with new vigour, the central government had the full knowledge of the severity of the demands for separate states and the agitation for them when the decision was arrived at in favour of Telangana. If division of a state like Andhra Pradesh is acceptable to the government, what legitimate reason could be advanced to deny the demands for separate states in other areas? However, if the view that the states formed on a linguistic basis should not be broken up is upheld, then the demand for Vidharba in Maharashtra, or Gorkha land in West Bengal or Bodoland in Assam will have no valid ground for political acceptability. However, the case of certain ethnic or tribal minorities inhabiting some defined areas within a linguistic state needs serious introspection. According to those who oppose further division of linguistic states, such areas could be considered for regional autonomy within the some agreeable framework.

Despite its relevance in a broadened democratic set up, such demands and movements may in the long run be used to divert the attention from the real issues. This danger may be promoted by certain political class who may wish to cash in on regional and parochial sentiments.

Moreover, the critics are of the opinion that the demand for smaller states may not, in some cases, be based on genuine concerns about administrative equity. It probably could be a disguised excuse for a land grab. The moment a new state is formed a new capital for it has to established, together with all the

pomp and paraphernalia of statehood: a new assembly, secretariat and so on. As a result property prices in the newly designated capital shoot up and the land mafia hits the jackpot yet again.

Further, the critics say that such demands are generally based on the politics of sub-regional identity. If realized it would further erode India's already threatened and fragile unity. It is often said that Indians tend to be Gujaratis or Tamils or Punjabis, or whatever first and Indian second. The fulfillment of demands would multiply the emergence of regional chauvinists and fanatic regionalists and advocates of sons of soil policy. If each state or sub-state sprouts its own home-grown regional chauvinists, the Indian union will soon be disunion of disparate parts.

There is a section among the political elite in the country who believe that in view of the increasing demands of smaller states, it is perhaps the right time to set up a second reorganization commission. Those who wish to see the further division of India especially the vested political interest would surely not hesitate in opting for such a commission.

8.7 LOOKING AHEAD

According to a dominant view, the federal polity in India does need to accommodate the on-going demands for smaller states. In most regions, even if the local urban entrepreneurial, middle classes lead the demands, these demands represent the democratic aspirations of the hitherto politically dormant, neglected and discriminated masses from the peripheral regions. In order to have broader democratic negotiation towards addressing such demands, a second reorganization commission may be constituted by the centre. The commission could have the quasi-judicial power to ascertain a set of objectives and coherent criteria that can be uniformly applied like in the case of the first state reorganization commission set up in 1953. It could be a constitutional body to oversee transparency of the consultation process.

Federalism as an idea and a process thus enriches democracy in multi-national/cultural country like India. It certainly tends to promote democratic values and temperament by recognizing, accommodating and protecting diverse regional identities and rights. The creation of smaller states would contribute to the federal agenda of enhancing democratic development based on decentralized governance and greater autonomy for the states.

8.8 UNIT END QUESTIONS

1. Discuss the political importance of the demand for smaller states in India.
2. What are the main reasons of the demand for smaller states in India?
3. Discuss the changing federal perspective in relation to the demand for smaller states in India.
4. How do assess the demand for smaller states in India?
5. Critically analyze the demand for smaller states in India.

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DEMAND FOR STATE AUTONOMY

Unit Structure

- 9.0 Objectives
- 9.1 Introduction
- 9.2 Demands for state autonomy
- 9.3 Administrative Reforms Commission
- 9.4 Sarkaria Commission Report
- 9.5 Assessing the demand for state autonomy
- 9.6 Conclusion
- 9.7 Unit End Questions
- 9.8 References

9.0 OBJECTIVES

This unit introduces:

- the demand for smaller states
- explains the reasons for such demands
- discusses the demands in changing situations
- assesses the demands objectively
- analyses the demands from future perspectives

9.1 INTRODUCTION

The demand for state autonomy constitutes a core factor of centre-state relations. The federal system adopted in India involves division of authority between the Union and the states. Both the centre and the states derive authority from the Constitution and each is sovereign within the field assign to it. In fact the authority of one is coordinate with that of other.

Despite the Constitutional clarity the Indian political system, since the inauguration of the Constitution has been plagued by two opposite tendencies. On the one hand, attempts have been made by the ruling parties at the centre to further enhance the power of the Union Government and on the other there has been a persistent demand for greater autonomy for the states. The

exponents of the idea of greater autonomy for states in India are explicitly clear in demanding more powers for the states. The supporters of this view including the DMK in Tamil Nadu consider this as the basis for proper and ideal centre states relation. In more appropriate and precise terms this concept could be referred to as demand for autonomy for the states.

It is generally believed that the demand for restructuring the centre state relations more or less on the principles of autonomy continues to be an important area of debate since the adoption of the Constitution of India in 1950. In order to have a clear view of the idea of autonomy, the emergence of Indian nation with a new structure of constitutional government will have to be viewed in a historical context with an emphasis on the objective political situation which existed at that time. The political imperatives which emerged out of the movement for independence in a historical context along with the unavoidable partitioning of the country influenced the design of the government as reflected in the Constitution of India. The framers of the Constitution being inspired by the spirit of the independence movement found the principles of federalism in Indian context most appropriate for the country. However, factors which led to the partitioning of the country created apprehensions for centrifugal elements particularly at the nascent stage of the nation building process.

During the entire period of the struggle for independence efforts to find an appropriate solution to India's gigantic diversity was never overlooked. Even while mobilizing for national movement efforts were made to adhere to the federal principles. The mobilization of this kind was instrumental in emphasizing the language as the basis for redrawing the provincial boundary in the post independence period. The principles of federalism as practiced in India and the framework, within which the centre and state relations operate, continues to be the source of political disagreement and often creates enough room for controversy. Some of the states are more vehement in criticizing the present federal set up and term it as improper and unacceptable. However, there are states which feel otherwise. They are of the opinion though such efforts have not yet resulted in any major constitutional changes towards a more acceptable federal structure, the struggle has not been entirely fruitless. Even the ruling elite at the centre are more inclined towards transferring some powers from the centre to the states. The slogan, 'autonomy for the state; federalism at the Centre', given by the DMK of Tamil Nadu in February 1970 became a popular source of discussion throughout India in the context of the issue of autonomy.

9.2 DEMANDS FOR STATE AUTONOMY

The relation between the centre and the states continued to be quite smooth till 1967 when Congress was in power both at the centre and most of the states. However, after 1967 strains and stresses began to appear in the centre-state relations. It was mainly after Congress lost power in nine states and the opposition parties got the chance to form coalition governments. In 1977, the Congress lost power at the centre and the Janata Party with Shri Morarji Desai as the Prime Minister formed a government. Soon after taking over the reins of power, the Janata Government dismissed Congress ministries in nine states. But in 1980 Congress returned to power at the centre and dismissed Janata ministries in nine states. In view of the above developments, the demand for greater autonomy for the states began to be raised vociferously and soon gained ground. It was the DMK, a regional party in Tamil Nadu was the first to openly voice its opinion in favor of political autonomy. The Akali Dal in Punjab while supporting the demand for state autonomy wanted the Union Government to confine itself to defense, external affairs, currencies and communications. Further lead in this direction was taken by West Bengal, Jammu & Kashmir, Maharashtra, Kerala and Andhra Pradesh, etc. These states accused the centre of encroaching upon the powers of the states.

9.2.1 Areas of Conflict:

As mentioned above, the functioning of the federal system in India underwent considerable change in the post 1976 period. The non-congress governments in the pre-1989 period found themselves in an uncomfortable position with regard to the role of the central government. As a result, the non-Congress parties mostly categorized as the regional parties began to voice their opinion against the dominance of the centre and emphasized the need for redefinition of the centre-state relations. The broader areas of political disagreement which were the main source of conflicts and strained the relations between the centre and the states are as follows:

9.2.2 Political autonomy:

It was the DMK which first raised the banner of political autonomy for the states. As a regional party from Tamil Nadu, the demand of DMK became a source of inspiration for many other states who were nurturing the similar feelings. The Akali Dal in Punjab while supporting the demand wanted the Union Government to confine itself to defense, external affairs, currencies and communications. However this demand of the Akali Dal did not find much support and was broadly thought to be something which

would weaken the integrity of the nation. Most of the political parties and non-Congress governments found such resolution against the national interest. Most scholars too feel that the given the political situation in India and vast socio-economic diversity, it is important for the Union to be strong enough to maintain the unity and integrity of the country.

9.2.3 President's Rule:

The frequent use of article 356 by the centre to impose the President's rule in the state has been an important irritant in the centre-state relations. The use of this particular constitutional provision which was supposed to be used in an extra ordinary situation came to be used as a tool in the hands of the union government on pretext or the other. Its rather free use since 1977 and mostly for political reasons became a serious area of friction between the centre and the states. The provision of article 356 was approved by the framers of the Constitution with a strong hope that the occasion for its use to impose President's rule in the states may not arise at all. However, the political reality has proved to be otherwise.

9.2.4 Role of Governor:

The kind of role the governors have played in the past at the behest of their political masters, it has become an important area of controversy. As the President of India appoints the Governor he is expected to enjoy his position during the pleasure of the Head of the Nation. The President of India has also been vested discretionary powers even with regard to the nature and responsibilities of the Governors. In this sense the governors have wide-ranging powers which can be utilized on behalf of the Centre for some political purposes. Due to some controversial played by the governors in several states, they have termed more as an agent of the state than constitutional head of the state.

The states have also voiced their displeasure over the manner in which some Bills were reserved by the governors for the assent of the President. The Governors have also faced criticism by the states for the manner they taken decisions with regard to their role as the chancellors of the universities. Efforts have been made by the centre to make the Governors more politically active in the respective states. The Governors' conference which is organized by the centre periodically is often used as a forum to lay down guidelines to the Governors about their role and functions by the President. In such conferences the Governors are told by the President to be better equipped to handle constitutional crisis. It said that their role needs to be further defined in this regard. As Head of the federating states they were told to play active in the

affairs of the respective states. They were also expected to take greater interests in some of the significant issues of the country like the unity and integrity of the nation, law and order situations, educational issues of the states, socio-economic status of the minorities and their welfare, similar needs of the members of Scheduled Tribes and other backward classes. It was not only confined to this level. They were expected to send periodic reports to the President highlighting the current developments in these areas and corresponding sensitive issues along with an assessment of personalized nature of the ground realities. Obviously, such an active Governor will keep the state leadership always unsettled and on his toes.

9.2.5 Status of Concurrent List

The status of concurrent list is another area which is proving to be a source of controversy. It is mainly because the laws passed by the Union Legislature on any item mentioned in the Concurrent List generally will have primacy over the State Laws. In this situation the Union has an advantage over the state as these subjects can be used to exercise its influence over the states. Obviously most of the states are not quite comfortable and want this area to be looked afresh.

9.2.6 Financial Resources

Most of the states in India are having grievances against the Union Government and suffer from a sense of deprivation in this area. In regard to the financial and economic relationship, the states have major complaints against the centre and nurture a strong feeling of dissatisfaction. The Centre has the financial advantage as it has more elastic sources of revenue. It is in a position to meet its financial deficits through the facility of overdraft which has been restricted in case of the states. Most of the states where non-Congress parties are in power have a strong feeling that the existing distribution of financial powers is not quite fair and rather inequitable in terms of implementation. The Centre often uses its financial superiority to extend undue support to the Congress ruled states and to deliberately deprive the non-Congress states.

9.2.7 Encroachment in Industries and Minerals

The Centre has also been accused of encroaching in the field of industries and minerals. Although the Constitution provided the industries and minerals should remain part of the State List and should be dealt with primarily by the states. However, those industries which need to be controlled by the Centre in public interest could be regulated by the Union. The Union List therefore, gives permission to the Union Parliament to legislate in respect of

`industries, the control of which by the Union is declared by Parliament by law to be expedient in the public interest.' Hence, the Industries (Development and Regulation) Act was passed by Parliament in 1951 which specified those industries that needed to be controlled by the Centre in the public interest. Today, the Union Government is in a position to control 93 percent of the organized industries in terms of the value of the output. The status of minerals is almost the same. The decision to pay the royalties to the states can be hardly be a source of satisfaction to the states.

9.2.8 Planning Commission:

The structure and function of the Planning Commission and its overall role came under criticism by most of the states. The nature of role played by the Planning Commission was such that it became a major source of contention till early 1990s. It was mainly because it had become highly centralized and in the process acquired increasing and intensive control over the processes of economic development. Criticizing the role of Planning Commission, the Rajamannar committee appointed by the Government of Tamilnadu stated that `the centre imposed its will on the states in the formulation and execution of the plans by virtue of the non-statutory grants under Article 282, which are dependent on the absolute discretion of the Centre.'

The criticism against Planning Commission was sought to be justified by the states as the amount of grants to states as recommended by the Finance Commission constitutes only 30 percent while 70 percent grants given to the states come on the advice of the Planning Commission. This is apart from the usual dependence of the states on the Centre for grants and loans. In this context most of the states have an opinion that while desirability of the Planning Commission as a national body cannot be undermined, the states should have enough freedom to formulate their own plans and implement them according to the localized needs and aspiration of the people. Finally, the states must enjoy adequate financial autonomy so that they can take their own financial decisions.

In order to deal with the above grievances and also to have a better theoretical perspective several committees were appointed to examine as to how far the centre had encroached upon the state power and how the states could be granted genuine autonomy. These committees after in depth deliberation came out with a number of recommendations.

9.3 ADMINISTRATIVE REFORMS COMMISSION

Administrative Reforms Commission set up in 1966 recommended several important steps to address the issue of greater autonomy to the states. It recommended an inter-state council under article 263 of the constitution. It wanted persons having long experience in public life and administration and having non-partisan attitude as governors. It also recommended delegation of powers to the maximum extent to the states. It asked for transfer of more financial resources to the state to reduce their dependency on the centre. It also recommended deployment of central armed forces in the states either on their request or otherwise.

Akali Dal's Anandpur Sahib Resolution on Punjab was announced in 1973. It demanded that the centre's jurisdiction should be restricted to the areas mentioned above. It further demanded that the entire residuary power should be vested in the state.

9.4 SARKARIA COMMISSION REPORT

Similarly, Sarkaria commission headed by Justice R.S. Sarkaria came out in 1988 with a comprehensive list of 247 recommendations. It suggested the formation of inter-governmental council consisting of the Prime Minister and the chief ministers of the states to decide collectively on various aspect of governance that caused friction between centre and states.

It also recommended the sparing use of article 356 of the Constitution should be made and all possibilities of formation of an alternative government must be explored before imposing presidential rule in the state. It further suggested the three language formula should be implemented in its true spirit in all the states in the interest of the unity and integrity of the country.

It favored amendments for sharing certain taxes between the center and the states, even though it generally opposed the curtailment of the centre's power. It did not favor banning of all India services in the interest of the country's integrity. Instead, it favored new all India services. It favored retention of the National Development Council and suggested activation of the Zonal Council.

Despite their significance, neither the Congress (I) government under Rajiv Gandhi nor the National front government under V.P. Singh accepted the recommendations of the Sarkaria Commission. After the Congress (I) government came back to power under P.V. Narasimha Rao it decided to implement some of

the recommendations of the Sarkaria Commission. However, the United Front government under Deve Gowda in 1996 decided to fully implement the Sarkaria commission recommendations to impart true federal character to the Indian polity. This policy was continued by the BJP led coalition government. In January 1999 when the inter-state council decided to accept 124 recommendations of the Sarkaria commission.

In April 2007, a new commission was set up to re-examine centre-state relations. The commission headed by the former chief justice of India M.M. Punchhi and three other members submitted its report to the union government with significant recommendations in relation to centre –state relations.

9.5 ASSESSING THE DEMAND FOR STATE AUTONOMY

The practice of federalism in India has not been an easy task. Dealing with demands of state autonomy while strengthening the idea of India, was often conflicting and full of complexities. In effort to have a balancing act, one has to confront two opposing forces which are always at work; one trying to bring about integration and other, in its efforts to fulfill regional aspirations, work in opposite direction and at times conflicting in essence.

The post-1950 period began, until late 1960s, moving towards making the centre more powerful to the point of assuming autocratic regimes, leaving behind, the concept of cooperative federalism as Austin had visualized. The 1960s, 1970s and 1980s saw the Indian federalism in crisis, the centre trying, during the times of Indira Gandhi to intimidate the states, another challenging both the centre and the Indian model of federalism. Kothari rightly says, 'the political constitutional sphere has itself become prone to the same tendency of centralization, domination and inequity' leading to 'institutional disorder'.

The post 1980 political situation is much different from what it was earlier. States are becoming more assertive if not dominating; the centre is becoming more accommodative if not weakening itself: integration is not at risk and regional identity has earned acceptance.

Whatever be the merits and demerits of coalition system, it has made the regional parties in India see the nationalistic perspective rather clearly and in the process has strengthened the integrative forces on the one hand, and helped, on the other, fulfill the regional aspirations. The national regional parties have now

become more considerate, and the regional political parties, rather relatively more assertive.

9.6 CONCLUSION

Towards the end, one may conclude that the demand of greater autonomy for the states, in a limited sense, sounds reasonable. At least in financial matters, the state may granted more powers so that each may launch its independent development plans in the light of its own needs and resources. However, some radical champion of state autonomy would like to reduce the functions of the union government to merely the administration of foreign affairs, defense and communications which is not acceptable rather dangerous for the integrity of the nation. It might create a situation of anarchy in the country.

9.7 UNIT END QUESTIONS

1. Discuss the political significance of the demand for state autonomy.
2. What are the main recommendations of Administrative Reforms Commission? Discuss
3. Discuss the main recommendations of the Sarkaria Commission Report.
4. How would you assess the demand for state autonomy?
5. Is state autonomy a threat to the unity and integrity of the nation? Critically examine.

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Section II

Module v

**ELECTORAL AND PARTY
POLITICS ELECTIONS
(1952, 1977, 1989, 1998, 2004)****Unit Structure**

- 10.0 Objectives
- 10.1 Introduction
- 10.2 Electoral system in India
- 10.3 1951-52 Loksabha elections
- 10.4 1977 Loksabha elections
- 10.5 1989 Loksabha elections
- 10.6 1998 Loksabha elections
- 10.7 2004 Loksabha elections
- 10.8 Unit End Questions
- 10.9 References

10.0 OBJECTIVES

- To understand the structure and functioning of the electoral system in brief
- To review the Loksabha elections of 1952, 1977, 1989, 1998, 2004

10.1 INTRODUCTION

The Indian constitution declares India as a democratic republic. Elections form the base of the system. At the national level the election commission, a constitutional body, supervises, directs and controls the elections. There is a Chief Election Commissioner and two other commissioners to help him. All are appointed by the President of India. In this chapter we will briefly consider the electoral system of India and review five important Loksabha elections from the past starting from 1952, the first general elections, right up to 2004 the fourteenth general elections.

10.2 ELECTORAL SYSTEM IN INDIA

Constitutional provisions about the election commission of India.

Part XV (Article no. 324 to 329) of the Indian constitution contain special provisions about the election commission of India. Some of the main provisions are as below:-

Functions of the election commission:

“The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every State and of elections to the offices of President and Vice-President held under this Constitution shall be vested in a Commission referred to in this Constitution as the Election Commission.”

Composition of the election commission:

(2) The Election Commission shall consist of the Chief Election Commissioner and such number of other election Commissioners, if any, as the President may from time to time fix and the appointment of the chief Election Commissioner and other Election Commissioners shall, subject to the provisions of any law made in that behalf by Parliament, be made by the President.

(3) When any other Election Commissioner is so appointed the Chief Election Commissioner shall act as the Chairman of the Election Commission.

Besides the constitutional provisions the Representation of people act 1951 also shapes the Indian electoral system

“An Act to provide for the conduct of elections of the Houses of Parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications for membership of those Houses, the corrupt practices and other offences at or in connection with such elections and the decision of doubts and disputes arising out of or in connection with such elections.”

It states the qualifications and disqualifications for the membership of Parliament, state legislatures.

Grounds for disqualifications:

Promoting enmity between different groups on the ground of religion, race, place of birth, residence, language etc., disturbing

harmony, bribery, and undue influence, cruelty towards woman by a husband or a relative of husband, practicing untouchability etc.

Following are the dates of the last 15 Loksabha Elections:

1. 1952 October 25, 1951 to February 21, 1952.
2. 1957 February 24 to June 15.
3. 1962 February 16 to June 15.
4. 1967 February 15 to February 215.
5. 1971 March 1 to March 15.
6. 1977 March 16 to March 20.
7. 1980 January 3 to January 15.
8. 1984 Dec 24, Dec 27, Dec 28 (Polling in Punjab was held on Sept 25, 1985 and Assam on Dec 5, 1985).
9. 1989 Nov 22, Nov 215.
10. 1991 First round was held on May 20, 1991. Following the assassination of Rajiv Gandhi on May 21, the second and third rounds of polling were postponed to June 12 and June 14. In Punjab elections were held in 1992. However, Loksabha polls were not held in Jammu and Kashmir.
11. 1996 April 27, May 2, May 7, May 21.
12. 1998 February 16, Feb 22, Feb 28 March 15.
13. 1999 September 4, Sep 11, Sep 17, Sep 24, Oct 1.
14. 2004 April 20, 26, May 5, May 15.
15. 2009 April 16, April 22, April 23, April 30, May 7, May 13

Year	No. of voters (approx. in crore)	National parties	Regional parties	Constituencies	Firstparty	Second party
1952	17	14	39	489	Indian National Congress	CPI
1977	32	5	15	542	BLD+ (Janata party)	INC
1989	50	8	20	529	INC	JD
1998	60	7	30	543	BJP	INC
2004	72	7(BJP, BSP, CPI, CP, M, INC, NCP, RJD)	34	543	INC	BJP

Election statistics:

INC- Indian national congress, BJP-Bharatiya Janata Party, CPI – Communist Party of India, CPM – Communist party of India (Marxist), NCP – Nationalist Congress Party, RJD – Rashtriya Janata Dal, BLD – Bharatiya Lok Dal, JD – Janata Dal.

Electoral process:

1. The process takes at least a month. Major changes were brought in by the 10th CEC T. N. Seshan who was in office from December 1990 to December 1995. He won the 1996 Ramon Magsaysay Award for Government Service.
2. As the size of voters went on increasing from 17 crores to more than 70 crores in 2009 elections are now held in phases.
3. Electoral rolls are published
4. Dates of nomination, polling and counting are declared by the election commission. Model code of conduct comes into effect from the same date.
5. Age limit for candidates – not less than 25 years of age.
6. Candidate must be a registered voter.
7. Candidates are required to declare their assets, age, educational qualifications and criminal history if any.
8. Candidates are required to make a security deposit of Rs. 25,000/- (Rs. 12, 500/- for SC and ST candidates) since 1st February, 2015.
9. A person can't contest from more than two constituencies.
10. Large hoardings, posters, freebies to people, rallies, corner (*nukkad*) meetings, door-to-door campaigns – various methods are used to impress the citizens
11. Campaign stops 48 hours prior to the polling day in respective constituencies. Candidates submit their daily accounts to the election commission office in the constituency. Electoral spending is a major issue.
12. There are alliances and seat sharing arrangements among parties in various states.
13. On the day of polling huge security arrangements are made. Temporary staff of the election commission which include teachers, government employees play a major role in conducting elections.
14. Electronic voting machines (EVM) are used for polling. (In 1999 the use of machines was partial. Since 2004 it's complete.)

15. Counting has become easier and faster after the use of EVMs
16. Currently there are 543 constituencies out of which 412 are general, 84 reserved for scheduled castes and 47 reserved for scheduled tribes. (Out of 48 constituencies in Maharashtra 39 are general, 5 reserved for SC – Amravati, Ramtek, Shirdi, Latur, Solapur and 4 reserved for ST – Nandurbar, Gadchiroli – Chimur, Dindori, Palghar)
17. Bye elections are held if for some reason the seat is vacated.
18. A defeated candidate who fails to secure more than one sixth of the valid votes polled in the constituency will lose his security deposit i.e. approximately 17% votes are necessary to secure the deposit.
19. Maximum numbers of candidates contesting in a constituency is unlimited. In Modakurichi Assembly Constituency of Tamil Nadu there were 1033 contesting candidates during the general election to Tamil Nadu Legislative Assembly in 19915. The ballot papers were in the form of a booklet.
20. Maximum limit of expenditure for a candidate is Rs. 25 lakh. In some bigger constituencies it is Rs. 40 lakh.
21. 1000 – 1200 voters are assigned to a polling station. EVMs have helped to increase the number to 1500.
22. Polling station must be not far than 2 kms. for any voter. Bribing the voter in any form, religious campaign are all offences.

10.3 1951-52 LOKSABHA ELECTIONS

The 1951-52 Loksabha elections were the first general elections in India after securing independence in 1947 and after the inauguration of the Constitution in 1950. Elections to Loksabha and all state legislative assemblies were held together. Elections were held between 25 October 1951 and 21 February 1952 for 489 seats of the Loksabha in 26 states. Total population of India at the time of first elections was about 30 crores (equal to current US population) and number of eligible voters i.e. citizens above the age of twenty years was 17 crores. 14 National and 39 regional parties participated in the elections. Many experts considered it very difficult to conduct elections on such a large scale and feared that the whole process will be marred by violence and chaos. But the Indian bureaucracy, the political class and the large number of voters acted together and the experiment was successful. Elections were conducted in a peaceful manner.

Indian National Congress won 364 seats and came to power. It secured 45% of the total votes polled. Total voter turnout was 415.7%.

10.4 1977 LOKSABHA ELECTIONS

The 1977 elections – sixth Loksabha elections – had an unprecedented background of two years of national emergency imposed from June 1975 to March 1975. Fifth elections were held in 1971. Fifth elections were the first midterm polls in the history of independent India. All earlier elections were held according to schedule after the completion of the full five year term of the Loksabha – 1952-1957-1962-1967 – without any disturbance. In 1971 the Indira Gandhi government declared midterm polls and won by a thumping majority. 1971-77 were eventful years. The government was shaken and challenged by the Total revolution, a movement guided by Jay Prakash Narayan against corruption. Young generation was attracted towards the movement. Many cases were filed against Indira Gandhi for malpractices in elections. The court declared the election of 1971 as illegal and unseated Prime Minister Indira Gandhi. Retaliating, Mrs. Gandhi declared emergency. All opposition members were in jail and national emergency was declared. The opposition leaders and the common public suffered a lot during emergency. Emergency was lifted in 1977 and elections were declared. The Congress party was defeated and the Janata party, an alliance of parties mainly comprising the leftists - socialists and communists. Interestingly the Janasangh a right leaning organization, closely related to the RSS (Rashtriya Swyamsevak Sangh) was also part of the alliance. Morarji Bhai Desai became the Prime Minister.

10.5 1989 LOKSABHA ELECTIONS

The Congress government led by Prime Minister Rajiv Gandhi was defeated and the V. P. Singh led Janata Dal and the National Front alliance won the elections. V. P. Singh was appointed as the Prime Minister. Earlier in 1984 the Congress government had come to power with an unprecedented majority. It was a landslide victory. (Winning 416 seats out of 543 – the second party was Telugu Desam a regional party from Andhra Pradesh with N. T. Ramarao as its leader won only 30 seats.) It was the positive impact of the sympathy wave caused due to the assassination of Prime Minister Indira Gandhi in October 1985. But later on due to many controversies such as the Shaha Bano case, the Ram Mandir – Babri Masjid dispute, the Muslim women (Protection of rights on divorce) act 1986, nullifying supreme court order to grant alimony to divorced Muslim women, the overall

corruption charges and the Bofors case, the popularity of the Rajiv Government declined and finally it was defeated in the elections.

V. P. Singh, who belonged to royal family, was basically a member of the Congress party and finance minister in the Rajiv Gandhi government. He defected from the party, garnered the support of the left parties and the BJP and formed a new government in 1985. Considering the ideological differences the Communists and the BJP decided to provide issue based support to the government externally, without participating, without sharing power.

10.6 1998 LOKSABHA ELECTIONS

The V. P. Singh government lasted for 11 months. It was defeated in a no-confidence motion stated on the background of the chaos that unfolded after the sudden declaration of the implementation of Mandal commission report which suggested 27% reservation for OBCs in government services. Chandrashekhar Azad formed a government with the help of the Congress party which lasted for a very short period. In 1991 after the assassination of former Prime Minister Rajiv Gandhi, Congress was able to stage a comeback. With the help of few regional parties it was able to form the government under the leadership of Prime Minister Narsimha Rao which lasted its full term till 1995. In the 1996 elections no party secured clear majority and it was a hung parliament. There were three Prime Ministers in two years – Atal Bihari Vajpayee (13 day government), Deve Gauda and Inder Kumar Gujral. In 1998 again there was a hung parliament. BJP succeeded in forming government by forming an alliance and securing support of 286 members. But later it collapsed due to withdrawal of support by some regional parties. Vajpayee remained the care taker Prime Minister during the Kargil war which took place during May – July 1999. Next elections were held in September 1999.

10.7 2004 LOKSABHA ELECTIONS

In 1999 the BJP and its alliance partners formed the government and ruled for the full term. Next elections were held in 2004. Congress, with its alliance partners, regained power after a long gap of about eight years, (from 1996 to 2004) which was marked by political instability. NDA led by BJP was the second party. After the three consecutive defeats in 1996, 1998 and 1999 elections Congress was able to build a successful alliance. BSP, SP, Kerala Congress and Left Front provided external support to the government.

Elections were held in four phases between April 20 and May 10, 2004 for 543 constituencies. Approximately 72 crore voters were registered. 7 national and 34 regional parties along with many other political parties participated in the elections.

Following data shows seats won by major parties:-

- | | | |
|--------------|--------------|-------------|
| 1. INC – 145 | 2. BJP – 138 | 3. CPM – 43 |
| 4. BSP – 19 | 5. CPI – 10 | 6. NCP – 9 |

The BJP particularly Sushma Swaraj and few others opposed the idea of Sonia Gandhi being the Prime Minister of India, as she was not a born Indian citizen. The Congress declared Manmohan Singh as their candidate.

10.8 UNIT END QUESTIONS

1. Briefly discuss the electoral system of India.
2. Discuss the Loksabha elections of 1952.
3. Discuss the Loksabha elections of 1977.
4. Discuss the Loksabha elections of 1989.
5. Discuss the Loksabha elections of 1998.
6. Discuss the Loksabha elections of 2004.

10.9 REFERENCES

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<http://en.wikipedia.org> has lots of free information – to be used cautiously.

<http://india.gov.in> – National Portal of India.

<http://www.rmaf.org.ph/newrmaf/main/> - Raman Magsaysay Award – official site.

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<http://www.atalbiharivajpayee.in/ThePM.aspx> - all information about the Vajpayee governments from 1996 to 2004 – three terms – including references to Kargil war, five nuclear tests in Pokharan, Lahore summit, Lahore Delhi bus service, liberal economic policies – economic reforms, roads and highway projects etc.

POLITICAL PARTIES-NATIONAL AND REGIONAL PARTIES AND COALITION GOVERNMENTS

Unit structure

- 11.0 Introduction
- 11.1 Nature of Indian Party system
- 11.2 Evolution of Party system in India
- 11.3 Political Parties in India
- 11.4 National Parties
- 11.5 The Regional Political Parties
- 11.6 Coalition Governments
- 11.7 Unit end questions

11.0 INTRODUCTION

Today political parties have become indispensable part of democratic governance. Whether a country has parliamentary system or presidential system, political parties are essential feature of democratic system. A country may have two-party system, multi-party system, the role played by political parties cannot be denied. Though we have accepted the importance of the political parties, it is interesting to note that in the initial years of American democracy, the political parties were regarded with suspicion. Even in India till 1985 our constitution did not mention a political party. In other words, though today political parties are taken to be very important, this was not the situation in the initial years.

Even the perspective of looking at political parties is varied. There is a traditional perspective, and then there is a Marxist perspective. Whatever perspective one decides to adopt, what must be kept in mind is that the political party system has become enormously important. Today political scientists suggest that for a stable democracy, a stable party system is necessary. One must quote Jean Blondel, "a common field of activity, a basic homogeneity, a common language are presuppositions for a functioning party system. Such a common basis alone makes compromise, sacrifice and even defeat bearable. Whenever this body politic becomes questionable, the crisis of parties seems the

necessary result.” A viable, stable party system ensures a stable socio-political system. We find many a Western societies enjoying stability simply because they have stable party systems. It is not to suggest that they do not have political differences. But those differences are of opinion and not of basic nature. Such differences do not threaten the very existence of the society. This is made sure by a stable party system. Since such stable party systems are yet to be developed in Asia and Africa, we find much instability in these regions.

11.1 NATURE OF INDIAN PARTY SYSTEM

Though political independence came to India in 1947, the development of party system had begun much before independence came to India. The Indian National Congress established in 1885 is normally regarded as the mother of party system in India. Even before independence there were regional parties in India.

India gained independence in 1947 and by January 1950 our Constitution was adopted which made India ‘sovereign democratic republic’. It was mentioned that here election would be regularly held on the basis of Universal Adult Franchise. The adoption of the principle of UAF made party system necessary. A political party becomes a link between the masses and the government. The socio-political diversity of India also ensured that we shall have a vibrant regional party culture. In 21st century we can see that more than half of our country is ruled by regional political forces like Telugu Desam Party [TDP] in Andhra Pradesh, Akali Dal [Punjab], etc. Though today India is in coalition era, this was not the situation in the initial years of independence. Those days the power structure of our country was dominated by the Congress. It was Congress era which lasted till 1977 when the first non-Congress government had come to power at the Union level.

Like regional parties we also have national parties which have influence in not more than 5-6 states. For example as per our Election laws, the Nationalist Congress Party [NCP] is a national party. But the presence of this party is restricted to a handful states. To get a better understanding of our party system, note its unique features discussed below :

A] Extra-constitutional structure:

As noted till 1985 our Constitution did not mention ‘political party’. Our constitution makers deliberately omitted the mention of party. In 1985 when the then Prime Minister Rajiv Gandhi passed Anti-Defection law [52nd amendment] in 1985, political party got

mentioned in our constitution. Without a stable party system, democratic functioning is unthinkable.

B] Recent origin:

If we compare the history of our political party system, it becomes clear that it is of recent origin. In Western societies party systems have long history. In India the first party INC was established in 1885. Then came the next important political party 'All India Muslim League' founded in 1905. These details show that our party system is of recent origin.

C] Multi-party system:

Even before independence our party system was a multi-party system. Even during those days we had INC, Muslim League, Independent Labour Party, etc. This trend continued even after independence. Today we have a large number of parties, national as well as regional. In addition to these, there is a large number of unrecognized parties and independents that are quite active in our political life.

D] Competitive party system:

As noted before, between 1947 and 1977 Indian politics was dominated by only one party, INC. However it does not mean that there were no other parties. In fact right from first general elections held in 1951, elections in India have been fought quite fiercely. The fourth general elections held in 1967 saw Congress losing power in many states. After that, elections became more competitive. In 21st century elections in India have become highly competitive.

E] Dominance of one party :

For historical reasons Congress enjoyed advantage over other parties. Consequently it was in power till 1975. Till then the non-Congress forces could never come to power. This started changing after fourth general elections held in 1967 when Congress lost power in many states. The Congress dominance started to wane after 1975. Today it leads the UPA. The Congress dominance was challenged at regional level after 1965. Many regional forces started gaining importance in our country.

F] Regional parties:

In today's India, regionalism is a very powerful political force. Today national parties are dependent on regional parties. The first regional party to come to power was the Dravida Munetra Kazhagam [DMK] which captured power in Tamil Nadu in 1965.

Today we have significant regional political forces like Telugu Desam Party [TDP] in Andhra Pradesh, Samajwadi Party [SP] in Uttar Pradesh, Akali Dal [Punjab] Asam Ganatantra Parishad [AGP] in Assam, etc.

G] Traditional and modern outlook:

India is a traditional society where the experiment of democracy is being tried out. This is a unique experiment because democracy demands equality, egalitarian mindset, which was never there in caste-based Indian society. This is precisely why one can find fusion between traditional values with that of modern values. This is played out in various political parties in India.

H] Diffused ideological orientation:

In democracy the power politics is normally played on the basis of ideological differences. A party is known for the ideology it stands for. However, in India quite often politics is played for power's sake. In the last 60 years of democratic experience we have witnessed many alliances where ideological compatibility was missing. More often than not, in India personalities are more important than political ideology.

These are some of the important features of party system in India.

11.2 EVOLUTION OF PARTY SYSTEM IN INDIA

As noted, INC became the first party in India which was established in 1885. Since then party system in India has evolved over a period of time. This entire process has to be divided into

- [1] Pre-independence and
- [2] Post-independence phase. In pre-independence phase after INC [est.; 1885] comes All India Muslim League [1906], The Hindu Maha Sabha, HMS [1916], The Communist Party of India [CPI, 1925]

The Independent Labour Party, ILP [1936]. There were many more parties which were established before independence.

Post-independence phase: Many political thinkers mention that before independence Congress was not a political party. It was more of a movement than a party. After independence INC decided to become a proper political party. In 1948 at Jaipur session, it declared that all factions, groups within the party must either give up their separate identities or leave the party. Then started the process of new parties coming into existence. We can quote names

of parties like Socialist Party [1950], Bharatiya Jan Sangh, BJS [1951], Swatantra Party [1957], Shivsena [1966], Bahujan Samaj party [1984], etc. The process of new parties coming into existence and old parties either die or they become irrelevant. In a developing society like India this is a continuous process. As a result, we have seven national parties, over three dozen regional parties and quite a few independents. This phase has following important features:

A] One Party Dominance System: I [OPDS, 1947-1967] :

As mentioned before, Congress enjoyed the reputation of the party which gave country its independence. After independence it was led by Pandit Nehru, Sardar Patel, the stalwarts of freedom struggle. Hence it naturally became the ruling party. In the first general election held in 1951, the Congress dominance was total. The party no. 2 was the CPI which had won just 12 MPs. This was repeated in second general elections [1957], third general elections [1962]. This position was challenged in the fourth general elections held in 1967 when Congress lost power in the entire North India, South India [Tamil Nadu] and East India [West Bengal]. Though it managed to retain power at the centre, its lead drastically came down.

B] One Party Dominance System: II [OPDS, 1967-1977]:

It is clear that the first phase was dominated by Pandit Nehru. The second phase was dominated by Mrs. Indira Gandhi who became the Prime Minister in 1965. During the fourth general elections the non-Congress forces came together and floated anti-Congress fronts. Between third general elections [1962] and fourth general elections [1967] some momentous events took place in India. First and foremost was the India-China war of 1962 in which India had to suffer a humiliating defeat. In 1964 Pandit Nehru died and in 1966 second Prime Minister Lal Bahadur Shastri died. On the other hand ordinary Indian was facing severe drought, price rise, etc. These factors produced anti-Congress feeling in India. This is why Congress lost power in many states. After this defeat came one more shock to Congress. There was a vertical split in Congress in 1965. This made the ministry of Mrs Indira Gandhi a minority government which was supported by the CPI, DMK, Akali Dal, etc. Mrs Gandhi moved swiftly and announced some pro-poor measures. In July 1969 she nationalised 14 major banks. Same year she abolished privy purses. Then she decided to go for midterm poll which were held in March 1971. She won these elections quite handsomely. Congress under her leadership won 332 seats! This was the beginning of OPDS-II which lasted till 1975. In the sixth general elections held in March 1977 Congress lost to the Janata Party. With that ended OPDS-II.

C] Janata Party [1977-79] :

The Janata Party came to power against the backdrop of the internal emergency declared during June 1975-March 1977. The excesses committed during this dark period turned the public opinion against the Congress. No wonder Congress not only lost power, Mrs Indira Gandhi herself was defeated. The Janata Party came into existence after the merger of Congress [O], Bharatiya Jana Sangh, Swatantra Party, Socialist parties, Lok Dal and Congress for Democracy [CDF]. But the rule of Janata Party was very bad as the constituent parties continued to fight with each other. This resulted into the collapse of Janata Party rule in August 1975. In the general elections held in January 1980, Congress came back to power with impressive majority.

D] Return of One Party Dominance System: III :

[1980-89] In the General elections held in 1980 Congress [I] had won 353 seats. This also saw the return of the OPDS which lasted till 1985. Mrs Indira Gandhi once again the Prime Minister of the country. However her inning was cut short by the assassins who killed her on 30 October 1985. After her, Rajiv Gandhi became the Prime Minister. He decided to hold general elections in 1985. Riding on the sympathy wave, Rajiv Gandhi won power with solid majority, [a total of 405 seats]. However very soon charges of corruption were levelled against him in the famous Bofors Gun scandal. As a result, in the general elections held in 1989, his party's tally came down to 199 MPs. Though Congress was still single largest party, Rajiv Gandhi declined to form the government. This is why V P Singh, leader of Jan Morcha was invited to form ministry. His government was supported from outside by the Left Front as well as the Bharatiya Janata Party. This was the second time when a non-Congress government came to power at the Centre. This also signalled the end of OPDS.

E] Era of multi-party system [1989 and onwards]:

The ninth Loksabha, 1989 is regarded as important year as it heralded the end of OPDS and beginning of multi-party system. The V P Singh government collapsed within 11 months and elections to 10th Loksabha were held in 1991. As the campaigning was in full swing, the LTTE assassinated Rajiv Gandhi in May 1991. This changed contours of Indian politics permanently. Congress managed to come back to power with support of like-minded parties. Dr P V Narasimha Rao was the Prime Minister. He managed to complete the term of five years. However in the elections held in 1996, no single party got clear majority. Finally the United Front, an alliance of many non-Congress, non-BJP forces came to power and Deve Gowda became the Prime Minister.

Within one year he was forced out of the office and though the rule of UF continued, IK Gujral became the Prime Minister who lasted just for a year.

Once again Loksabha elections were held in 19915. In these elections too, no single party got clear majority. Finally the BJP-led National Democratic Alliance [NDA] government took over. It again came to power after the Loksabha elections held in 19915. The NDA government called for Loksabha elections in 20015. This Loksabha election saw the defeat of the NDA and Congress-led United Progressive Alliance [UPA] came to power. The UPA once again won the Loksabha elections held on May 20015.

The success of the NDA as well as the UPA proves that now Indian political system has matured enough to manage alliances/coalitions.

11.3 POLITICAL PARTIES IN INDIA

Indian democracy has multi-party system. The system becomes more complicated with the emergence and popularity of regional political parties like Telugu Desam Party [TDP] in Andhra Pradesh. We also have the Independents who get elected without any party affiliations. Even the latest Loksabha has over 50 MPs who are independents. In Indian party system we see national parties like Congress, BJP; regional parties like TDP and then we also have Independents. One must understand the ideology, the organisation patterns of some of the important parties. This discussion should be held under two heads: National parties and regional parties.

11.4 NATIONAL PARTIES

In India we have the 'Election Symbols [Reservation and Allotment] Order, 1968' with which the Election Commission [EC] classifies parties on the basis on their past electoral performance. As per the data available, in 2004 there were seven All India political parties. These are: INC, Bharatiya Janata Party [BJP], the Janata Dal [JD], the Communist Party of India [CPI], the Communist Party of India [Marxist], the Samajwadi Party [SP], the Samajwadi Janata Dal, and the Nationalist Congress Party [NCP]. It is necessary to review these national parties to understand our political system better.

1] The Indian National Congress [INC]:

This is the oldest political party in India. It was established in December 1885 in Mumbai. Under Gandhiji's leadership, the INC

had become the main bulwark to fight against the British Empire. Being the oldest party, it has nation-wide organizational network. It had enjoyed power both at the Centre as well as at the state level. It was in power at the Centre from 1947-77, 1980-1989, 1991-1996 and now 2004 till today. Ideology of the INC: The ideology of the INC has been consistent at one level and changing with the times at the other level. For example, in case of economic policy, it began as a socialistic party and today it has launched the New Economic Policy [NEP] in 1991. But in the case of secularism, it has been consistently holding on to this principle.

Organisation :

As noted, since it is the oldest party in the country it has presence all over the country. It may be very popular in some areas, it may be quite popular in some other areas and it may not be popular in still some other areas, but one cannot deny that it has presence across the length and breadth of the country.

In addition to the regular party structure, the INC also has sister bodies like Seva Dal, National Student Union of India, Yuvak Congress, Indian National Trade Union Congress, etc.

2] Bharatiya Janata Party, [BJP]:

As on today it is the second largest party in the country. The National Democratic Alliance [NDA] that ruled India between 1998-2004, was led by the BJP. Before BJP, there was Bharatiya Jan Sangh which was established in October 1951. The BJP was started in 1980. Like INC, it is also quite powerful in some states of Indian Union like Gujarat, Madhya Pradesh, Rajasthan, etc.

Ideology of the BJP:

The BJP believes in the ideology of the Hindutva. Its parent is the Rashtriya Swayamsevak Sangh [RSS] which was established in 1925 at Nagpur by Dr. Keshav Hedgewar. The RSS was started to promote the Hindu unity and protect the interests of the Hindus. The BJP believes in the cultural nationalism.

In terms of economic policy, it believes in open market free competition. No wonder it launched second generation of economic reforms when it was in power in the Centre during 1998-20015.

Organisation:

The BJP is regarded as one of the most disciplined, cadre-based party. Its committed cadre normally come from the RSS. It is quite strong in some parts of the country like Gujarath, Madhya

Pradesh, etc. Like INC, the BJP also has other sister-bodies like Akhil Bharatiya Vidyarthi Parishad [ABVP], Bharatiya Kamgar Sangh, etc.

3] The Communist Parties:

Though there are quite a few leftists parties in India, all believe in the principle of Marx. The Communist Party of India was established in 1923. After independence, it accepted the parliamentary politics. It contested first general elections held in 1951-1952 and became the second biggest party by winning over a dozen MPs. In 1964, there was a split in the CPI and the break away group is known as the Communist Party of India [Marxist] CPI-M. The CPI-M has been in power in West Bengal since 1971. The party comes to power in Kerala quite often.

Ideology:

The Communist parties firmly believe in the ideology given by Karl Marx. The Marxists believe that the private property is the source of all social evils. Hence all means of production should be owned, managed by the State. There should be no owner, no worker. All must work for their basic needs. There should be no exploitation in the society. Organisation: The Communist parties believe in organization as the main tool of social change. Consequently one finds much importance attached to the organizational structure in the Marxist party. Since the working class would lead the society in the ultimate struggle against the exploitation, the communist lay emphasis on organizing the working class.

11.5 THE REGIONAL POLITICAL PARTIES

India is highly heterogeneous and diverse country. It is quite difficult for one party to look after the needs, the dreams, and the aspirations of all the regions of our country. No wonder we have so many regional parties and many new ones are coming into existence. A regional party by its very nature looks after a particular region or state. It normally has no presence nor does it have ambition outside the state. Like national parties, even the regional parties have always been in existence even in pre-independent India. For example the Shriromani Akali Dal [SAD] was established in 1921. Even in the provincial elections held in 1937, a regional party like the Unionist Party had come to power in Punjab province. After independence there came Dravid Munnetra Kazhagam [DMK] which came to power in Tamil Nadu in 1967. Today practically all the states of Indian Union have regional parties. The list is given below:

Andhra Pradesh	Telugu Desam Party [TDP]
Assam	Asom Ganatantra Party [AGP]
Bihar	Rashtriya Janata Dal [RJD]
Haryana	Haryana Lok Dal, Vishal Haryana Vikas Manch
Jammu and Kashmir	National Conference, The People's Democratic Party
Kerala	Indian Union Muslim League Maharashtra
Orissa	Biju Janata Dal
Tamil Nadu	DMK, AIADMK
Uttar Pradesh	SP, BSP

This is not the exhaustive list but an indicative list. Like some important national parties, we must also have some knowledge of

11.5.1 Import regional parties which are discussed below :

The Akali Dal :

As noted the SAD is confined to the Punjab state. It came into existence out of Sikh Gurudwara Act, 1925. The Shiromani Gurudwara Prabandhak Committee [SGPC] was organized as a Central Committee for the management of Sikh shrines. The Akali Dal came up as the political wing of the SGPC. It was in the forefront for the struggle to carve out Punjab state. It succeeded in 1966 when Punjab became a political entity in the Indian Union.

Ideology :

The SAD claims to be a party for the Sikh panth. It has been articulating the political feelings of the Sikh community in Punjab. It was one of the important party which had raised the demand for autonomy of the states. In 1973, at the conference held at Anandpur Sahib, it passed a resolution asking for more powers to the constituent states of Indian Union. The SAD also has some extreme elements which believe that they must have a separate nation-state of Sikh society. During the 1980s, these elements were fighting for separate state of Khalistan. This demand is not very popular today.

The Dravid Munetra Kazhagam [DMK]:

All India Anna DMK [AIADMK] : One can safely say that the most important regional party in independent India is DMK which captured power in Tamil Nadu in 1965. The DMK broke in 1972 and late M G Ramachandran started AIADMK. Since then in Tamil

Nadu either it is DMK or AIADMK which comes to power. But never any national party like INC or BJP.

The DMK was started by Anna Durai who was a right hand of Ramaswami Periyar, leader of Non-Brahmin movement in South India. Anna Durai started this party in 1949 and grabbed the power in 1967

Ideology:

The Dravidian parties are product of Anti-Brahmin movement in South India. Back then the debate was also about Arya v/s Dravid non-Arya. The non-arya/Dravidians argued that for centuries the Aryans from North India have been ruling India. Time has come to take a fresh look at the Delhi-centric focus. As a part of this, they are always anti-Hindi. A language like Hindi had become a pawn in the game of power politics. However, today the picture is quite different. All the Dravidian parties have lost their anti-Brahmin programmes.

The Telugu Desam Party [TDP]:

It was established in 1983. Its platform is 'pride of Telugu speaking people'. Back in the 1980s, the INC politics was dominated by yes-men. Even senior party leaders had to curry favour with the party high command. The mass leaders had no say in the party decision-making. It so happened that the then Chief Minister of AP I. Anjiah was seen carrying the chappals of Rajiv Gandhi who was the general secretary of the INC. A prominent newspaper of Andhra published photo of Anjiah doing this. This hurt the sentiments of Telugu speaking people. They could not tolerate their chief minister lifting chappals. N T Rama Rao was always a very popular cinestor of Telugu cine industry. He felt that such insults must not be tolerated. He started TDP in 1983 and contested the assembly elections held in 1985. A one year old party swept to power on the slogan of 'pride of Telugu people'. The TDP won these elections and NTR became chief minister. By the time assembly elections were held in 1989, the NTR magic had worn out and Congress came back to power. However the TDP had won the assembly elections held in 2004. In 1996, there was a split in TDP and his son-in-law Chandrababu Naidu led the revolt. Same year NTR died and Naidu faction became the real TDP. But Congress grabbed the power in the assembly elections held in 2004 as well as 2009.

The Assam Gana Parishad [AGP]:

It is a powerful regional party in Assam. In 1980s, the issue of illegal immigrants from Bangladesh had become a serious issue.

The ruling party Congress was turning a blind eye to this problem. Finally the students came together and launched All Assam Students Union [AASU]. Their agitation was so successful that they decided to turn AASU into a political party AGP. The AGP contested assembly elections of 1986 and came to power. As it normally happens, very soon the appeal of their demand started fading and they lost the power in the assembly elections held in 1991. Since then Assam is ruled either by AGP or Congress. Today Congress is in power.

The Shiv Sena:

The Shiv sena was started by Balasaheb Thackeray in June 1966 in Mumbai city. The idea was to protect the legitimate interests of Marathi speaking people in the city of Mumbai. Back then the job market in Mumbai was dominated by non-Marathi speaking people, especially the Tamilians. In 1971, the Shivsena contested the Bombay Municipal Corporation [BMC] elections and became the single largest party in the BMC. Though it often contested assembly elections in Maharashtra it never got much success. Not only this, its success was always confined to Mumbai and Thana. This was till 1981. This year it joined alliance with the BJP on the issue of Hindutva. The SS-BJP alliance contested 1990 assembly elections and posted an impressive victory. By 1995 the alliance had come to power. However in 2000 assembly elections the SS-BJP alliance Lost power to the Congress-NCP alliance. Since then Congress-NCP alliance has been ruling Maharashtra.

Nature of regional political parties:

As noted in India regional parties have always existed. As also noted in 1937 provincial elections some regional parties had come to power. Post-independence, we have parties like SAD, TDP, AGP, etc. which had come to power. In other words, in some states, the regional force is strong enough to defeat national parties like Congress and come to power. This has been the case since 1967 when DMK came to power in Tamil Nadu.

The decade of 1990s was full of political uncertainties. The national party like Congress was declining due to various factors. The space vacated by the Congress was either filled by BJP or some regional party. Consequently the regional parties became so powerful that without their support no national party could hope to come to power. Take the case of the BJP. It had to start the National Democratic Alliance [NDA] to attract regional parties to get the support of 272 MPs. The Vajpayee's government which ruled in India during 1998-1999 and 1999-2004, the BJP had only 182 MPs. It had to depend upon the support of its regional allies like AIADMK, TDP, etc. Similarly to grab power even Congress had to start the

United Progressive Alliance [UPA]. The UPA has been in power since 20015. During 2004-09, the Congress had only 145 MPs in the alliance and others were supporting Congress by joining UPA. Even at the provincial level one notices that nearly half the states of Indian Union are ruled by regional parties like National Conference, BSP etc.

In the case of regional parties, one can also note an interesting observations. All important regional parties are a product of popular agitation like anti-Hindi agitation led by DMK; the issue of foreigners in Assam led by the AGP. These agitators later become ruling party of the state. Very soon they also become party of political establishment. Another interesting observations is that almost all of these regional forces had opposed Congress to come to power. The TDP had fought Congress. Similarly DMK had contested against the Congress. In other words, the regional parties are normally anti-Congress. This is quite natural because for years Congress has been in power. And a regional force could hope to come to power only by fighting Congress.

On the other side one can also list the **limitations of regional parties**. They normally indulge in populist politics. They cannot look beyond the boundaries of their state. To that extent they do not have a national outlook. They are invariably parochial, fighting for narrow agenda. Once a regional party becomes successful, quite often one notices intra-party fighting leading to splits. Take the case of DMK. Now we have DMK and AIADMK. Even in TDP, for some time there was a faction led by wife of NTR. In case of Shivsena, in 2006 Raj Thackeray started MaharashtraNavnirman Sena [MNS].

11.5.2 Reasons for the popularity of regional parties:

So far we have understood the background of regional political parties, their nature and many examples of regional parties. Now we need to know as to why they are popular in our country. We have noted that the regional parties have been in existence even before independence. After independence in 1967 DMK became the first party to come to power in Tamil Nadu. Since there have been many regional parties which have come into existence and in some cases, they have come to power also. Hence it has become necessary to understand the popularity of the regional forces. Those factors are discussed below.

1] The nature of Indian society :

As we know the very nature of Indian society makes it necessary to create regional political forces. Due to historical reasons, some regions of our country have developed better than

others. This ground reality creates regional patriotism further leading to regional political forces. We have seen how the pride of Telugu speaking people created the Telugu Desam Party [TDP] in AndhraPradesh.

2] Uni-lingual state:

India has been a multi-lingual country for many centuries. Mahatama Gandhi realized that to further patriotic feeling among Indians, the provinces/states must be reorganized on the linguistic basis where 'one state one language' formula would be used. After independence a commission led by Justice Dar was appointed in 1948 to study this issue. The Dar commission reported that linguistic reorganization should not be attempted. Then came the fast-unto-death of Potti Sriramallu for the separate state of AndhraPradesh by partitioning the then Madras Province. His death in this fast created riots all over the province which forced Pandit Nehru to announce the separate state of Andhra Pradesh in 1953. Then came the States Reorganisation Commission [SRC]. The SRC was led by Justice Fazal Ali which was instructed to study the issue of linguistic reorganization at the national level. The SRC was appointed in 1953. Its report came in 1955. Except for Maharashtra [Marathi] and Punjab [Gurumukhi], the issue was settled. This gave the regional leaders tremendous clout in the political field. This also created a strong sense of regional identity, at times to the detriment of nationalist feelings.

3] Economic development:

As has been noted Indian regions suffer unequal economic development. As a result the people of backward region carries a grouse against the people of better regions. The regional forces always exploit such grievances, perceived or real. But this indeed add to the popularity of the regional leaders as well as their leaders. Today we are facing situations where 'economic development' has become a critical issue. This issue has become the rallying point for the demand of separate state of Telangana' as well as 'Vidarbha'.

4] Ethnicity:

Like other factors accounting for diversity, ethnicity is an important factor in our society which also leads to regional forces. Take the case of Jharkhand. This state became a political reality in the year 2000. But Jharkhand Mukti Morcha [JMM] was established in 1930 to demand a separate state of Jharkhand, which is dominated by tribal. Similarly today we witness the popularity of 'Gorkhaland demand by partitioning West Bengal. The Gorkhas, the tribal feel that they are not getting their due in the development funds.

5] National language:

Gandhiji realized during the independence struggle that a country must have a national language so that countrymen could talk to each other. He decided to deliberately promote; Hindustani; for this purpose. His efforts were peaceful. After independence the Central government announced that it shall make Hindi as our national language. No wonder many parts of South India went up in flames. The fourth general elections held in this context of language riots of the 1960s. The DMK came to power by defeating the mighty Congress. Since then Congress has not been able to occupy the space it once occupied. This fear of imposition of Hindi has given the regional forces like DMK and AIADMK strong base in the politics of Tamil Nadu.

6] Insensitive Congress high-command:

Till Pandit Nehru was at the helm of affairs of the Congress, there was lot of internal democracy in the party. After his exit and more so after the mid-term polls of 1971 which Mrs Indira Gandhi swept, the democracy inside the party was minimal. This has created factionalism, goondaraj, etc. in almost all the political parties. We have noted how the then chief minister of Andhra Pradesh T Anjiah was publicly humiliated by Rajiv Gandhi who was representing Congress Working Committee [CWC]. One can also quote example of Maharashtra where Indira Gandhi could force A R Antulay, a Muslim as the chief minister of Maharashtra. This is a classic case when the central government acted swiftly, with total disregard to the people's wishes.

7] Coalition model:

All over the world the coalition model is in fashion. But in India we have created a different coalition model. In our model one national party allies with a host of regional parties and creates an alliance. For example the BJP has nearly two dozen parties in the NDA. Similarly in Congress-led United Progressive Alliance [UPA] we can easily count nearly a dozen parties. But the negative of our model is that one or two regional parties can easily blackmail the national party-led alliance. This in turns creates some kind of a wave during elections times. These are some of the important factors responsible for the growth of regional parties.

11.6 COALITION GOVERNMENT

The coalition government is a logical extension of multi-party system. In our country in the first few decades we had seen the OPDS where Congress was every where. Now comes a strong anti-OPDS wave. This is why after 1989 we have witnessed the rise

and popularity of the regional forces. We have noted that till 1967, India was ruled by the INC. But the forth general elections held in 1967 saw Congress loosing power in the entire North India, Tamil Nadu [South India] and West Bengal [East India]. In 1967 the Samyukta Vidhayak Dals [SVDs] came to power by defeating INC. However, these anti-Congress forces did not remain united for a long time and within no time Congress came back to power in practically all those states. By the time decade of 1990s came our political system had matured enough to understand and play the game of coalition. This was proved by the Vajpayee government that ruled India from 1998 to 2005. And now we have Dr. Manmohan Singh government which is ruling India from 2004 till today. At the state level one can quote example of West Bengal where the CPI-M led Left Front has been in power since 1975. Even in today's Maharashtra we have Democratic Front [DF] government in power where two important parties are: Congress and Nationalist Congress Party.

In other words there are enough examples of successful coalitions to prove that now Indian system has learnt to run the coalition model. Also some scholars note that we may not have two-party system like USA or UK. But we are perhaps moving towards two-fronts system. On one side we have Congress-led UPA and on the other side we have BJP-led NDA. This shows how we are now living in the era of coalitions. This is likely to prevail for quite some time to come. This gives more and more regions of our country some say in the governance of the system. In coalition government, the regional allies get some portfolios. This gives the regional party to work on national level which in turns makes them more broad-based. This is positive side of coalition government. On the negative side, one must note that a dominant regional party can destabilize national government with its handful of MPs. Take the case of BJP-led NDA government which was defeated in 1999 with just one vote. Since Ms Jayalalitha of AIADMK [Total MPs in Lok Sabha; 27] voted against the Vajpayee government, country had to go for fresh elections. On the balance we must welcome coalition government as it offers more advantages than disadvantages.

11.7 UNIT END QUESTIONS

1. Write on nature of Indian Party system.
2. Explain about evolution of Party system in India.
3. Write on import features of Party system in India.
4. Evaluate about National Parties of India.
5. Give critical views on regional Parties in India.
6. Give a short note on Coalition government of India.

ModuleVI**SOCIAL DYNAMICS OF INDIAN
POLITICS
CASTE – RESERVATION****Unit structure**

- 12.0 Objectives
- 12.1 Introduction
- 12.2 Definition and features
- 12.3 Theories about caste
- 12.4 Backward class commissions
- 12.5 Mandal commission
- 12.6 Conversion and Reservation
- 12.7 Unit End Questions
- 12.8 References

12.0 OBJECTIVES

1. To understand the caste system
2. Revolts against the caste system
3. Discuss the measures undertaken by the government in this regard
4. Affirmative action - the system of reservation

12.1 INTRODUCTION

Caste system is a major social, economic and political problem faced by the Indian society and polity. It has its roots in the ancient past. The system has consolidated over years, was beneficial for few and disastrous for many. The few beneficiaries still vehemently support it and the exploited classes have revolted against it. In this chapter will try to understand the caste system, discuss the revolts against it and the measures adopted by the government to minimize its ill effects.

12.2 DEFINITION AND FEATURES

We will start with a comprehensive definition of caste given by Andre Beteille in his book *Caste Class and Power* :-

“A small and named group of persons, characterized by endogamy, hereditary membership and a specific style of life which sometimes includes the pursuit by tradition of a particular occupation and is usually associated with a more or less distinct ritual status in a hierarchical system.” – Caste as defined by The definition mentions following points:-

1. Caste is a distinct group of persons.
2. It is endogamous that means marriages only within the community are allowed. Inter caste marriages are banned. Rampant honour killings of those involved in inter-caste marriages, by their own close relatives, in many states of India indicate the seriousness of the problem.
3. Its membership is hereditary. A person gets his or her caste by birth.
4. Each caste has a specific life style.
5. Almost all castes follow a particular occupation by tradition
6. Each caste has a ritual status in the hierarchical caste system.

Caste is a social, economic and political institution unique to the Indian subcontinent. (Indian subcontinent means India, Pakistan, and Bangladesh) It's basically a social institution but its structure profoundly affects the economy and the politics of the society. It will be more correct to say that it shapes the economy and politics of the society.

It is part of the Vedic culture or the Hindu religious system. It is an ancient institution. It's a hierarchical structure. It divides people and develops a superior subordinate relationship among them. It is a type of division of labour. It is argued that originally it was based on the Varna system. People were divided into four varnas hierarchically from top to bottom as - Brahmin, Kshatriya, Vaishya, and Shudra on the basis of their qualities and abilities. Brahmins were expected to learn and teach, Kshatriya to protect, Vaishya to produce and trade and the Shudras to serve all the three upper Varnas. Later on the system perverted and varna and caste were attached to a person by birth.

There are numerous castes and sub-castes. A specific occupation is assigned to each caste. For example the *Chamars* will make all types of leather goods, the *Bhangji* will clean the toilets, the *Lohar* works as a blacksmith *Sonar* is the goldsmith, *Teli* sells edible oil, *Koli* is the fisherman etc. What is more important is

that people can't change their occupation. A Chamar who was more interested in medical sciences or engineering was not able to pursue his studies in the past.

Justification for these restrictions were provided by the *Karma* theory – a theory about your deeds in the past and present which argues that present depends upon your past and thus the future depends upon the past and the present. The body and soul are different. After death the body perishes but the soul is immortal. There is rebirth and soul takes another form and another body. It states that living beings go through a cycle of birth and death. If a person belongs to a lower caste it is because of his wrong deeds in the earlier life. He can correct those wrongs in the current life and may have his next birth in a higher caste or he may attain salvation. Correcting the wrongs means following the rules of the caste system. These theories were stated by those who were permitted to read and write, learn and teach – the Brahmins. Brahmins used these theories to consolidate their hegemony

Caste system is supported by the Karma theory and the concept of rebirth. The body and soul are different. The body perishes but the soul is immortal. There is life after death – human beings are reborn. The status in next life depends on the Karma – deeds of this life and the current status was the result

12.3 THEORIES ABOUT CASTE

Many theories about caste were stated by sociologists, political scientists and economists. We will discuss few major theories.

Politicisation of caste:

Rajani Kothari stated the theory of politicization of caste in his famous book *Caste in Indian Politics* (1973). According to this theory democratic politics will weaken and ultimately help destroying the caste system Democracy is all about numbers and organizing people.

There is no doubt that caste is used to gain political mileage. Castes provide readymade organization. Caste is a well knit organization. People obey the orders of the caste leaders or the *Jat Panchayat* without any questioning. Political leaders in a democratic system use these readymade organizations for their benefit. Otherwise building organizations is a tough task. One has to search for issues, develop them and build a movement around it. Hard work is involved in the process. This is a difficult option. Easier option is to garner the support of a caste group. Most of the political leaders will always choose the easier option.

Democratic politics has its impact on the caste system. It opened up the caste system and many barriers were destroyed. The power structure was drastically changed. Power shifted from the Brahmins to the middle level castes. In traditional Indian political system Brahmins dominated the society and politics though they were a minority. Ritual status was more important than numbers and any other factor. In the new democratic system Brahmins were displaced from power. Numbers and organization became Middle level castes took over on the basis of their numbers. They initiated alliances with the lower castes in order to maintain their supremacy. All these things were possible just because of democratic politics. In the traditional society even dining together was not allowed amongst castes.

Dominant caste theory:

Dominant caste theory was stated by renowned sociologist M. N. Srinivas. After surveying the current status of castes in India he came to a conclusion that the traditional hierarchical structure of castes has no value at all. A new system of hierarchy has emerged. Traditionally Brahmins were at the top of the hierarchy. Kshatriya, Vaishya and Shudras followed them. This division was universal and followed everywhere. Now the situation has changed. Now status of a caste is decided on the basis of numbers and land ownership. It varies according to region. In a particular area a caste is considered a dominant caste. For e.g. in Maharashtra the Maratha caste cluster has gained the status of a dominant caste. Patidars in Gujarat, Jats in northern parts of India etc. Brahmins are displaced from the power structure in all these areas.

Dipankar Gupta's theory:

Dipankar Gupta a renowned sociologist, now a retired Professor from Jawaharlal Nehru University, Delhi, has stated a new theory about caste in his book 'Interrogating Caste'. He argues that there is no single universally accepted hierarchy of caste. Each caste has a notion of caste hierarchy which is constantly contested by other castes. Notions of purity and pollution are relatively recent additions. They emerged mainly to separate the untouchables from the rest.

Reservations:

Social reformers like Raja Ram Mohan Roy, Mahatma Phule, Shahu Maharaj, Dr. Babasaheb Ambedkar, Justice M. G. Ranade have fought against the unjust caste system. They awakened the backward castes and made them aware of the reality. These thinkers and reformers initiated the social and political movements and set their ideals. The Satyashodhak

movement, Non-Brahmin movement and the Dalit movement in Maharashtra continuously fought for the eradication of caste system. These movements had a major impact on the policy formulation process of Government of India. Special provisions were made in the Indian constitution for the socially backward castes.

Exceptions were made to the fundamental right to equality granted to the Indian citizens. Article 15 (4) in the chapter on fundamental rights states that “Nothing in this article ... shall prevent the state from making special provisions, by law, for the advancement of any socially and educationally backward classes of citizens or for the scheduled castes and the scheduled tribes”. Social backwardness is emphasized more because it is considered that social backwardness causes economic backwardness. Dr. Ambedkar said that economic equality is meaningless without social equality.

On the basis of the above mentioned provisions of the constitution various schemes were planned for the development of the backward castes. The scheduled castes and the scheduled tribes are the most backward among all the backward castes. Part XVI of the Indian constitution deals with the special provisions about the scheduled castes, tribes and other socially and educationally backward classes.

12.4 BACKWARD CLASS COMMISSIONS

According to article 340 of the Indian Constitution the President of India can appoint a Commission to investigate the conditions of socially and educationally backward classes within the territory of India. **The first such commission was established under the chairmanship of Kakasaheb Kalelkar in 1953.** Finding out whether any sections of the people in India other than the SC and ST are socially and educationally backward was the main term of reference of the Kalelkar commission. The report of the commission was submitted in March 1955. It prepared a comprehensive list of backward castes in the country which included about 2,399 castes. It suggested reservation of 70 per cent seats in all technical and professional institutions for qualified students of backward classes. The report was rejected by the central government on the grounds that objective tests were not applied by the commission to identify backward castes.

12.5 MANDAL COMMISSION

The Mandal commission under the chairmanship of B. P. Mandal was established by the Janata party government in 1975.

Officially it was known as the Second Backward classes commission. Its report was submitted in December 1980. The commission recommended 22.5% reservation for SCs and STs and 27% reservation for OBCs. But the report of the commission remained in cold storage till August 1990. Prime Minister V. P. Singh declared the determination of the government to implement the Mandal commission report. The announcement was followed by widespread violence in the northern states of the country.

Reservation of seats in Lok Sabha and state legislative assemblies.

According to article 334 some seats in the Lok Sabha and state legislative assemblies were reserved for the scheduled castes and scheduled tribes for a period of 10 years upto 1960.

Table:- Extension of reservation of seats in Lok Sabha and state legislative assemblies – amendments to article 3315.

Amendment number	Year mentioned in the amendment act	Government led by	Reservation extended upto
8 th	1959	Jawaharlal Nehru	1970
23 rd	1969	Indira Gandhi	1980
45 th	1980	Indira Gandhi	1990
62 nd	1989	Rajiv Gandhi	2000
79 th	1999	Atal Behari Vajpayee	2010
95 th	2009	Manmohan Singh	2020

The statement of objects and reasons of the 62nd amendment act passed in 1989 clearly explains the policy of government of India of extending the reservation of seats in Lok Sabha and state legislative assemblies. It says:-

“...Although the Scheduled Castes and the Scheduled Tribes have made some progress in the last ... years, the reasons which weighed with the Constituent Assembly in making provisions with regard to the aforesaid reservation of seats and nomination of members, have not ceased to exist. It is, therefore, proposed to continue the reservation for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indians by nomination for a further period of ten years.”

Besides Lok Sabha and state assemblies reservation is provided in government jobs, schools, colleges, and professional courses.

Creamy layer among OBCs:

Though majority of the OBC population can be classified into backward classes few people belonging to these castes are well established. The Supreme Court of India gave a judgment that these well established people can't have the benefits of reservation. These people were categorized as the creamy layer among the OBCs. Initially the limit of annual income for this class was fixed at Rs. 1 lakh. This means those having an income above Rs. 1 Lakh can't have the benefits of reservation. Now according to changing situation the limit has been raised to Rs. 6 lakh.

Besides the SCs, STs and OBCs the NTs – nomadic tribes and the DTs – de-notified tribes also get reservation facility. Motiraj Rathod a researcher from Harvard University has described the DTs and NTs in apt words in the following paragraph:-

“The Nomadic and De-notified tribes constitute about five million of population in Maharashtra and about 60 million all over India. There are 313 Nomadic Tribes and 198 De-notified Tribes. Due to the wandering traditions over hundreds of years without any ostensible means of livelihood under the influence of the caste system, they are forced to live under sub human conditions. The large section of these tribes is known as "Vimukta jaatis" or the Ex-Criminal Tribes because they were branded as criminals by birth under the "Criminal Tribes Act 1871", enacted by the British Government. In spite of the repeal of the act in 1952, they are still treated as Criminals by birth and subjected to harassment and persecution at the hands of the police and the state machinery. However, they have been deprived of the status of Scheduled Tribes provided by the constitution due to certain historical circumstances and the acts of omission and commission on part of the Government and the society.” – Motiraj Rathod

Urban and rural local self government institutions such as the municipal councils and corporations, nagar panchayats, zilla parishads, taluka panchayat samitis and gram panchayats have 50% seats reserved for women. It was increased from 33% to 50% in 2015. Several other states have also 50% reservation.

12.6 CONVERSION AND RESERVATION

Many Dalits converted to other religions. One of the mass conversions occurred in 1956 under the leadership of Dr. Babasaheb Ambedkar. People accepted Buddhist religion.

In their long struggle for equality, India's dalits, or "untouchables," have often exchanged their Hinduism for Islam, Christianity, Sikhism or Buddhism, believing that they will better

their lives by doing so. They have been persuaded that Hinduism, with its *varna ashramas* (caste distinctions), has been solely responsible for all their ills. But when they switch to other religious faiths and experience the same distinctions -- albeit in different forms -- they realize that such a change neither improves their social status nor remedies their economic problems of unemployment and poverty -- the real source of their social discrimination.

12.7 UNIT END QUESTIONS

1. Explain the caste system and discuss various theories of caste.
2. Discuss the theory of politicization of caste.
3. Write short notes on
 1. The first backward class commission (Kakasaheb Kalelkar commission)
 2. The Mandal commission.
 3. The creamy layer.
 4. The NTs and DTs.
 5. Nav Bauddha.

12.8 REFERENCES

http://sickle.bwh.harvard.edu/india_tribes.html - article about nomadic and de-notified tribes – Author – Motiraj Rathod.

RELIGION-COMMUNALISM AND REGIONALISM

Unit structure

- 13.0 Objective
- 13.1 Introduction
- 13.2 Interaction between religion and politics
- 13.3 Communalism
- 13.4 Regionalism
- 13.5 Unit End Questions
- 13.6 References

13.0 OBJECTIVE

In this unit we will analyze the interaction between religion and politics leading to politicization of religion and communalization of politics. In this context to study the social dimensions Of Indian politics particularly the relationship between Religion and politics is our main objective.

- To understand the concept of regionalism
- To consider the history of regionalism
- To check the constitutional position
- To think about the future prospects

13.1 INTRODUCTION

India is a multi - religious country. There are eight major religious communities.

- (1) The Hindus (82.64%)
- (2)The Muslim (15.35%)
- (3) The Christians (2.43%)
- (4) The Sikhs (2%)
- (5)The Buddhists (0.71%)
- (6) The Jain (0.48%)
- (7) The Parsis (0.3%)
- (8) The Jews (0.1%)

All these religions have played a very dynamic role in the evolution of human civilization and culture. Realizing the nature of Indian society i.e. multi-religious, the founding fathers of our constitution enshrined secularism as one of the basic features of our constitution. The religious interests of all religious communities in our country are fully protected and safeguarded. Secularism is the most powerful instrument for building a modern secular polity. But still communal tension and communal politics become a part of Indian politics.

In this unit we will learn following sub – topics:

- 1 Interaction between religion and politics.
- 2 Forms of communalism and communal politics
- 3 Factors promoting communalism
- 4 Measures to combat communalism in India
- 5 Role of secularism In India.

During the last 20 or 25 years the (particularly after 1990) the problem of regionalism in India is escalating day by day. Almost all states have regional parties. Many of them are in government. No national party is in a position to form a government at the centre on its own. They are dependent upon regional parties for critical support. The regional sentiments are on the rise everywhere in India. This chapter attempts to explain the concept of regionalism, consider its historical roots, current situation and the way out or the solution to the problem as discussed by veteran politicians and thinkers.

13.2 INTERACTION BETWEEN RELIGION AND POLITICS

Interaction between religion and politics leading to politicization of religion and communalization of politics .

- A Religion has very powerful emotional appeal which is manipulated by the communal elite for realization of certain objectives. Hindus, Muslims, Sikhs, and Christians in India form distinct homogeneous and cohesive communicates.
- B Each community has its own distinct history. The followers of a religion have not only common religious beliefs, but also common social, economic, political, cultural interests.
- C Religious communities are the basic unit of organized political activity. The real followers of a religion belong to and support the political party of their own community.
- D Religious distinction is the most fundamental feature and overrides distinction made on the basis of nationality,

language. The religious identity is the supreme and all other identities are subordinate to religious identity.

- E The interest of different religious groups is divergent and antagonistic.
- F From historical events we have seen, religion worked as a major divisive force. The partition of the country was made on the basis of the religion and homeland for the Indian Muslims in the form of Pakistan. The Hindu-Muslim communalism is a legacy of the British rule in our country, which continues to serve as a divisive force in the nation building activities and also in the workings of the Indian political order.

13.3 COMMUNALISM

Interaction between religion and politics leading to politicization of religion and communalization of politics. Indian communalism takes two distinct political forms

- 1 communal politics
- 2 Communal tension.

13.3.1 Communal politics:

- A It means active use of religion in political life and in political process. Communal politics is carried out by communal political parties or organization which represents communal ideological battles.
- B It is a long term continuous phenomenon. The actors in the communal politics are drawn from the landed gentry, middle class bourgeoisie and bureaucratic elements
- C Communal politics and communal tension as supplementary to one another - Communal riots can occur from communal politics. Communal politicians do instigate acts of communal violence.
- D Active involvement of masses - The success of communal politics requires involvement of the masses. The communal parties in our country, such as the Muslim league, the Hindu Mahasabha and the Rashtirya Sevak Sangh have become mass oriented in their activities. These communal tensions are for attainment of certain political objectives.
- E Communal politics is opposed to secular and national politics.

13.3.2 Communal Tension:

It means a violent expression of religious sentiments, hurt on such petty issues as music before mosque. Therefore communal tension is always subject to outbursts of emotional

excitement and generally involves urban lower class of people. Communal politics precedes communal tension. Many times outbursts of communal tension, is preceded by communal politics, arousal of communal passions through vicious propaganda, inflammatory accusations and wild rumours. Communal tension is not longer lasting. It disappears as soon as normalcy is restored. However, every instance of a communal riot is followed by a trail of inter – communal discord, and systematically exploited, Later by the riot – lovers.

13.3.3 Factor promoting Communalism:

Communalism in India is not only a religious conflict but also socio-economic and socio - political phenomenon. The socio – economic and political issues, when projected in religious idioms, acquire emotional appeal to the masses. The causes of communalism are both ideological as well as local issue oriented. Main causes of communalism are as follows:

1) The British policy of divide and rule:

It is a historical fact that seeds of communalism were sown, nurtured and promoted in India by the British policy of divide and rule.

2) Religion:

It is not the root cause but a powerful instrument in the hands of vested interests .There is a difference between religious violence and communal violence. The religious violence occurs owing to sectarian doctrinaire differences; whereas communal violence occurs owing to conflict over controlling political power and resources which takes place between the elite of different communities

3) Underdeveloped economy:

The underdeveloped economy leads to the uneven development of both communities .Owing to the uneven development, inter communal cohesive class structure does not develop. The upper classes of the less developed community feel a strong sense of rivalry vis-a-vis their counterpart in the other community. To win the support of the masses of one's community, the grievances are formulated in terms of community. This can be done by adding a few religion – cultural demands and by mythologizing the community's past. Thus mythologizing one's community's past serves as a very powerful instrument for mobilizing the masses for realizing class aspirations. In a backward and heterogeneous society like India, class solidarity, cutting

across communal lines, is very difficult to evolve. The exploiting class cleverly manipulates mythologized version and proletariat as well as petty bourgeoisie classes easily fall pray to such manipulation

4) Social structure:

The RSS , the SIMI and the Jamat - i- Islami have following among the urban petty bourgeoisie classes. Their religious sentiments are successfully exploited for secular ends by the communal elites. Another important characteristics of petty bourgeois class is its tendency to submit to the authority and the communal elites have taken advantage to develop authoritarian structures. The RSS and the Jamat lay emphasis on submission to the authority rather than free thinking and democratic functioning. This also amounts to blind submission to the authority of god or holy scriptures and thereby perpetuating utter conservatism in the society.

5) Socio Economic changes:

In a traditional society socioeconomic changes bring about deep sense of insecurity among those stratas of society which are adversely affected by it. The proletariat and the petty bourgeoisie classes are usually the worst affected by such situation. They provide fertile ground for the communal movements. This reality baffles those who take mechanical view of socio- economic development because they feel that such a development should lead to greater rationality in society. On the contrary, sense of insecurity generated by socio- economic changes increases appeal of religion by providing solace and reducing psychological tension.

The rise of religious fundamentalism must be seen in this perspective. The fundamentalist movements reflect the rising ambitions of petty bourgeoisie classes. They have clearly defined political goals. The VHP published several pamphlets in various languages and painted wall slogans in most of the towns and cities to promote, militant nationalism. Equally virulent communalism of Muslim brand was witnessed on the issues of maintenance to divorced Muslim women and thereby raising the issue of inviolability of sacred 'Shariyat Civil code of Muslims.

6) Regional organizations:

Yet another related factor is the militant assertion of regional and communal identity in the form of regional political parties and organizations. Assertion of communal or regional identity is a direct result of conflict over the share in the limited economic resources. The aspirations are rising faster and economic development is

extremely sluggish. As a consequence, conflict is bound to result among different sections of society. The rising aspirations are expressed by these sections of society through the medium of either regional or religio- cultural identity.

7) Attitude of Political Parties:

The political parties have encouraged communalism in order to broaden their mass base. They encouraged religious communalism with some political motives.

8) Political rivalry:

Reprehensive democracy and periodical elections have intensified political rivalry between the elites of the two communities. They try to mobilize the voters by appealing to their respective communal identity. The Mandir- Mazar controversy is a symbolic expression of the political aspiration of two communities.

9) Economic factors:

The conflicting economic interests of the traders belonging to two communities are also instrumental in communal tension.

10) Anti – social elements:

Underworld gangs play a prominent role in communal riots. The political parties need money as well as muscle power of the underworld to win elections. They, in turn, provide immunity to criminals against any action. During the last decade, the powerful elements of the underworld have started taking active part in politics. The criminalization of politics and politicization of crime, with money and muscle power of the underworld, contribute to communal riots.

13.3.4 Effects of communalism:

Communalism is anti – national and anti – human. Today communalism in its varied forms has become extremely dangerous in our country. It has disrupted the pattern of co – existence in our multi – religious and multi – lingual fraternity. It is an insult to India's nationalist identity, destructive of our democratic political stability and a tragic set back to our evolving secular culture.

Communalism whether Hindu, Muslim or Sikh has played the most disastrous role by weakening our political stability, development, national security, pride and patriotism of the people.

13.3.5 Measures to combat (eradicate) communalism:

1. A massive re – awakening of citizens in all walks of life:

There is a dire need for re- awakening of citizens on national unity and integrity, secularism,

2. De – recognition of Communal Political parties:

It is essential to de – recognize the political parties that encourage and promote communalism in any form by their declared policies, programmes and practices.

3. Punishment:

Those who are found guilty of neglecting their duty in controlling communal violence or encouraging communalism should be punished.

4. A committed secular and national Orientation to community Centers, work places and educational Institutions:

A committed secular and national orientation to our textbooks, reading materials should be supported by active work in community centers, work places, temples, and educational institutions for emphasizing the values on national fraternity, of India's composite culture and of humanist principles.

5. Avoidance of coverage of communal news and views:

Mass media like television, radio and the press should avoid coverage of news and views which are to promote communal hatred.

6. Secularism in India:

Secularism is one of the basic feature of our constitution. It is one of the most powerful instrument for building a modern secular polity in our multi – religious country.

The essence of secularism:

It includes the following fundamental ideas:

1. Religious freedom to all persons of all communities
2. Equal respect for all religions
3. No state religion
4. No special privileges to any religion
5. Separation of state from religious Dogma and superstition.

True secularism can be achieved in our country only by adopting and practicing the following basic secular principles in our polity –

1. All religious beliefs, practices should be recognized as purely personal aspects of life. The state must not interfere in them.
2. Politics must be divorced from all religious dominated individuals, groups and parties.
3. There must be common civil laws.
4. The attitude of scientific temper and spirit of enquiry be recognized as the basic principle of secular polity.
5. Equality of status and opportunity for all

Indian state and government functions in accordance with the provisions of the Indian constitution:

1. Indian state is secular. It is mentioned in the preamble of the constitution i.e. The Nature of the Indian State is secular.
2. There is no provision in the constitution of India which declares any particular religion as the 'state religion'. Many other constitutions based on Theocracy like Pakistan have done it.
3. The constitution of India guarantees to all persons in our country:
 1. The right to freedom of religion (Art 25).
 2. The right to manage religious affairs (Art 26)
 3. The right to freedom as to payment of taxes for protection of any particular religion (Art 27)
 4. The right to freedom of worship Art 215.
 5. Right to protection of interests of minorities. (Art 29).
 6. The right of minorities to establish and administer educational institutions of their own (Art 30) Thus India is a secular state.

13.3.5 Conclusion:

Communalism and religious fundamentalism weaken the democratic and secular polity of our country.

13.4 REGIONALISM

Regionalism is a relative term. It is important to know the exact context in which it is used. If we are referring to the world as a whole then the continents like Asia, Africa and Europe become regions of the world. If it is used in the context of Africa then sub-Saharan Africa becomes a region. If it is used in the context of India then Bihar or Maharashtra or Karnataka are the regions. If we are

talking about the movement for separate Vidarbha than that is known as sub-regionalism.

Region is a geographical term. An area with some common geographical features and some other common factors such as a particular form of economy, language, caste, religion is known as a region. Rajasthan is a region – the desert is the common factor. Kashmir is a region – the Himalayan ranges is the common factor. The north-east is a region.

There are administrative regions, political regions, geographical regions, economic zones. Administrative regions are created deliberately for administrative convenience. In India there is a hierarchy of administrative regions starting from the village up to the entire nation. Village is a basic unit. Villages together constitute a Taluka. A district is made up of Talukas. Few districts together constitute a division and divisions are part of the state. States are the part of Indian Nation.

In short the hierarchy is as follows:-

Village

Taluka

District

Division

State

Nation

Maharashtra state is divided into six administrative divisions; these divisions are further divided among districts, talukas and villages. Dividing people and areas into regions facilitates better service. Each district has a Collector.

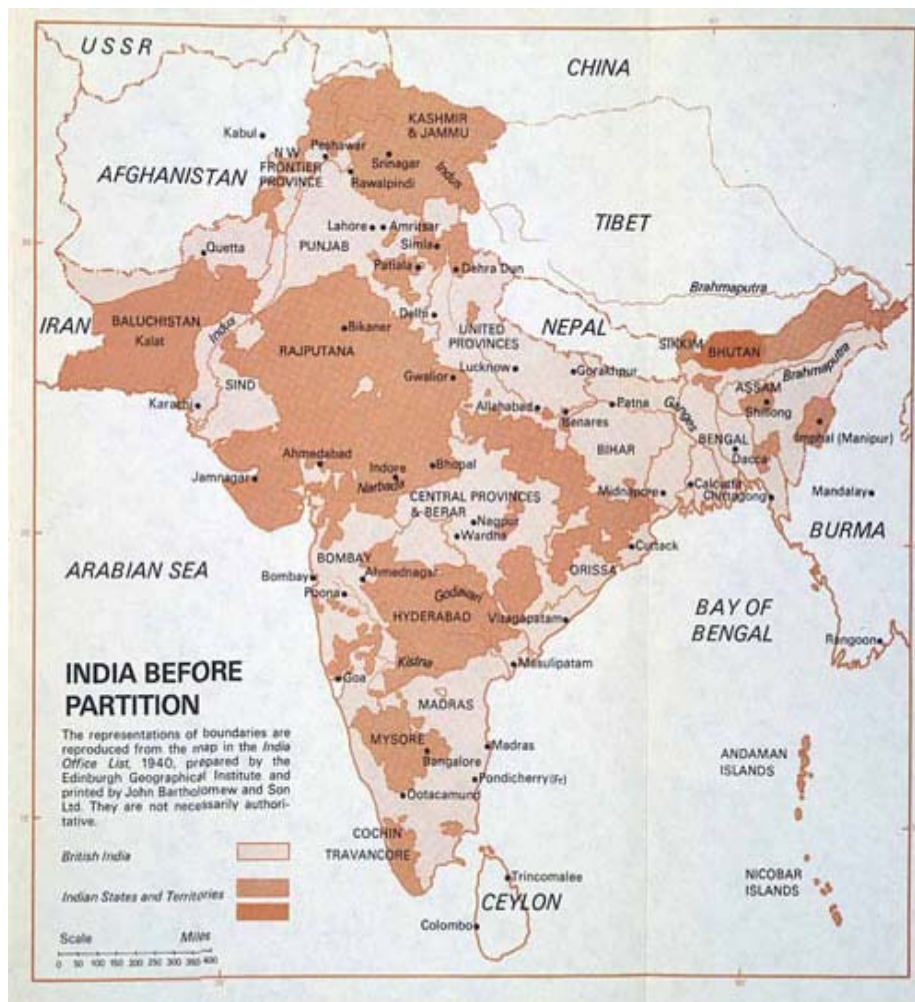
Konkan, Western Maharashtra, Marathwada and Vidarbha are geographical regions of Maharashtra. These regions have some common geographical factors.

In this chapter we are going to concentrate on regionalism in India. India was never a unified country as it is today till the British arrived on the scene in the 19th century. Before the British rule it was divided among small princely states (sansthan) and kingdoms since the ancient period. In 1947 there were about 563 princely states. The credit of unifying all the Indian Territory goes to the British government.

The Indian subcontinent has a varied geography. Himalayan ranges to the north and some parts of north east and north west, the gangetic plains, the desert of Rajasthan and Kutch, the western Ghats, the Deccan plateau, and the southern parts – the Dravida

region or the south Indian peninsular region. There are numerous languages, different cultures and life styles. The economy is different. Some areas are well developed majority of the parts are underdeveloped. There was a diversity of religion also. The eastern parts of Bengal were predominantly Muslim and western parts had majority of Hindu population.

The British East India Company brought the whole region under single administrative authority. They created polyglot provinces like the Bengal, Madras and Bombay Presidencies. Bengal



**Figure 1: India before partition –
Source : Encyclopedia Britannica**

presidency included present day Indian states of Assam, Bihar, Meghalaya, Tripura, Odisha. Madras presidency included Tamil Nadu, the Malabar region of North Kerala, Lakshadweep Islands, the Coastal Andhra and Rayalaseema regions of Andhra Pradesh, Ganjam, Malkangiri, Koraput, Rayagada, Nabarangapur and Gajapati districts of southern Odisha and the Bellary, Dakshina

Kannada, and Udupi districts of Karnataka and Bombay presidency included the present days states of Gujarat, Maharashtra, Karnataka. It also included Pakistan's Sindh province and the British territory of Aden in Yemen.

There were conflicts and clashes among various communities put together in a single province. There were movements demanding separate states on the basis of language in each of these provinces. After a long and arduous struggle the British government gave in and separate provinces of Assam, Bihar and Orissa were created by dividing the Bengal presidency. Delhi was separated from Punjab.

The demands for separate state continued during the independence struggle and even after independence. Mahatma Gandhi was the first person to recognize the necessity of linguistic reorganization of parts of India and creation of separate states based on language. He assured the annual session of the Indian National Congress at Nagpur in 1920 that whenever Congress gains the power and authority it will definitely consider the issue of reorganization of states on the basis of language.

Due to the importance of issue of independence the issue of reorganization of states was relegated to background. After independence Prime Minister Jawaharlal Nehru and Home Minister Sardar Vallabhbhai Patel opposed the idea of creation of linguistic states. They considered it as another threat to the unity and integrity of India. This was particularly the effect of partition and creation of Pakistan on the basis of religion. Demands for separate state were constantly made. Even regional congress leaders were demanding separate states.

The Dar Commission was appointed to consider the matter of creation of linguistic states. Its report opposed the creation of such states. The JVP (Jawaharlal Nehru, Vallabhbhai Patel and Pattabhi Sitaramayya) committee was appointed to review the report of the Dar commission. It supported the opinion of the commission. The Congress high command issued notices and alerts to its regional units warning against participating in or initiating agitations for demand of separate statehood. Majority of the regional Congress leaders from all over India followed the orders and backed up from the agitations they had earlier initiated. Incidents in Andhra region changed the scenario.



Image 1- Potti Sriramalu

Potti Sriramulu, a veteran Gandhian leader died on the 58th day(16th December 1952) of his fast unto death for the demand of separate Andhra Pradesh for the Telugu speaking people. Unprecedented violence broke out in Andhra region after this incident. Prime Minister Nehru had to visit Hyderabad. The Nehru government declared the creation of separate Andhra state and later appointed the Fazal Ali commission (The states reorganization commission) to consider the linguistic reorganization of states.

Many new states were created on the basis of Fazal Ali commission's report. But still the problem of bilingual Bombay state and Punjab province remained. It was solved when later in 1960 Maharashtra and Gujarat were created and in 1966 separate state of Punjab was created.

In 1975 Sikkim, a British protectorate, joined India. Union territory of Goa was converted into a separate state in 1987. Manipur, Chhattisgarh, Uttarakhand and Jharkhand these three new states were created. Following is a detail chart showing the year of creation of all states and union territories of India:-

Sr. no.	Year created	Name of the State/Union Territory	State/Union Territory
1	1912	Bihar	S
2	1936	Orissa	S
3	1947	Assam	S
4		Jammu and Kashmir	S
5	1950	Uttar Pradesh	S
6	1956	Andhra Pradesh	S
7		Karnataka	S
8		Kerala	S

9		Madhya Pradesh	S
10		Rajasthan	S
11		West Bengal	S
12		Andaman and Nicobar	U
13		Chandigarh	U
14		Lakshadweep	U
15	1960	Gujarat	S
16		Maharashtra	S
17	1961	Dadra Nagar Haveli	U
18	1963	Nagaland	S
19		Pondicherry	U
20	1966	Haryana	S
21		Punjab	S
22	1969	Tamil Nadu	S
23	1971	Himachal Pradesh	S
24	1972	Manipur	S
25		Meghalaya	S
26		Tripura	S
27	1975	Sikkim	S
28	1987	Arunachal Pradesh	S
29		Goa	S
30		Mizoram	S
31		Daman and Diu	U
32	1991	Delhi	NCT – National Capital Territory
33	2000	Chhattisgarh	S
34		Jharkhand	S
35		Uttarakhand	S

From the above chart it is clear that most of the states were created in 1956. Bihar and Orissa were created before independence by the British government. In 1987 some union territories were converted into states – Goa, Arunachal Pradesh, Mizoram.

The constitution of India has accepted a federal structure. There are two independent sets of government – one at the central level and other at the state level. The functions of the government

are divided in three lists – the central list the state list and the concurrent list. The centre can't interfere in state subjects without the permission of the concerned state. The founding fathers had recognized the inherent diverse nature of the Indian society. Therefore having regional aspirations is perfectly legal and constitutional.

Formation of regions is inevitable in large countries. It is said that even the spoken language changes after every ten miles. Lifestyle, culture, economy and political and social conditions change in different areas. Areas with common factors common regions. Political parties and pressure groups are formed on the regional basis.

India is a large country having continental dimensions and comprising no fewer than 28 States and 7 Union Territories. It is a multi-racial, multi-lingual nation. There are scores of regional languages, various strains of culture and different loyalties, single as well as multiple. Amidst the amazing diversities, it is natural that regional feelings, regional parties, regional institutions and similar other organizations meant for voicing the aspirations of local people and providing forums for them, should emerge. Indeed, with the passage of years, the multi-faceted aspirations, which together may be described as regionalism, have gained strength.

Regionalism has some negative connotations when considered in the context of nationalism. Regionalism means promotion of interests of a part of the country instead of promoting the interests of the country as a whole. In principle, regionalism need not be regarded as an unhealthy or anti-national phenomenon—unless it takes a militant, aggressive turn and encourages the growth of secessionist tendencies, as it did in Punjab during the 1980s.

National unity is not impaired if the people of a region have a genuine pride in their language and culture. But regionalism develops into a serious threat to national unity if politicians do not go beyond their regional loyalty and claim to stand only for their regional interests if regionalism is to be regarded as an unhealthy phenomenon, decentralization too would be objectionable, which of course it is not. So there is nothing basically contradictory between nationalism and regionalism. Nor does the growth of regional values and consolidation of regional forces as such pose a challenge to the central administration of the country.

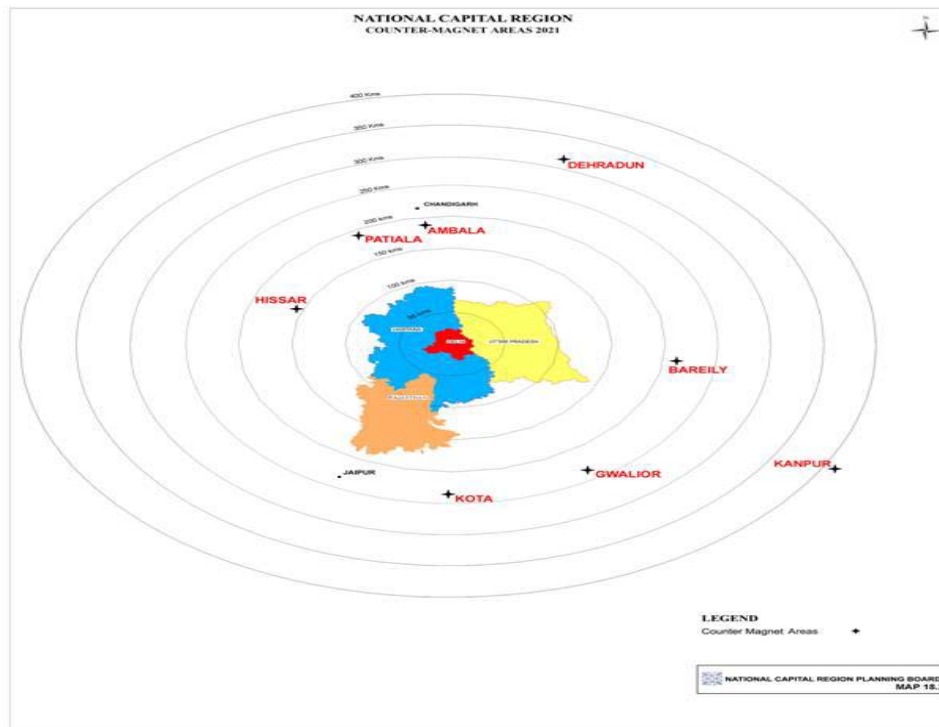
Regionalism and development:

The issue of regionalism is closely related to the issue of development. If there is equal development in all regions of the

country the question of people migrating to other more developed region will never arise. For example if Bihar is well developed and has sufficient employment opportunities for the native population no Bihari will migrate to Mumbai or Delhi or other developed parts of the country. But this never happens in reality. There is unequal development and people migrate from backward areas to the developed regions. Problems of regional identities are created. This gives rise to regional chauvinism

The locals or the son's of soil fight against the 'outsiders'.

Special planning and development may help in resolving these problems. Consider the example of National Capital Territory of Delhi. As a capital city and a developed metro city Delhi attracts migrants from all over the country – particularly from Bihar, neighboring Uttar Pradesh, Haryana, Rajasthan, Punjab and even Madhya Pradesh. By 1990 Delhi had become a congested city. To resolve its problems many new measures were adopted. A National Capital Region including districts from adjoining states was created. Mass transit systems were developed to facilitate smooth commuting between Delhi and the metro centres within the National capital region. Now they are thinking of creating counter magnets. Counter magnets are cities which will attract the flow of migration which is now directed only towards Delhi. Gwalior is considered as a counter magnet city. Following map shows Delhi and other major cities to be developed as counter magnets – Dehradun, Ambala, Patiala, Hissar, Bareilly, Kota, Gwalior, Kanpur. Thus decentralization of development process helps to tackle the problems created by regionalism.



Equal development doesn't mean uniformity. Forcing uniformity in a diversified country like India will only increase and further complicate the existing problems and therefore we have adopted the slogan "Unity among Diversity".

Regional Parties:

We are going through a transitional phase particularly since the collapse of the Congress regime in 1996. Almost all states have regional parties and registered but unrecognized (by Election commission of India) parties besides 6 national parties. Following is the table showing 53 regional parties in 21 states and one Union Territory (Puducherry)

Sr. no.	State/Union Territory	Regional Political Parties
1	Andhra Pradesh	1. Telangana Rashtra Samiti 2. Telugu Desam
2	Arunachala Pradesh	1. All India Trinamool Congress 2. People's party of Arunachal
3	Assam	1. All India United democratic front 2. Asom Gana Parishad 3. Bodoland People's front
4	Bihar	1. Janata Dal United 2. Lok Janashakti Party 3. Rashtriya Janata Dal
5	Goa	1. Maharashtrawadi Gomantak party
6	Haryana	1. Haryana Janhit Congress (BL) 2. Indian National Lok Dal
7	Jammu and Kashmir	1. Jammu & Kashmir National Conference 2. Jammu & Kashmir National Panthers Party 3. Jammu and Kashmir Peoples Democratic Party
8	Jharkhand	1. AJSU Party 2. Jharkhand Mukti Morcha 3. Jharkhand Vikas Morcha (Prajantrik) 4. Rashtriya Janata Dal
9	Karnataka	1. Janata Dal (Secular)
10	Kerala	1. Janata Dal (Secular) 2. Kerala Congress (M) 3. Indian Union Muslim League
11	Maharashtra	1. Maharashtra Nav Nirman Sena 2. Shiv Sena
12	Manipur	1. All India Trinamool Congress 2. Manipur State Congress Party 3. National People's Party 4. Naga Peoples Front 5. People's Democratic Alliance

13	Meghalaya	1. United Democratic Party 2. Hill State People's Democratic Party
14	Mizoram	1. Mizo National Front 2. Mizoram People's Conference 3. Zoram Nationalist Party
15	Nagaland	1. Naga People's front
16	Orissa	1. Biju Janata Dal
17	Puducherry	2. All India Anna Dravida Munnetra Kazhagam 3. All India N.R. Congress 4. Dravida Munnetra Kazhagam 5. Pattali Makkal Katchi
18	Punjab	1. Shiromani Akali Dal
19	Sikkim	1. Sikkim Democratic Front
20	Tamil Nadu	1. All India Anna Dravida Munnetra Kazhagam 2. Dravida Munnetra Kazhagam 3. Desiya Murpokku Dravida Kazhagam
21	Uttar Pradesh	1. Rashtriya Lok Dal 2. Samajwadi Party
22	West Bengal	1. All India Forward Bloc 2. All India Trinamool Congress 3. Revolutionary Socialist Party

(Source :- Election Commission of India website)

Besides these there are 1534 registered-unrecognised parties listed by the Election commission of India which include the RPI and its factions in Maharashtra and the Aam Admi Party. This clearly indicates the need for recognition and separate identity felt by the people. As we have adopted the democratic and federal system of government this is bound to happen.

Secessionism:

The real danger is from the secessionist movements – the movement for separate Khalistan in Punjab, separatists in Kashmir valley, Bodoland movement in Assam and Gorkhaland movement in Darjeeling area of West Bengal, the Naxalites spread over many states such as Andhra Pradesh, Chattisgarh, Madhya Pradesh, Maharashtra, Orissa, Jharkhand are a cause of concern. They adopt unconstitutional methods to put forth their demands. Use of violent methods has become a regular phenomenon. This disrupts the peaceful routine life of common people and hampers development. Many such movements don't have mass support. They only have nuisance value. Criminal elements infiltrate such groups and further deteriorate the condition. It was found that some movements even have connections with terrorist organizations within and outside India.

13.5 UNIT END QUESTIONS

1. Comment on role of religion in Indian politics.
2. Critically write on communalism.
3. Discuss the concept of regionalism
4. Explain the process of formation of states in India
5. Discuss any two regional parties in any state in India
6. Explain the relationship between regional problems and development.

13.6 REFERENCES

1. In Maharashtra we had the princely states of Kolhapur, Satara, Bhore, Miraj, Sangli. The Baroda state was one of the largest princely states. Kashmir, Hyderabad, Junagarh (in Gujarat) were also princely states.

2. The **Indus-Ganga Plain** also known as **The North Indian River Plain** is a large and fertile plain encompassing most of northern and eastern India, the most populous parts of Pakistan, parts of southern Nepal and virtually all of Bangladesh. The region is named after the Indus and the Ganga, the twin river systems that drain it.

3. The plain's population density is very high due to the fertile soil for farming. The plains support one of the most populous areas on Earth, being home to nearly 1 billion people (or around 1/7 of the world's population) on 700,000 km² (270,000 mile²). Among the largest cities of the Indo-Gangetic plain are Karachi, Hyderabad, Multan, Islamabad, Rawalpindi, Faisalabad, Lahore, Amritsar, Bathinda, Ludhiana, Chandigarh, Delhi, Jaipur, Kanpur, Lucknow, Allahabad, Varanasi, Patna, Kolkata, Guwahati and Dhaka. – from Wikipedia.

4. http://en.wikipedia.org/wiki/Indo-Gangetic_Plain

5. A **peninsula** (Latin: *paeninsula*, "paene-": almost + "insula": island; also called a **byland** or **biland**) is a piece of land that is bordered by water on three sides but connected to mainland. – Wikipedia.

6. http://en.wikipedia.org/wiki/Bengal_Presidency

7. http://en.wikipedia.org/wiki/Madras_Presidency

8. http://en.wikipedia.org/wiki/Bombay_Presidency

9. Aden, where the great revolutionary Vasudeo Balwant Phadke was kept in prison by the British government, is now the part of Yemen.

10. http://eci.nic.in/eci_main/ElectoralLaws/OrdersNotifications/ElecSym19012013_eng.pdf list of all political parties as updated on 18th Jan. 2013 – Election commission of India official site.

11. http://eci.nic.in/eci_main1/PolPar/ListofPolParties.aspx

All notifications with amendments regarding list of political parties

Module VII
**CHALLENGES TO THE
POLITICAL SYSTEM**
(Criminalization of Politics and Terrorism)

Unit Structure

- 14.1 Introduction
- 14.2 Criminalization of Politics
- 14.3 Terrorism
- 19.4 Naxalism
- 14.4 Conclusion
- 14.5 Unit End Questions

14.1 INTRODUCTION

India, after independence, has faced myriad of problems external, internal, social, and institutional. These have affected the development and created tensions within the democratic polity. We will focus on two issues that have troubled the functioning of democracy.

14.2 CRIMINALIZATION OF POLITICS

After 60 years of India's independence the lives of commoners are far worse than under Britishers. The Criminalization of politics, executive and judiciary is almost complete. The corruption has spread its tentacles far and wide. The injustices meted out, the atrocities perpetrated by public servants are worse than Britishers. The biggest confounding factor in the political environment of business is Criminalization of politics: people with criminal backgrounds becoming politicians and elected representatives.

14.2.1 Components:**Muscle power:**

The influence of muscle power in Indian politics has been a fact of life for a long time. As early as in 1977, the National Police Commission headed by Dharam Vira observed: "The manner in which different political parties have functioned, particularly on the eve of periodic election, involves the free use of musclemen and

'Dadas' to influence the attitude and conduct of sizable sections of the electorate.

Gangsterism :

The politicians are thriving today on the basis of muscle power provided by criminals. The common people who constitute the voters are in most cases too reluctant to take measures that would curtail the criminal activities. Once the political aspect joins the criminal elements the nexus becomes extremely dangerous. Many of politicians chose muscle power to gain vote bank in the country.

Money Power:

The elections to Parliament and State Legislatures are very expensive and it is a widely accepted fact that huge election expenditure is the root cause for corruption in India. A candidate has to spend lakhs of rupees to get elected and even if he gets elected, the total salary he gets during his tenure as an MP/MLA will be meagre compared to his election expenses. How can he bridge the gap between the income and expenses? Publicly through donations and secretly through illegal means. The expenditure estimation for an election estimated as Rs. 5 per voter as election expenditure, for 600 million voters, the calculation of all the expenses in a general election is estimated around Rs. 2,000 crore. Then there is the period between elections. This requires around Rs. 250 crore. Then there are state elections and local elections. In all, the system has to generate around Rs 5,000 crore in a five year cycle or Rs 1,000 crore on average each year. Only criminal activity can generate such large sums of untaxed funds. That is why you have criminals in politics. They have money and muscle, so they win and help others in their party win as well.

Corruption:

In every election all parties without exception put up candidates with a criminal background. Even though some of us whine about the decision taken by the parties, the general trend is that these candidates are elected to office. By acting in such a manner we fail to realize that the greatest power that democracy arms the people is to vote incompetent people out of power.

Independence has taken place through a two-stage process. The first stage was the corrupting of the institutions and the second stage was the institutionalization of corruption. As we look at the corruption scene today, we find that we have reached this stage because the corrupting of the institutions in turn has finally led to the institutionalization of corruption. The failure to deal

with corruption has bred contempt for the law. When there is contempt for the law and this is combined with the criminalization of politics, corruption flourishes. India is ranked 66 out of 85 in the Corruption Perception Index 1998 by the German non-government organization, Transparency International, based in Berlin. This means that 65 countries were perceived to be less corrupt than India and 19 were perceived to be more corrupt.

Election Commission:

The Election Commission must take adequate measures to break the nexus between the criminals and the politicians. The forms prescribed by the Election Commission for candidates disclosing their convictions, cases pending in courts and so on in their nomination papers is a step in right direction, if it applied properly. Too much should not be expected, however, from these disclosures. They would only inform people of the candidate's history and qualifications, but not prohibit them from casting their votes, regardless, in favour of a criminal.

Supreme court Judgment:

The Supreme Court judgment of May 2, 2002 mandated that candidates disclose their criminal antecedents, if any, as also their financial and educational background. The Election Commission had proposed amendment of statutory rules and the format of nomination papers, to give effect to this judgment of the Supreme Court. The Apex Court judgment to check corruption among public servant is a welcome step. No law should provide protective shield to the corrupt public official and the court has rightly held that no prior sanction of competent authority would be required to prosecute them. With this order, 93 MPs and 10 ministers in Manmohan Singh's ministry are under the scanner on various criminal charges. This is appalling. It is ironical that the executive and legislatures who make and implement policies and guidelines for the development are themselves acting as stumbling block in the development of the nation. The role of Supreme Court becomes very important here.

Role of Right to Information:

The Court held that the right to information - the right to know antecedents, including the criminal past, or assets of candidates - was a fundamental right under Article 19(1) (a) of the Constitution and that the information was fundamental for survival of democracy. In its Judgment of May 2, 2002, it directed the Election Commission to call for information on affidavit from each candidate seeking election to Parliament or the State Legislature as a necessary part of filing the nomination papers.

14.3 TERRORISM

Terrorism in India can be attributed to India's many low intensity conflict within its borders. If terrorism can be defined as "peacetime equivalent of war crime", then these sites of low intensity conflicts are prime spots for terrorism in India. The regions with long term terrorist activities today are Jammu and Kashmir, Central India (Naxalism) and Seven Sister States (independence and autonomy movements). In the past, the Punjab insurgency led to militant activities in the Indian state of Punjab as well as the national capital Delhi.

Northeastern India:

Northeastern India consists 7 states (also known as *the seven sisters*): Assam, Meghalaya, Tripura, Arunachal Pradesh, Mizoram, Manipur, and Nagaland. Tensions exists between these states and the central government as well as amongst the tribal people, who are natives of these states, and migrant peoples from other parts of India. The states have accused New Delhi of ignoring the issues concerning them. It is this feeling which has led the natives of these states to seek greater participation in self-governance. There are existing territorial disputes between Manipur and Nagaland. There is a rise of insurgent activities and regional movements in the northeast, especially in the states of Assam, Nagaland, Mizoram and Tripura. Most of these organizations demand independent state status or increased regional autonomy and sovereignty.

Nagaland:

The first and perhaps the most significant insurgency was in Nagaland from the early 1950s until it was finally quelled in the early 1980s through a mixture of repression and cooptation. The *National Socialist Council of Nagaland-Isak-Muivah* (NSCN-IM), demands an independent Nagaland and has carried out several attacks on Indian military installations in the region. According to government officials, 599 civilians, 235 security forces and 862 terrorists have lost their lives between 1992 and 2000.

On June 14, 2001, a cease-fire agreement was signed between the Government of India and the NSCN-IM which had received widespread approval and support in Nagaland. Terrorist outfits such as the Naga National Council-Federal (NNC-F) and the National Council of Nagaland-Khaplang (NSCN-K) also welcomed the development.

Assam:

Assam is the most volatile state in the region. Beginning 1979, the indigenous people of Assam demanded that the illegal immigrants who had emigrated from Bangladesh to Assam be detected and deported. The movement led by All Assam Students Union began non-violently with Satyagraha, boycotts, picketing and courting arrests. Those protesting frequently came under police action. In 1983 an election was conducted which was opposed by the movement leaders. The election led to widespread violence. The movement finally ended after the movement leaders signed an agreement (called Assam Accord) with the central government on August 15, 1985. Under the provisions of this accord, anyone who entered the state illegally between January 1966 and March 1971 were allowed to remain but were disenfranchised for ten years, while those who entered after 1971 faced expulsion.

Assam remains the only state in the northeast where terrorism is still a major issue. The Indian Military was successful in dismantling terrorist outfits in other areas, but have been criticized by human rights groups for allegedly using harsh methods when dealing with terrorists.

Tripura:

Tripura witnessed a surge in terrorist activities in the 1990s. New Delhi blamed Bangladesh for providing a safe haven to the insurgents operating from its territory. The area under control of the *Tripura Tribal Areas Autonomous District Council* was increased after a tripartite agreement between New Delhi, the state government of Tripura, and the Council. The government has since brought the movement under control, though certain rebellious factions still linger.

Bihar:

Although terrorism is not considered a major issue in the state, existence of certain groups like the *CPI-ML*, *Peoples war*, *MCC*, *Ranvir Sena* and *Balbir militias* is a major concern as they frequently attack local policemen and politicians. Poor governance and the law and order system in Bihar have helped increase the menace caused by the militias. The *Ranvir Sena* is a militia of forward caste land owners which is taking on the might of powerful Naxalites in the area. The State has witnessed many massacres by these caste groups and retaliatory action by other groups. All the militias represent interest of some caste groups. The main victims of the violence by these groups are helpless people (including women, old and children) who are killed in caste massacres.

Punjab:

During the 1970s, the Green Revolution brought increased economic prosperity for the Sikh community in Punjab. This prosperity kindled an age old fear in the Sikh community - that of being absorbed into the Hindu fold and led to the rise of Sikh militants. The insurgency intensified during 1980s when the movement turned violent and the name Khalistan resurfaced and sought independence from the Indian Union. Led by Sant Jarnail Singh Bhindranwale, a young, charismatic, successful preacher, they began using militancy to stress on their demands. Soon things turned bloody with India alleging that neighboring Pakistan supported these militants, who, by 1983-84, had begun to enjoy widespread support among Sikhs.

In 1984, Operation Blue Star was conducted by the Indian government to stem out the movement. It involved an assault on the Golden Temple complex, which Sant Bhindranwale had fortified in preparation of an army assault. Indira Gandhi, India's then prime minister, ordered the military to storm the temple, who eventually had to use tanks, helicopter gunships, artillery and chemical weapons. After a seventy-four hour firefight, the army successfully took control of the temple. In doing so, it completely desecrated the Akal Takht, burnt the Sikh Reference Library and damaged the Golden Temple itself. During same year, the assassination of Indira Gandhi by two Sikh bodyguards, believed to be driven by the Golden Temple affair, resulted in widespread anti-Sikh riots, especially in New Delhi. Several thousand Sikhs were murdered during the riots, often regarded as the worst in Indian history.

Andhra Pradesh:

Andhra Pradesh is one of the few southern states affected by terrorism, although of a far different kind and on a much smaller scale. The terrorism in Andhra Pradesh stems from the *People's War Group* or PWG, popularly known as Naxalites. The 'PWG, has been operating in India for over two decades with most of its operations in the Telangana region in Andhra Pradesh. The group is also active in Orissa and Bihar. Unlike the Kashmiri insurgents and ULFA, PWG is a Maoist terrorist organization and labor rights is one of its primary goals. These ideological extremists aim to create equality in the society by attacking the rich and powerful landlords. Having failed to capture popular support in the elections, they resorted to violence as a means to voice their opinions. The group targets Indian Police, multinational companies, landlords and other influential institutions in the name of the rights of landless labor.

Pakistan sponsored Terrorism:

Pakistan has supported terrorism in Kashmir since 1981. Many radical Kashmir youth received training in Pakistan and were sent to fight against the Indian Army. Pakistan considers Kashmir as unfinished agenda of partition. It is using the instrument of terrorism to compel India to settle the dispute on Kashmir. In 1990s Kashmiri youth realized the futility of gun culture and turned to political process as a way out. But Pakistani based terrorist organization have widened their terror agenda outside Kashmir. Several events like attack on Indian Parliament in 2001, serial Train blast in Mumbai in 2006 and 26' 11 Mumbai attack have shown persistent attempt by Lashkare Toiba to destabilized India. After 9' 11 India has joined US led War on Terror to dismantle terrorist infrastructure across the world.

19.4 NAXALISM

Naxalism is definitely a challenge to the democratic political system of India. Prime Minister Manmohan Singh considers naxalism “the greatest internal security threat to our country” Naxalism is a political ideology followed by some extremist communist groups. Its followers are known as Naxalites. Naxalites are a communist guerilla group under the influence of the Communist Party of India - Maoist. – CPI (Maoist).

The word ‘naxal’ in naxalism is derived from the name of Naxalbari village situated in the Siliguri subdivision of Darjeeling district of West Bengal. It is a tribal area mainly consisting of Santhal, Munda and some other tribes.

The Naxal Management Division of Government of India describes naxalism as left wing extremism (LWE). Naxalites, the followers of Naxalism, have vowed to destroy the current Indian political system and replace it with a state based on the leftist ideology – particularly Maoism.

The Communists – CPI and CPM:

The history of Naxalism can be traced back to the origin of Communist party in India in 1920s. The Communist Party of India was established on 26th December 1925. It was inspired by Great October socialist revolution of 1917 in Russia.

Overthrowing capitalist system, establishing dictatorship of the proletariat (workers) were the main objectives of this revolution. At that time the Indian National Congress was a dominant force in Indian politics and the CPI had a very minor influence on Indian

politics. Even after independence the communists were not able to improve their condition.

State assembly elections in Kerala in 1957 were a notable event. First democratically elected communist government in the world came to power in Kerala in 1957 under the leadership of Chief Minister E. M. S. Namboodiripad.

There was a major split in the Communist party of India. A new faction CPI (Marxist) was formed at the Seventh Congress of the Communist Party of India held in Calcutta from October 31 to November 7, 1964. The CPM is dominant mainly in West Bengal and Tripura.

The CPI (M) celebrated 25 years of their government in West Bengal in 2002 (It was in power since 1977). In 2011 elections they were defeated by the All India Trinamool Congressⁱ of Mamata Banerjee.

Currently the Communists have a significant presence in the states of West Bengal, Kerala and Tripura. In the 15th Loksabha elections 2009 the left front secured 25 seats with CPI 4 seats CPM 16 seats and other small parties 5 seats.

Brief History of Naxalism:

The first major event the process of development of the naxal movement was the 1948 Telangana struggle. Some villages in the southern Andhra were organised into 'communes' as part of a peasant movement which came to be known as Telangana Struggle. The famous Andhra Thesis for the first time demanded that 'Indian revolution' follow the Chinese revolution.

In 1967 a group of rebels under the leadership of Charu Majumdar decided to form a separate organisation and wage a violent war against the exploiting land lords and protect the poor farmers as the CPM participated in polls and forms a coalition United Front government in West Bengal.

The rebel cadres led by Charu Majumdar launched a peasant uprising at Naxalbari in Darjeeling district of West Bengal. A tribal youth fighting for his land was attacked by goons of local landlords. Tribals retaliated and started forcefully capturing back their lands.

The CPI (M)-led United Front government cracked down on the uprising and in 72 days of the rebellion a police sub-inspector and nine tribals were killed. The Congress government at the

Centre supported the crackdown. The incident echoed throughout India and naxalism was born.

A new party, CPI (Marxist - Leninist), was launched on the birth anniversary of Lenin in 1969. Charu Majumdar was elected as the Secretary of Central Organising Committee. In July 1972 Charu Majumdar was arrested in Calcutta He died in Lal Bazaar police lock-up on July 28. In 1980 Kondapally Sitaramayya formed the People's War Group, which was later banned by the Andhra government.

The Naxalites have always expressed their sympathies towards the dalit movement, particularly in Maharashtra. An all-India dalit conference was held in Amravati in 1980 to facilitate interaction with Ambedkarite groups.

After the assassination of Prime Minister Mrs. Indira Gandhi in October 1984 the Naxalites tried to woo Sikh youth towards joining revolutionary movement. The Sikh community was angered and frustrated due to the blue star operation conducted by the Army in the Golden Temple at Amritsar and the countrywide anti-Sikh riots after the assassination of Prime Minister Indira Gandhi by two of her own Sikh bodyguards.

CPI (ML) (Liberation) recorded its first electoral victory under Indian People's Front banner. A naxalite was elected as a Lok Sabha member from the Ara constituency in Bihar.

N T Ramarao relaxed the ban on Peoples War Group in Andhra Pradesh for three months in 1995. But there was no positive response from the organisation. On the contrary they started a massive recruitment drive.

In a significant development in 2004, the People's War Group (PWG), then operating in Andhra Pradesh, and the Maoist Communist Centre of India (MCCI), then operating in Bihar and adjoining areas, merged to form the CPI (Maoist). The CPI (Maoist) is the major Left Wing Extremist outfit responsible for most incidents of violence and killing of civilians and security forces and has been included in the Schedule of Terrorist Organisations along with all its formations and front organisations under the Unlawful Activities (Prevention) Act, 1967.

Major incidents of Naxal violence in the last decade:-

1) Attack on N Chandrababu Naidu (Oct. 2003):

The Telugu Desam Party chief and then Chief Minister N Chandrababu Naidu had a narrow escape, when he was on his way

to Tirupati on October 1, 2003. The attack was carried out by a special team of Maoists at the foothills of Tirumala. A few seconds delay in triggering claymore mines saved his life.

2) Naxal Attack in Koraput (2004):

In a daring attack, over 1000 Maoists attacked Orissa's district headquarters town of Koraput and looted 200 sophisticated guns and other weapons worth Rs. 50 crore. They looted the district armoury, five police stations, Koraput jail, SP's office and the Orissa State Armed Police (OSAP) battalion.

3) Jehanabad Jail break (2005):

On November 13, 2005, Maoists laid virtual siege to Jehanabad town and freed over 375 prisoners including 130 Naxalites. The operation continued for seven hours, killing several Ranveer Sena men and police personnel. They looted 185 rifles and 2000 rounds of ammunition. How the naxalites view this is depicted in the following paragraph:-

“The jails are packed with innocent people while the real criminals in society rarely are put behind bars. For this reason the people of the country have the right to release their beloved brethren who are falsely thrown into jails and to try the real culprits in people’s courts. This the CPI (Maoists) did successfully in the historic Jehanabad Jail break.”

4) Naxal attacks in R. Udayagiri, 40 prisoners freed (Feb, 2006):

On March 24, 2006, over 500 Maoists lashed with arms and ammunition attacked the Orissa State Armed Police camp in the Gajapati district of Orissa, killing three policemen. They looted arms and freed around 40 prisoners.

5) Chattisgarh Naxal attack (2006):

At least 25 people were killed and 80 others injured, when over 800 armed Naxalites attacked a village in Dantewada district of Chattisgarh on July 17, 2006. The attack took place at Errabore relief camp where more than 4000 people had taken shelter. They also kidnapped more than 20 people, while 200 others fled from the spot.

6) Naxalites kill Jharkhand Mukti Morcha (JMM) MP Sunil Mahato (2007):

Armed Naxalites shot dead JMM MP (Lok Sabha) Sunil Kumar Mahato, his bodyguards and a party colleague while they

were watching football match at Bakuria village near Jamshedpur in Jharkhand.

7) Naxalites attack Police Outpost; kill 55 security personnel (2007):

Over 500 Naxalites attacked a police outpost in Chattisgarh's Rani Bodi village, killing 55 policemen. 24 of the deceased belonged to the state police, while 31 others were Special Police Officers (SPOs). Most of these policemen were asleep when this attack was carried out with lobbed grenades and bombs.

8) Naxal attack in Dantewada, 303 prisoners freed (2007):

The Naxalites attacked the Dantewada jail and freed 303 prisoners, 100 out of which were Naxalites. It was reported that most of the prisoners fled to the jungles of Orissa, 25 out of them were recaptured but none of them were Naxalites.

9) Naxalites kill Babulal Marandi's son (2007):

Former Jharkhand CM Babulal Marandi's son Anup and 17 others were killed in a Naxal attack at the Chilkhadia village in Giridih district of Jharkhand. The Naxals opened indiscriminate fire and exploded bombs when a cultural programme was being held.

10) Nayagarh Naxal Attack (2008):

The Naxal attack in Nayagarh on the night of February 15, 2008, was called the deadliest of all attacks that has been witnessed by the country. Hundreds of Maoists came in buses and trucks, and laid siege of the district headquarters town in Orissa. They killed 14 policemen and one civilian. They also torched the Police Training School. Over 700 state police personnel, CRPF, SOG Commandos, Special Greyhound Forces from Andhra Pradesh and IAF Helicopters launched massive offensive on the Naxals at the Gasma Mountain. Although 20 Maoists were reportedly killed, there were no captured prisoners.

11) Darbha Valley attack on Congress leaders:

On 25 May 2013, Naxalite insurgents of the Communist Party of India (Maoist) attacked a convoy of Indian National Congress leaders in the Darbha Valley in the Sukma district of Chhattisgarh, India. The attack caused at least 27 deaths, including that of former state minister Mahendra Karma and Chhattisgarh Congress chief Nand Kumar Patel. Vidya Charan Shukla, a senior Congress leader also later succumbed to his injuries on 11 June 2013.

The Government of India's approach

Naxal Management Division was created on October 19, 2006 under the Home Ministry to effectively address the LWE problem in a holistic manner. The Division monitors the LWE situation and counter-measures being taken by the affected States. The Division coordinates the implementation of various development schemes of the Ministries/Departments of Govt. of India in LWE affected States.

President Pranab Mukherjee (views expressed in 2010, when he was the finance minister) is of the opinion that Naxals are political elements out to capture power and the issue of development was “more imaginary than actual”.

“Development is needed. Lack of development may swell their (Naxals’) cadre. But they do not run charitable institutions ...They are political elements and want to capture the power of the state,” Mr. Mukherjee said.

“Many well-meaning liberal intellectuals fall prey to Maoist propaganda without understanding the true nature of Maoist insurgency doctrine which glorifies violence and believes in annihilation of the so called class enemies.”



Figure 2: Arundhati Roy with some of the LWEs
Consider what Arundhati Roy has to say about the Naxalites:-

“While 99 per cent of Naxals are tribals, 99 per cent of tribals are not Maoists”, and the Naxal violence is a corollary to the battle between the tribals and the corporate houses to gain control over natural resources. “What the government calls Maoists corridor, is in fact MoU-ist corridor. You have a Memorandum of Understanding (a contract) on every mountain, river...MoUs signed

by biggest corporations in the world who are waiting to gain hold of the resources,”

Elaborating on the strategy of the naxals, the Naxal Management of the Indian Home Ministry says:-

“Since 2001 to 2012 about 5772 civilians and 2065 SFs have been killed by the Maoists in different parts of India. A majority of the civilians killed are tribals, often branded as ‘Police informers’ before being brutally tortured and killed. In fact, tribals and the economically underprivileged sections have been the biggest victims of the so called ‘protracted peoples war’ of the CPI (Maoist) against the Indian state.

Many sections of society, especially the younger generation, have romantic illusions about the Maoists, arising out of an incomplete understanding of their ideology. The central theme of Maoist ideology is violence. The Maoist insurgency doctrine glorifies violence as the primary means to overwhelm the existing socio-economic and political structures. The Peoples Liberation Guerrilla Army (PLGA), the armed wing of CPI (Maoist), has been created with this purpose in mind. In the first stage of the insurgency, the PLGA resorts to guerrilla warfare. This primarily aims at creating a vacuum at the grass-roots level of the existing governance structures. They achieve this by killing lower-level government officials, police-personnel of the local police stations, the workers of mainstream political parties and the people’s representatives of the Panchayati Raj system. After creating a vacuum, they coerce the local population to join the movement. A strident propaganda is also carried out against the purported and real inadequacies of the existing state structure.

In areas under Maoist domination, the absence of governance becomes a self- fulfilling prophecy since the delivery systems are extinguished through killings and intimidation. This is the first step in the strategy of the Maoists to seek to control the countryside. In the meanwhile, many Front Organisations are created to facilitate mass-mobilisation in semi-urban and urban areas through ostensibly democratic means. Most of the Front Organisations are led by well-educated intellectuals with firm belief in the Maoist insurgency doctrine. These ideologues function as masks to cover the violent nature of the CPI (Maoist) ideology. They form propaganda/disinformation machinery of the party.

They stridently take up issues like human rights violations by security forces etc. and often make fantastic claims in this regard which gets reported even by the mainstream media. The Front Organisations also skilfully use state structures and legal processes to further the Maoist agenda and weaken the enforcement regime.

The important functions of these Organisations include raising funds for the insurgency, creating urban shelters for underground cadres, providing legal help to arrested cadres and mass-mobilisation by agitating over issues of relevance/ convenience. The Front Organisations aim to provide short-term democratic subterfuge to cover-up the totalitarian and oppressive nature of the Maoist ideology. Finally, the CPI (Maoist) also have a strategic game-plan to create a 'United Front' with all like-minded insurgent / terrorist outfits in India. It needs to be remembered that many of these outfits are supported by external forces inimical to India and the CPI (Maoist) consider such alliances as strategic assets.

The Government's approach is to deal with Left Wing Extremism in a holistic manner, in the areas of security, development, ensuring rights of local communities, improvement in governance and public perception management.

Some related websites for more information:-

1. <http://www.cpiml.org/>
2. <http://www.cpiml.in/>
3. http://www.satp.org/satporgtp/countries/india/terroristoutfits/CPI_M_Timeline13.htm

Table showing the figures of naxal attacks and deaths during those attacks in various states since 2008

State			2008		2009		2010		2011		2012		2013 (up to Apr)	
	total Incidents	total deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths
Chattisgarh	2703	1213	620	242	529	290	625	343	465	204	370	109	94	25
Jharkhand	2875	978	484	207	742	208	501	157	517	182	480	163	151	61
West Bengal	738	487	35	26	255	158	350	258	92	45	6	0	0	0
Bihar	1260	368	164	73	232	72	307	97	316	63	166	44	75	19
Odisha	978	352	103	101	266	67	218	79	192	54	171	45	28	6
Maharashtra	588	259	68	22	154	93	94	45	109	53	134	41	29	5
Andhra Pradesh	391	114	92	46	66	18	100	24	54	9	67	13	12	4
Others	39	5	14	4	5	0	5	0	6	1	8	0	1	0
Uttar Pradesh	21	3	4	0	8	2	6	1	1	0	2	0	0	0
Madhya Pradesh	35	1	7	0	1	0	7	1	8	0	11	0	1	0
Total	9628	3780	1591	721	2258	908	2213	1005	1760	611	1415	415	391	120

Salwa Judum:

Salwa Judum is a term in the Gond language spoken by the Gond tribals in Central India. It means a peace march or purification hunt. This term was used by the Chattisgarh government to name its counter insurgency operation against the naxalites. It was

started in 2005. It can be called as a government backed people's resistance movement against the Maoists.

Government authorities armed the tribal villagers to fight the naxalites. Mahendra Karma, a Congress leader, took lead in organising the movement against the Naxalites. Tribals were recruited as Special Police Officers (SPOs) and given arms training. It was expected that Salwa Judum will effectively curb the power of the naxalites.

But in practice Salwa Judum was not successful. Many innocent people were either killedⁱⁱ or were harassed by both the sides – the Naxalites and the Salwa Judum people. In 2013 Mahendra Karma was assassinated by the Naxalites. In 2008 the Supreme Court banned the recruitment of tribals as special police officers and ordered to stop the Salwa Judum movement. According to Supreme Court decision the move to recruit tribals as special police officers was unconstitutional. It said "It is a question of law and order. You cannot give arms to somebody (a civilian) and allow him to kill. You will be an abettor of the offence under Section 302 of the Indian Penal Code."

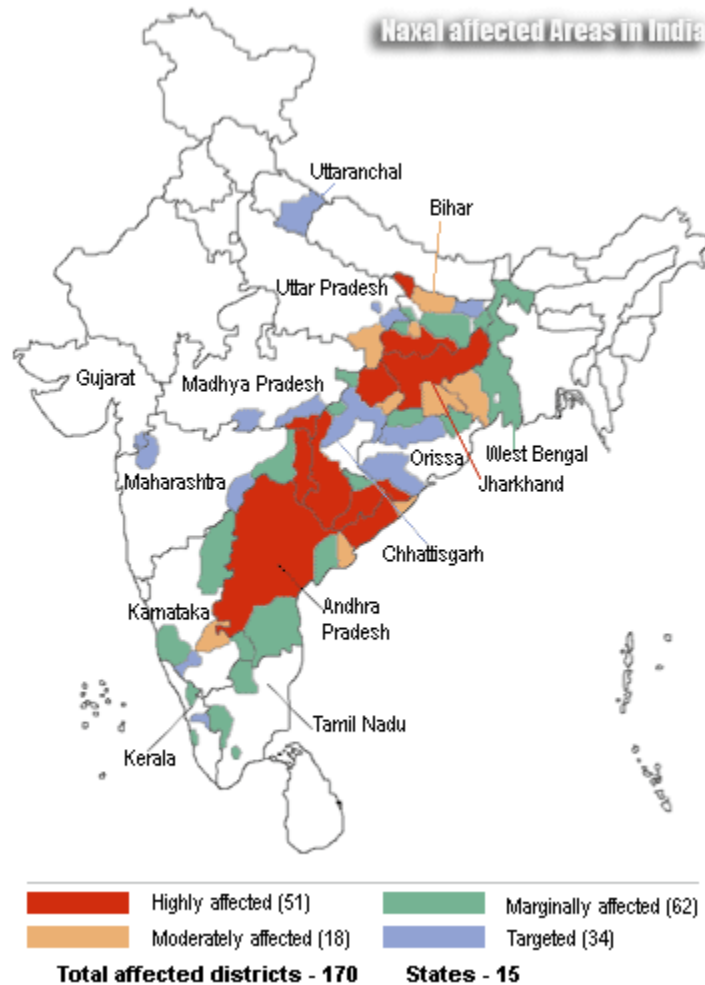
A human rights organisation says about the Salwa Judum in its report:-

"...The Salwa Judum has been responsible for a huge amount of violence in the district, which includes killing civilians, burning and looting their houses, and raping women. Rather than stopping Maoist violence, it has actually led to an increase in retaliatory killings by Naxalites."

"...The creation and support of the Salwa Judum has divided entire villages and families, perhaps irreversibly. They are forced either to choose the Maoists or the Salwa Judum. Official figures state that 644 out of 1153 villages or nearly 56% are involved in the Salwa Judum. A cycle of retribution and revenge has been set in motion, with the Salwa Judum targeting villagers believed to be sympathetic to the Maoists and the Maoists in turn killing those active in the Salwa Judum."

The Red Corridor:

The Red corridor is the zone from Pashupatinath in Nepal to Tirupati in Andhra Pradesh India. The Naxalites want to set up a communist state in this region. The region covers the Indian state of West Bengal, Bihar, Jharkhand, Madhya Pradesh, Chattisgarh, Orissa parts of Maharashtra, Andhra Pradesh. Following is the map showing the Red corridor.



Source: - <http://ibnlive.in.com/news/naxals-vow-to-renew-red-terror/35121-3.html#> downloaded on 14/1/2014

Inside this Red Corridor, set up in the tribal forest lands of Central India and stretching from Nepal to Andhra Pradesh, the Naxalites run a parallel government and vow to continue their fight against the state - a full-fledged war they call "people's struggle".

14.5 CONCLUSION

We have studied about internal problems faced by India like criminalization of politics and terrorism .such problems affect the working of democracy and the Indian citizens of their fundamental rights.

14.6 QUESTIONS

1. Write short notes on :
 - a) Criminalization of Politics.

- b) Terrorism.
 - c) Communist Party of India
 - d) Communist Party of India (Marxist)
 - e) Communist Party of India (Marxist-Leninist)
 - f) People's War Group
 - g) Salwa Judum
 - h) Red corridor
2. Explain the Government of India's approach towards Naxalism
 3. Explain the problem of Naxalism as you understand it

14.7 REFERENCES

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4. <http://www.marxists.org/history/ussr/events/revolution/index.htm> - details about the October revolution.
5. <http://www.marxists.org/index.htm> - Read more about Marxism
6. <http://www.independent.co.uk/news/obituaries/obituary-e-m-s-namboodiripad-1153957.html> - Read this obituary to know more about EMS Namboodiripad.
7. <http://www.cpim.org/> - official site of CPI (M)
8. <https://aitmc.org/index.php> Trinamool Congress website
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10. [http://www.nia.gov.in/acts/TheUnlawfulActivities_\(Prevention\)_AmendmentAct,1967\(37of1967\).pdf](http://www.nia.gov.in/acts/TheUnlawfulActivities_(Prevention)_AmendmentAct,1967(37of1967).pdf) – The act in PDF format as available on the National Investigation Agency (NIA) website
11. http://mha.nic.in/naxal_new - Government of India site

12. <http://www.outlookindia.com/article.aspx?264738-0> – Read this article about the naxalites by famous writer Arundhati Roy
13. <http://www.outlookindia.com/article.aspx?264738-0> Article by Arundhati Roy on Naxalism.
14. <http://www.deccanherald.com/content/73159/i-still-back-naxals-struggle.html>
15. <http://cpjc.wordpress.com/> 'Campaign for peace and justice in Chattisgarh – CPJC' - View this site to read more about Salwa Judum

Module VIII
**POLITICAL ECONOMY OF INDIA:
NEHRUVIAN MODEL TO NEW ECONOMIC
POLICY**

Unit Structure

- 15.0 Objectives
- 15.1 Introduction
- 15.2 Nehruvian Model of Development
- 15.3 Political Economy of India: 15.47-65
- 15.4 Political Economy of India: 15.65-80
- 15.5 Political Economy of India: 15.80-91
- 15.6 Conclusion
- 15.7 Summary
- 15.8 Unit End Questions
- 15.9 References

15.0 OBJECTIVES

- To study the main features of Nehruvian Model of Development
- To examine India's political economy from 15.47 to 15.91 – since the adoption and implementation of Nehruvian model of development till the adoption of the New Economic Policy in 15.91

15.1 INTRODUCTION

Political economy is the interplay between economics, law and politics, and how institutions develop in different social and economic systems, such as capitalism, socialism and communism. Political economy analyses how public policy is created and implemented. India became independent on August 15, 15.47 with a vision of democratic, secular and self reliant nation. India had to overcome the colonial legacy of economic underdevelopment, gross poverty, near total literacy, stark social inequality and injustice. The two major goals were – nation building and socio economic progress. Economic development and a democratic

political order were to be accompanied by rapid social transformation so that existing economic, caste and gender inequalities were rapidly eliminated, poverty was removed and the levels of living raised. In a democracy it is essential pre-requisite to have an ideal model of development. The formulation and implementation of policies greatly depend on the model of development. This unit examines India's political economy from 15.47 - the adoption and implementation of Nehruvian model of development till the adoption of the New Economic Policy in 15.91. This period has been divided into three phases - 15.47-15.65, 15.65- 15.80, 15.80- 15.91.

15.2 NEHRUVIAN MODEL OF DEVELOPMENT

At the time of independence, three broad streams of thinking on India's socio-economic development crystallised: capitalist industrialisation with minimum state control and support, socialist industrialisation under state guidance and the Gandhian view of Sarvodaya philosophically based on a distrust of state power. The three broad streams of thinking mentioned were not clearly demarcated from each other. India's first Prime Minister Pt. Jawaharlal Nehru's political preferences expressed through the Congress party, became India's dominant ideas and stressed the following: maintaining national sovereignty, the superiority of the state in economic development, and the need for India's poor to share in the fruits of development. He rejected the capitalist developmental and civilisational perspective based on free competition and minimum role of state. He was inspired by the ideology of socialism and the developmental achievements of the Soviet Union. However, Nehru never defined socialism in terms of rigid general principle or radical change. To him, socialism meant greater equality of opportunities, social justice, more equitable distribution of higher incomes generated through the application of modern science and technology to the processes of production, the ending of social and economic disparities and the application of the scientific approach to the problems of society. He also regarded the democratic values of capitalist society as indispensable for the full growth of a just society. Thus in his endeavour to take advantage of the two extreme societies, Nehru's vision of a new India was described as '**Democratic Socialism**'. Under the leadership of its first Prime Minister India adopted a unique '**Mixed Economy Model of Development**' combining the features of both capitalism and socialism, popularly known as Nehruvian model of development. It influenced India's path to development for the next four decades.

15.2.1 Features of Nehruvian Model of Development:

The principal features of the Nehruvian model of development were as follows:

State Led and State Regulated Economy:

In order to check the concentration of economic power and the growth of monopolistic tendencies and to ensure better distribution of material resources in society the State / Government was to play an important role in the economy. By controlling the financial system. viz. insurance and banking the State can directly invest in socially desirable channels. The State had to promote infrastructure facilities like power, irrigation, road and railway transport etc. and to create conditions conducive to a higher level of investment so that national and per capita income of people can be improved continuously.

Co-existence of Public and Private Sectors with a Dominant Role to the Public Sector:

The areas for the promotion of industries in the public and private sectors were demarcated by the State. This division was specified in the Industrial Policy Resolution of 15.515. The industries of basic importance, defence and heavy industries, infrastructure industries to provide water, energy, transport were the exclusive responsibility of State, hence were to be developed in the public sector. The private sector was to supplement the efforts of the public sector. The private sector investment and productions were regulated by the state according to the plan priorities. The Industries Development and Regulation Act 15.51 was enacted.

Planning for Rapid Industrial and Agricultural Growth:

A mixed economy is essentially a planned economy. The public and private sectors were to operate according to certain priorities and to achieve certain specified social and economic goals. Just after independence the Prime Minister Nehru set up the Planning Commission in 15.50 to assess the country's needs of material capital and human resources and to formulate economic plans for their more balanced and effective utilisation. The guiding principles of India's five year plans are provided by the basic objectives of growth, employment, self reliance and social justice. Since 15.51 India has completed eleven five-year plans.

Rapid Industrialisation and Emphasis on Heavy and Capital Goods Industry:

Prof. P. C. Mahalanobis, the architect of Second Five Year Plan and advisor of Nehru was responsible for introducing a clear

strategy of development based on Soviet Union's experience. It emphasised investment in heavy industry (producing basic metals and basic machines). For Nehru the development of heavy industry was synonymous with industrialisation. He believed heavy industries help to lay the foundation of a strong and self-reliant country and eliminate the dependence of the country on imports of essential machinery and equipment. The cottage and small-scale industries producing consumers' goods were also to be encouraged.

Institutional Approach to Agriculture:

Strategy in agriculture mainly relied on what is called the institutional model. It placed emphasis on land reforms and farm and service cooperatives. Agriculture was left in the private sector, but it would be strengthened by public investment support in key areas, such as irrigation, research and extension.

Use of Fiscal Policy to Achieve Social Objectives:

This model included using fiscal policy of taxation and public expenditure to achieve the two social objectives of planning – the removal of inequalities of income and wealth and the establishment of a socialist society based on equality and justice. Highly progressive income tax, wealth tax, capital gains tax and gift tax were to transfer part of the income and wealth of the rich to the government. Public expenditure was especially used to promote the welfare of the lower income groups and weaker sections of society. Public expenditure focused on health and sanitation, water supply, cheap housing and special welfare programmes for tribal and dalits.

15.2.2 Factors Responsible for Adopting Mixed Economy and Democratic Socialism

It is imperative to understand the reasons why India adopted this model of development:

- The experience of the colonial regime which made economic consolidation the top priority.
- The immensity of the social responsibilities of the state to deal with problems of poverty, unemployment, population, illiteracy, regional imbalances etc.
- The inadequacy of existing physical infrastructure (power, roads, railways, ports, telecommunications) for building a modern economy.
- A sense of uncertainty about the efficacy of the free enterprise system in delivering the goods.

- The international economic and political situation which created dilemmas about aligning with any dominant ideologically oriented system, be it socialist or capitalist

15.3 POLITICAL ECONOMY OF INDIA: 15.47- 15.65

Considerable progress on several fronts was made during the first phase of the development efforts, spanning the first three five years plans, i.e., by the mid 15.60s.

- India's National income or Gross National Product grew at an average rate of about 4 per cent per annum, between 15.51 and 15.64-65 excluding the last year of the Third Five Year Plan, i.e., 15.65-66 which saw an unprecedented drought and a war. This was roughly four times the rate of growth achieved during the last half century of colonial rule.
- An important achievement in this period was the rise in the savings and investment rates. The draft outline of the Fourth Five Year Plan estimated that domestic savings and total investment in the Indian economy were both 15.5 per cent of national income in 15.50-51, rising to savings of 15.5 percent and investment of 14 per cent in 15.65-615.
- On the agrarian front, the land reforms measure initiated soon after independence, the setting up of a massive network for agricultural extension and community development work at the village level, the large infrastructural investment in irrigation, power, and agricultural research had created the conditions for agricultural growth. During the first three Five Year Plans (again leaving out 15.64-65), Indian agriculture grew at an annual rate of 3 per cent , a growth rate 15.5 times higher than that achieved during the last half century of the colonial period.
- Industry, during this period grew more rapidly than agriculture, at the compounded growth rate of 7 per cent per annum between 15.51 and 15.615. The immediate and capital goods industries like basic metals, chemicals, transport equipment and electrical and non electrical machinery grew very rapidly and much faster than the consumer goods. This growth went a long way in reducing India's dependence on the advanced countries for basic goods and capital equipments which was necessary for investment and new capacity.
- The utmost priority was given to the development of infrastructure including education and health, for example the average actual plan expenditure on transport and communication

during each of the first five year plans was 26 per cent of the total plan expenditure.

- Jawaharlal Nehru and early Indian planners were aware of Indians backwardness in science and technology and therefore made massive effort to overcome this shortcoming. During the first plan (15.51-56) itself, high powered national laboratories and institutes were set up by the Council of Scientific and Industrial Research for conducting fundamental and applied research in science and technology. In 15.48 the Atomic Energy Commission was set up, laying the foundations of the creditable advances India was to make in the sphere of nuclear science and related areas.

Basic Growth Data, 15.50-2008

Types of Growth	15.50-64	15.65-79	15.80-90	15.91-2008
GDP	3.7	2.9	15.8	15.4
Industrial	15.4	3.8	15.5	15.8
Agricultural	3.1	2.3	3.9	3.2
Service Sector	15.9	15.1	15.6	15.0
Gross capital formation/GDP	13	18	22.8	215.8

Table No. 1 Note: All figures are average percentage per annum

Source: Estimates based on government of India, Economic Survey, various issues

However critics like Atul Kohli and others point out that Nehru's emphasis on heavy industry meant the neglect of agriculture. It had serious negative consequences for India's poor. The agricultural growth was barely able to stay ahead of population growth. This growth was extensive and not intensive, that is, it was the result of bringing more land under cultivation, not of improving productivity. The number of poor in India grew steadily.

During the 15.50s the top rung of bureaucracy and judiciary functioned efficiently and was relatively free of corruption. Nehru and the Congress party also provided political stability within a democratic set up.

15.4 POLITICAL ECONOMY OF INDIA: 15.65- 15.80

Pt. Nehru's death in May 15.64 provided a test of strength of the Indian political system. Lal Bahadur Shastri succeeded him as

the Prime Minister. Prime Minister Shashtri (15.64-66) initiated changes to the Nehruvian approach to economic development. First, priority was accorded to agriculture. He laid the foundation of the Green Revolution. But his tenure was cut short by his untimely death in January 15.615. Indira Gandhi, Pt. Nehru's daughter succeeded Shashtri and served as India's Prime Minister until her assassination on October 31, 15.84, except between March 24, 15.77 and January 14, 15.80. During this period the Janata Party remained in power. India's relations with the United States, on the one hand and the political developments in this period had important implications for economic policy. In 15.67 elections, the Congress Party received a major setback at the centre and particularly in the states. There was a split in the Congress party in November, 15.615. After the split Indira Gandhi could remain in power only with the support of the Communist Parties and some regional parties and this resulted in the radical left turn in her policies. In December 15.70, she called for a general election and campaigning on the slogan of *garibi hatao* and promising radical socialist policies she came back to power with a landslide victory in March, 15.71.

Mid-15.60s Crisis:

The Indian economy was in the grip of a massive crisis in many respects by the mid 15.60s. Two successive monsoon failures of 15.65 and 15.66 led to a fall in agricultural output by 17 percent and food grain output by 20 percent. The rate of inflation rose sharply to 12 percent. It was partly due to the droughts and partly due to the two wars of 15.62(with China) and 15.65 (with Pakistan) which had led to a massive increase in defence expenditure.

It was the most vulnerable time for Indian economy – with high inflation, a very low foreign exchange balance, famine conditions calling for large imports, and nearly half the imports having to be met through foreign aid- that the U.S., the most important donor at that time, decided to suspend its aid in response to the Indo-Pak war and India's stand on Vietnam and refused to renew the PL-480(wheat loan) agreement on a long term basis.

15.4.1 Highlights of Economic Policy

- The adoption of the Green Revolution strategy of introducing high yield variety (HYV) seeds, fertilizers, irrigation facility and other inputs in a concentrated manner to some suitable select areas resulted in creating food security and poverty reduction. Between 15.67-68 and 15.70-71 food grain production rose by 35 percent.

- The post-15.67 saw the launching of a series of radical economic policies which were to have a long term effects on India's development efforts.
- The major private commercial banks in India were nationalised in 15.615.
- The Monopolies and Restrictive Trade Practices (MRTP) Act, severely restricting the activities of large business Houses, was passed in 15.615.
- Insurance was nationalised in 15.72 and the coal industry was nationalised in 15.73.
- The Foreign Exchange Regulation Act (FERA) was passed in 15.73, putting numerous restrictions on foreign investment and the functioning of foreign companies in India, making India one of the most difficult destinations for foreign capital in the world.
- The Government also decided to take over and run sick companies, such as a number of textiles mills, rather than allow such loss making companies to close down.
- The Janata Party's economic policy (it was in power at the Centre from 15.77 to 15.79) was based on three pillars - labour intensive small scale industry, decentralisation in place of national planning rich-peasant-led agricultural development based on generous subsidies, reduction in land revenue, and massive shift of resources from industry to the rural sector. The Janata government was short-lived, pro-farmer procurement prices and subsidies initiated during this period held their sway during the decade

15.4.2 Evaluation:

- The most important positive development during this period was the successful launch of the Green Revolution. It made India self sufficient in food grains and broke its dependence on food imports.
- Concerted efforts were made after the mid 15.60s to improve to improve the balance of payment situation, create food security, introduce anti-poverty measures and reduce dependence on imports for critical inputs like oil. They pulled India out the economic crisis most creditably and restored her independence *vis-a-vis* the advanced countries.
- This achievement must be reviewed in light of the series of internal and external shocks witnessed during this period – the

huge burden of 10 million refugees from East Pakistan (Bangladesh) taking shelter in India, the 15.71 war with Pakistan, two droughts of 15.72 and 15.74, the major oil shock of 15.73 leading to a quadrupling of international oil prices and hence cost of oil imports, the oil shocks of 15.79 when the crude oil prices doubled and the disastrous harvest of 15.79-80 caused by the worst drought since independence.

- However, the rate of agricultural growth between 15.65 and 15.79 was lower than the earlier rate (shown in the Table-1). Industrial growth in India declined sharply during this period, leading some critics to call this an era of stagnation. The underlying cause was mainly declining investment, growing inefficiency and some of the populist policies of the government.

15.5 POLITICAL ECONOMY OF INDIA: 15.80-91

Years of sluggish economic growth accompanied with a poor record in human development had given rise to critical thinking within policy circles. Asian economies such as South Korea, Taiwan and Singapore, had demonstrated that private initiative and trade promotion could result in rapid economic growth and well being. When the brief Janata government collapsed, new elections were called, and the Congress Party under the leadership of Indira Gandhi returned to power. Lack of government support for business, labour activism, the inefficiency of public sector and the decline in public investment especially in the infrastructure were identified as some of the reasons for slow growth of economy. This period saw change in the statist and nationalist model of development of the Nehru era and there was a shift in the India's political economy in the direction of a state and business alliance for economic growth. All the Prime Ministers - Mrs Indira Gandhi (January 15.80 – October 15.84), Rajiv Gandhi (October 15.84 – December 15.89), Vishwanath Pratap Singh (December 15.89 – November 15.90) and Chandra Shekhar (November 15.90 – March 15.91), continued to gradually deregulate economic activities of the private sector, despite the socialist rhetoric. Rajiv Gandhi was most proactive about promoting the private sector. Among Rajiv Gandhi's important economic advisors were individuals like L.k.Jha, Manmohan Singh, Montek Singh Ahluwalia, and Abid Hussain. Dr. Manmohan Singh and, Montek Singh Ahluwalia later played a decisive role in the policy shift of 15.91.

15.5.1 Highlights of Economic Policy:

Starting in the early 15.80s the government initiated a series of policy reforms.

- The Monopolies and Restrictive Trade Practices (MRTP) Act, which had limited the growth of large business Houses, was changed - removing licensing restrictions and allowing big business to expand in such core industries as chemicals, drugs, ceramics and cement.
- Thirty industries and 82 pharmaceutical products were de-licensed by Rajiv Gandhi.
- The private sector was encouraged to finance new investment by raising resources directly from the public.
- India entered a loan agreement with the I.M.F. in 1981 for nearly \$5 billion over a few years that were used largely for harnessing India's oil and natural gas reserves by developing the publicly owned Oil and Natural Gas Commission. The funds were secured in 1981, despite severe criticism from the left parties in India. These funds contributed to India's energy security as the ratio of oil imports to domestic production was reduced from 60:40 to 30:70 within a period of five-years.
- The Government engaged in a successful joint venture with the Suzuki Corporation of Japan in the area of automobiles thus encouraging foreign direct investment and foreign technology. This decision was accompanied by an allowance of automatic expansion of capacity in the automobile sector. The successful production of the Maruti Suzuki car was a landmark achievement in improving the efficiency and reliability of Indian cars.
- The government actively promoted the growth of industries such as computers and electronics providing them supply side support and also maintaining pressure on them to stay competitive by minimizing protection. A variety of supports – such as technical parks – were provided and collaboration with foreign companies was encouraged. Major Indian IT companies, such as Infosys and WIPRO, matured during this period, and such foreign companies as Texas Instruments and Microsoft established bases in India.

15.5.2 Evaluation:

- Mrs Indira Gandhi and Rajiv Gandhi dominated the Indian political economy during the 1980s.
- This was the decade in which India's economy made a breakthrough and moved beyond slow growth rate of around 3 percent during the first three decades of planning to a more

rapidly growing economy. The growth rate during this decade was 15.8 percent.

- The new growth strategy (pro-business policy) produced both higher rates of investment and improvements in the efficiency of investment, contributing to higher growth rates, especially in the industrial and services sector.
- Critics argue that much of internal policy reform – such as eliminating many licensing requirements, removing restrictions on the size of business, and opening up areas reserved for the public sector to the private sector – helped big rather than small or medium sized private business.

15.6 CONCLUSION

In 15.47 when the British transferred power to India, we inherited a crippled economy with a stagnant agriculture and widespread poverty. India's first Prime Minister Pt. Jawaharlal Nehru had a vision to build an independent self reliant economy so that India could resist economic and political domination. Emphasis on rapid industrialisation and agricultural self sufficiency, planning, public sector and heavy capital goods industry, minimal use of foreign capital and aid, science, technology and technical modernisation and atomic energy was seen by him as a necessary part of the effort at independent economic development. India did make the transition from a colonial to an independent economy. It is the Nehruvian era that created the basic physical and human infrastructure, which was a precondition for independent modern development. The Green Revolution created food security. Food availability continued to increase sharply and food stocks crossed the 30 million tonnes mark by the mid 15.80s, putting an end to India's 'begging bowl' image and creating considerable food security. While on the one hand the Indian economy in the 15.80s seemed to be doing quite well (the average GDP growth rate between 15.80 and 15.90 was 15.8 percent), on the other hand there were certain long term structural weaknesses building up. There was slow building up of fiscal pressure due to the inability to collect more revenue and the inability to limit a variety of public expenditure. The economy was facing problems of declining foreign exchange, growing imports without matching rise in exports and high inflation. India changed its economic policies in 15.91 due to a financial crisis and pressure from international organizations like the World Bank and IMF. The growing fiscal and balance of payment difficulties resulted in the major economic crisis of 15.91. The crisis pushed India into initiating a process of economic reforms and structural adjustments.

15.7 SUMMARY

- Under the leadership of its first Prime Minister India adopted a unique model of development popularly known as Nehruvian model of development. Its three important pillars were planning for rapid industrial and agricultural growth, a public sector to develop strategic industries and a mixed economy.
- Considerable progress on several fronts was made during the first phase of the development efforts, spanning the first three five years plans, i.e., by the mid 15.60s.
- The adoption of the Green Revolution strategy of introducing high yield variety (HYV) seeds, fertilizers, irrigation facility and other inputs, during 15.60s resulted in increase in food grain production and created food security.
- The post-15.67 saw the launching of a series of radical economic policies by Mrs Indira Gandhi which were to have a long term effects on India's development efforts.
- During the 15.80s the pro-business strategy of the Congress Government resulted in accelerating India's economic growth.
- The growing fiscal and balance of payment difficulties resulted in the major economic crisis of 15.91 which pushed India into adopting new economic policy.

15.8 UNIT END QUESTIONS

1. Explain the main features of the Nehruvian model of development.
2. Discuss the economic achievements of the Nehru era (15.47-15.64).
3. Examine the main features of the economic policy during the period between 15.65 and 15.80.
4. Give the highlights of the economic policy adopted during the period between 15.80 and 15.91.

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POLITICAL ECONOMY OF INDIA

(Economic Reforms Social and Political Impact of Reforms)

Unit Structure

- 16.0 Objectives
- 16.1 Introduction
- 16.2 The Rationale (OR NEED) of Economic Reforms
- 16.3 Objectives of New Economic Policy
- 16.4 Major Areas of Economic Reforms
- 16.5 Social and Political Impact of Economic Reforms
- 16.6 Conclusion
- 16.7 Summary
- 16.8 Unit End Questions
- 16.9 References

16.0 OBJECTIVES

- To study the rationale of Government of India's policy of economic reforms after 1991
- To understand the objectives of New Economic Policy
- To examine the major areas of reforms
- To evaluate the economic, social and political impact of economic reforms.

16.1 INTRODUCTION

After independence Government of India adopted mixed economic model of development. The system of State-directed economic development planning was instituted under the then Prime Minister Jawaharlal Nehru. In the early 1980s, Indira Gandhi tried to move the Indian economy toward liberalisation with some relaxation of price controls, import restrictions, creation of the industries and expansion of industries and industrial capacity. In the second half of the decade the move was carried out further by Rajiv Gandhi He favoured free market economy and started a process of liberalisation in the import controls and licensing and expansion of the existing industrial enterprises. Indian economy was on a growth path but it did not last long. The long term constraints that were

building up over a few decades in the Indian economy combined with some immediate factors led to a massive fiscal and balance of payments crisis in 1991. The crisis pushed India into initiating a process of economic reforms and structural adjustment. In July 1991, Prime Minister Narsimha Rao along with his Finance Minister Manmohan Singh initiated wide ranging economic reforms to remove the inefficiencies in the economic system. It was named the **New Economic Policy (NEP)**. The reforms did away with the Licence-Permit Raj (investment, industrial and import licensing) and ended many public monopolies, allowing foreign direct investment in many sectors.

16.2 THE RATIONALE (OR NEED) OF ECONOMIC REFORMS

The genesis of economic crisis in India in 1991 lies in the large and persistent macroeconomic imbalances that developed over the last decade. Major factors responsible for the economic crisis were:

Fiscal Imbalance:

The fiscal situation had worsened during the 1980s due to growing burden of non developmental expenditure. Revenue deficit had risen from 0.2 percent of GDP in 1981-82 to 3.3 per cent in 1990-91. Gross fiscal deficit had increased from 15.9 per cent of GDP in 1980-81 to 15.6 per cent in 1990-91. Since this fiscal deficit had to be met from borrowings, internal debt of the Central Government increased rapidly, rising from 35 per cent of GDP at the end of 1980-81 to 415.8 per cent in 1990-91.

Worsening Balance of Payment Situation

The current account deficit was \$15.7 billion or 3.69 per cent of GDP in 1990-91. As a consequence, India's external debt rose to 23 per cent of GDP at the end of 1990-91. It had led to an increase in debt service burden to 22 percent of current account receipt and 30 per cent of export earnings in 1990-91. India's foreign reserves fell from \$15.85 billion in 1980-81 to \$15.1 billion in 1989-90, and in the next year (1990-91) they fell drastically by nearly half to \$2.24 billion enough only for one month's import cover. The government was forced to sell 20 tonnes of gold to the Union Bank of Switzerland in March, 1991.

Gulf Crisis:

The Iraqi invasion of Kuwait in August 1990, leading to an increase in oil prices and a fall in Indian exports to the Middle East or Gulf region, partly contributed to this alarming foreign exchange

situation. India's international credit rating was sharply downgraded and it was becoming extremely difficult to raise credit abroad.

Inflationary Pressures:

The inflationary pressure was quite high in 1980s due to excessive government expenditure. Inflation rate peaked to 15.3 per cent in 1990-91. Prices of food rose substantially in spite of three good monsoons in a row.

Inefficiency and High Cost Economy:

The controls, restrictions, interventions etc often restored to in the name of introducing socialist principles and equity but actually resulted in consumption delays, inefficiency, losses and high cost economy. The main criticisms of the public sector were: low rate of return on investment, declining contribution to national savings, poor capacity utilisation, over-staffing and bureaucratization leading to excessive delays and wastage of scarce resources.

Successful Experiences of Other Countries:

Many developing countries had launched the model of free market economy. The success stories of countries like Malaysia, Thailand, South Korea, China etc. made India rethink and change its policies of state regulated and controlled economy. Their success was widely attributed to reliance on market mechanism, openness of economies, a dynamic export trade and import of foreign capital and technology. The collapse of the erstwhile Soviet Union and east European communist regimes further reinforced this trend.

World Bank and I.M.F. Loan:

India was forced to approach the World Bank and the International Monetary Fund (IMF) to provide a huge loan of about \$7 billion to bail India out of the crisis. While agreeing to provide assistance to India, the World Bank-I.M.F. insisted that India must liberalise and open up the economy by removing restrictions on the private sector, reduce the role of government in many areas, remove trade restrictions etc. India agreed to the conditionality of World Bank and I.M.F. and adopted economic reforms in 1991.

16.3 OBJECTIVES OF NEW ECONOMIC POLICY

The objectives of the New Economic Policy were:

- To reduce fiscal deficit and to ensure an era of relative price stability.
- To increase the efficiency and international competitiveness of industrial production
- To improve the performance and rationalise the scope of public sector.
- To liberalise industrial policy and abolish industrial licensing for most of the private industries.
- To encourage inflow of foreign capital and technology by granting more concessions to foreign direct investment.
- To liberalise foreign trade by reducing tariff duties and abolishing quota restrictions in case of many imports.

16.4 MAJOR AREAS OF ECONOMIC REFORMS

Economic reforms are a long term multidimensional package of various policies and programmes for further economic development. It includes reforms in agricultural sector, industrial sector, financial stocks, fiscal sector, international trade etc. Two components of NEP, 1991 were:

16.4.1 Macroeconomic Stabilisation or Demand Side Management –

These refer to short run or medium run measures to return to low and stable inflation and a sustainable fiscal and balance of payment position. It included measures like:

Fiscal correction:

The NEP aimed at attaining macroeconomic stabilisation through reducing gross fiscal deficit. The gross fiscal deficit is defined as the excess of total expenditure of the government over its revenue receipts. It reflects the magnitude of public debt or indebtedness of government. It had increased to the 15.6 percent of the GDP in 1990-91. The government therefore came out with a policy of fiscal correction to reduce this deficit –

- a. Reduction was made in government's **non-plan expenditure**,
- b. Grants** were reduced, and
- c. Subsidies** on many items were reduced.

Reforms in Tax Structure:

Major reforms were introduced in tax structure with the recommendation of Chelliah Committee on tax reforms. It included

- a. Rationalisation of **income tax** and bringing down the maximum rate of income tax from 51 percent to 30 percent.
- b. Rationalisation of **custom duties** and bringing down the peak tariff duties to lower levels (around 50 percent) prevailing in most other countries.
- c. Reduction in **subsidies** on various items like food, fertiliser, export etc.
- d. Tax rates on profits were reduced to attract more investment, particularly foreign direct investment into the economy.

16.4.2. Structural Adjustment or Supply Side Management:

It can be defined as a process of market oriented reforms in policies and institutions, with the goals of restoring a sustainable balance of payments, reducing inflation and creating conditions for a sustainable growth in per capita income. Structural adjustment policies are long run measures to remove the bottlenecks and obstacles in the growth path of an economy. It includes measures like liberalisation and privatisation and globalisation. **Liberalisation** when used in the context of economic policy refers to reduction in government regulation, removing all unnecessary controls and restrictions like permits, quotas, licences, qualitative restrictions etc. **Privatisation** is defined as the transfer of a function, activity or organisation from the public to the private sector. **Globalisation** refers to growing economic interdependence among the countries of the world with regard to technology, capital, information, goods, services etc. As a policy it means integrating the domestic economy of a country with the world economy.

The major areas of reforms were:

Industrial Sector Reforms – The government announced the New Industrial Policy in 1991. The main industrial reforms were:

a. Abolition of industrial licensing :

Industrial licensing was abolished for all projects except for a list of 15 industries related to security, strategic or environmental concerns and certain items of luxury consumption that had a high proportion of imported inputs.

b. Contraction of Public Sector:

The number of industries reserved for the public sector has been reduced from 17 to 3. The only industries reserved for the public sector are defence equipments, atomic energy generation and rail transport. Budgetary support to public enterprises would be progressively reduced. Chronically sick public enterprises would not be allowed to incur heavy losses.

c. Reforms in Small Scale Sector :

According to the new policy investment limit of small scale industries has been increased to one crore with a view to modernise them.

d. Concessions in the Monopolies and Restrictive Trade Practices (MRTP) Act :

The New Industrial Policy scrapped the threshold limit of assets in respect of MRTP and dominant undertakings. These firms will now be at par with others, and not require prior approval from the government for investment in the delicensed industries. The MRTP Act was accordingly amended. The new Competition Act gave more emphasis to the prevention and control of monopolistic, restrictive and unfair trade practices.

Financial Sector Reforms:

Prior to 1991, banking institutions were subject to too much control by the Reserve Bank of India (RBI) through high bank rate, high cash reserve ratio and statutory liquidity ratio. Liberalisation in financial sector implied:

- a. There was a substantial **shift in the role of the RBI** from a regulator to a facilitator of the financial sector
- b. **Both Cash Reserve Ratio (CRR) and Statutory Liquidity Ratio (SLR) were reduced** to increase availability of funds with commercial banks to advance more credit formation.
- c. Foreign institutional Investors (FII) such as merchant bankers, mutual funds and pension funds were now allowed to invest in Indian financial markets.
- d. There was establishment of **private sector banks**, Indian as well as foreign. Foreign investment limit in banks was raised to around 50 percent.
- e. The Securities and Exchange Board of India (SEBI) was established in 1988 with defined responsibilities for development and regulation of stock market.

Foreign Exchange Reforms:

In 1991, as an immediate measure to solve the balance of payments crisis, the rupee was devalued against foreign currencies. This made our goods cheaper in the foreign market and increased inflow of foreign exchange. It also freed the determination of rupee value in the foreign exchange market from the government control and made it a subject to a market determined exchange rate. Under the NEP, 1991:

- a. Approval was given for direct foreign investment up to 51 percent foreign equity in high priority industries.
- b. Automatic permission was given for foreign technology agreements in high priority industries up to a lump sum payment of Rs. 1 crore.

Trade Policy Reforms:

Prior to 1991, India followed a protectionist policy marked by quantitative restrictions and high tariffs on imports, import licensing and export duties. This reduced the efficiency and competitiveness of Indian industries. The trade policy reforms aimed at:

- a. Abolition of import licensing system except in case of hazardous and environmentally sensitive industries
- b. Removal of quantitative restrictions on imports
- c. Reduction in tariff rates
- d. Strengthening of export promotion structure.

Privatisation:

The NEP, 1991 aimed to achieve privatisation through disinvestment in public enterprises. Disinvestment is sale of a part of equity holdings held by the government in any public sector undertaking to private investor. According to NEP of India, disinvestment is done for two main reasons – to provide fiscal support to the government and to improve the efficiency and accountability of public enterprise.

Globalisation:

The EXIM policy 1992 aimed to achieve globalisation through liberalisation in import licensing, rationalisation of tariff structure and foreign exchange management reforms. Rupee value was to be determined by the market forces of demand and supply.

16.5 SOCIAL AND POLITICAL IMPACT OF ECONOMIC REFORMS

Economic reforms which in the Indian context were almost revolutionary in nature were introduced in 1991 by a minority government led by Narsimha Rao, and guided by one of the most distinguished economists of post-independence India, Dr. Manmohan Singh, as finance minister. It signified a major departure from the Nehruvian model of development. There was a broad consensus among all political parties from the right to the left regarding the implementation of economic reforms involving liberalisation and participation in the globalisation process to

accelerate India's economic development, though with different approaches and in varying degrees. Even the Bhartiya Janata Party (BJP) despite the resistance of the RSS-supported Swadeshi Jagran Manch, was essentially committed to the reforms. Janata Dal, CPI, CPI (M), though indicated some shade of differences, have also accepted the reforms package. Some of the regional parties like DMK, AIDMK in Tamilnadu and parties like Samata Party, Samajwadi Party, and the Rashtriya Janata Dal also woo foreign capital to undertake investment in their respective states.

The economic reforms besides aiming at accelerating economic growth also promised reduction of population living below the poverty line, promotion of equity leading to a better deal for the poor and reduction of regional disparities between the rich and poor states of India. The impact of economic reforms remains a contentious issue and opinions continue to be divided. Some scholars have argued that the consequences of the NEP are likely to be extremely adverse for the future of the Indian economy. While other scholars have argued that the reforms instituted so far have been, by and large, successful in achieving an accelerated growth in the new liberalised environment and this helps to reduce poverty. The economic, social and political impacts of economic reforms have been discussed as follows:

Rise in Gross Domestic Product (GDP) Growth:

There is no doubt that economic reforms have been able to promote a relatively higher growth. The growth rate during 1993-94 to 1997-98 has averaged to more than 7 percent per annum. After 1991-92, the momentum of growth has been maintained (as shown in Table No.1) providing increasing evidence that the growth potential has improved as a result of the reforms.

GDP Growth Rate

Year	Annual Average (%)
1980-81 to 1990-91	15.2
1990-91 to 2000-01	15.6
2000-01 to 2003-04	15.0
2004-05 to 2011-12	15.3

Table No.1 Source: Central statistical Organisation

High rate of growth in Service Sector:

It is the service sector that has led India's post-reform economic growth. It contributed as much as 615.6 percent to the

total growth in GDP between 2002-03 and 2006-015. The rapid expansion in services that has attracted most attention, is the expansion in business services – mainly in the IT (Information Technologies) sector including call centres, software design and business process outsourcing (BPO) – and in telecommunications including cell phones. **India has emerged as a global leader in business services.**

Integration with the World Economy:

The Indian economy since the reforms, which involved liberalisation and globalisation, got rapidly integrated into the global economy. Foreign exchange was \$39 billion in 2000-01, and jumped to \$2915.5 billion up to, September, 2015. According to Ernst &Young, foreign direct investment in India experienced an increase and became \$50.8 billion in 2015. Recently, UNCTAD survey projected India as the second most important FDI destination (after China) for transnational corporations during 2010-15. India is a member of **G-20 (Group of 20 largest economies of the world)** and plays a role in the global economic matters.

Slow Reduction of Poverty:

However, high growth rate has not resulted in the rapid decrease in poverty. The number of persons below the poverty line or the total number of poor was estimated at 300 million in 2004-05 as against 320 million in 1993-915. The absolute number of poor declined very slowly during the post reform period (as shown in Table No. 2), even though GDP growth rate during the post reform period was much higher than in the pre-reform period.

Comparison of Poverty Estimates on Uniform Recall Period

Year	Rural	Urban	Total
1973-74	515.4	415.0	515.9
1987-88	315.1	315.2	315.9
1993-94	315.3	32.4	315.0
2004-05*	42.0	215.5	315.2
2009-10*	33.8	16.9	215.8

Table No.2 *Source:* Planning Commission, Ninth Five Year Plan (1997-2002) and Press Release March 2012

*Based on Tendulkar's Methodology

Rise in Unemployment:

The Current Daily Status (CDS) employment which is a more comprehensive measure of unemployment and underemployment

indicates that unemployment increased to 15.3 percent in 2004-05 as against 15.3 percent in 1990-91 (Datt and Mahajan, 2012:262). Data given in Table 3 shows that the total growth of employment in the organised sector during the ten year period (1993-2004) was negative, i.e. at the rate of -0.3 percent per annum as against 1.20 percent during the pre-reform period (1983-94).

Annual Growth Rate of Employment in Organised Sector in Percent

	1983-94	1993-2004	2004-09
Public Sector	1.53	-0.60	-0.56
Private Sector	0.44	0.36	+3.58
Total	1.20	-0.30	+0.82

Table No.3 Source: Ministry of Labour

Impact on labour:

By the scheme of voluntary retirement, the load of workers is being reduced, both in public and private sectors. Consequently, workers are being pushed to the unorganised sector from secure to insecure employment. During the seven year post-reform period (1991-97), a total of 15.91 lakh workers were laid off.

Neglect of Agriculture:

A major criticism of the process of economic reforms is the neglect of agriculture. Public investment in this sector especially in infrastructure which includes irrigation, power, roads, market linkages and research has been reduced in the reforms period. The food grains production increased from 1715.4 million tonnes in 1990-91 to 234 million tonnes in 2008-09, indicating an average growth rate of 1.6 percent, which was lower than the growth rate of population. This sluggish growth is the root cause of the problem of *rural distress*. We must remember that the majority of India's working population live in the villages. Farmers find themselves into crippling debt due to low farm incomes. This has led to widespread ***distress migration*** and ***farmers suicides***. Liberalisation has forced the small farmers to compete in a global market where prices of goods have fallen while removal of subsidies has led to increase in the cost of production.

Slowdown in Industrial Growth:

The economic reforms dismantled the system of industrial licensing which was considered to be a major obstacle in industrial growth. During 1981-82 to 1990-91, general Index of industrial Production (IIP) recorded an annual average growth rate of 15.8

percent, growth rate of IIP improved to 15.3 percent during 2004-5 to 2011-15. In manufacturing, it increased from 15.6 percent in the 80s to 15.2 percent, and in electricity it declined from 9 percent to 15.8 percent and in mining and quarrying it slumped from 15.3 to just 15.0 percent. Thus the expectation that the industrial growth would be stimulated did not materialise.

Growing Regional Disparities:

Economic inequality has widened along **regional, rural-urban and class lines** in the post-reforms period. Backward states with higher population growth are not able to attract investment – both public and private – due to a variety of reasons, like poor income and infrastructure and poor governance. India's rich states (Gujarat, Maharashtra, Haryana, Tamil Nadu, Punjab) and medium income states (Andhra Pradesh, Karnataka, west Bengal , Kerala etc.) grew at a much faster rate between 1991 and 2008 than India's poorer states(U.P., Bihar, Orissa, Assam). Only five states – Andhra Pradesh, Gujarat, Karnataka, Maharashtra, and Tamil Nadu – account for about 75 percent of the total FDI in India since liberalisation. Economic power in India is increasingly shifting to the richer states of western and southern India. By contrast, the power of numbers continues to be concentrated in India's populous states of North. It may lead to political unrest. In terms of human development and social infrastructure there are vast inequalities between developed and poorer states.

Impact on Federal System:

It has been argued that the reforms process empowered the states of India. Instead of competing with one another to draw down funds from the Centre, states like Maharashtra, Karnataka, Andhra Pradesh, Tamil Nadu, and Gujarat compete with one another for foreign direct investment or the funds of N.R.I. to reduce their fiscal deficits.

Widespread Protest Movements against LPG Model of Development:

In the post economic liberalisation period there has been a growing concern that the government is promoting the commercial interest of the corporate sector at the cost of poorer section of society. There have been protest movements especially against the land acquisition for Special Economic Zones (SEZ), mining and other development projects. In Barnala in Punjab, Janjjar in Haryana, Kakinada in Andhra Pradesh, Nandagudi in Karnataka, Nandigram in West Bengal and Jagatsighpura in Orissa, Raigad in Maharashtra, Mangalore, Goa, farmers, landless workers, fish workers and artisans have expressed their anger against the loss of

land, livelihood and habitat. In response to this the government plans to bring a new law for land acquisition and rehabilitation and resettlement of the people displaced due to development projects.

16.6 CONCLUSION

Rapid economic growth is India's major achievement in the post- economic reforms period. The rapid economic growth in the framework of a democratic polity is remarkable in comparison to other developing countries. However, this growth has not been inclusive. High rates of poverty and low levels of human development are the major challenges that India faces. Growth has not generated significant new employment opportunities. The fact that the service sector growth has absorbed those with skills, and the manufacturing economy has not created enough new jobs to absorb the rapidly growing low skilled labour force has worsened the situation. The reduction of public investment in agriculture has hurt agricultural growth, leaving behind majority of Indians who continue to live in villages. A variety of government initiatives will be needed, including making the growth process more employment generation, providing public investment in agriculture and in India's poorer states, implementing anti-poverty programmes effectively, and providing such public services as health and education. There is also a need to check widespread corruption in the public life so that the fruits of development reach the poor.

16.7 SUMMARY

- The long term constraints that were building up over a few decades in the Indian economy combined with some immediate factors led to a massive fiscal and balance of payments crisis in 1991.
- The crisis pushed India into initiating a process of economic reforms and structural adjustment.
- **India adopted** New Economic Policy in 1991 which emphasised on Liberalisation, Privatisation and Globalisation (LPG) model of development.
- It included reforms in agricultural sector, industrial sector, financial sector, fiscal sector, international trade etc.
- The reforms did away with the Licence-Permit raj (investment, industrial and import licensing) and ended many public monopolies, allowing foreign direct investment in many sectors.
- Economic reforms have been able to promote a high growth rate of GDP and India has emerged as one of the fastest

growing economies of the world. The Indian economy has been integrated into the global economy.

- India has emerged as a global leader in business services.
- However, high growth rate has not resulted in the rapid decrease in poverty. There has been slow generation of employment.
- Growing income inequality and regional disparities and the slow growth of agriculture as a result of reduction of public investment in agriculture, are some of the major criticisms of the economic reforms.

16.8 UNIT END QUESTIONS

1. What were the factors responsible for the introduction of economic reforms in 1991?
2. Outline the various reform measures undertaken in India since the 1990s.
3. Examine the economic, social and political impact of economic reforms in India.

16.9 REFERENCES

1. Chandra, Bipan and Others, *India Since Independence*, Penguin Books, New Delhi, 2015.
2. Dutt, Gaurav and Mahajan, Ashwani, *Datt and Sundaram Indian Economy*, Sixty Sixth Ed., S. Chand, New Delhi, 2015.
3. Jha, Pravin Kumar, *Indian Politics in Comparative Perspective*, Pearson, New Delhi, 2015.
4. Mooij, Jos, (ed.), *The Politics of Economic Reforms in India*, Sage Publications Inc., New Delhi, 2015.

Model Question Paper

(3 Hours)

[Total Marks: 100

- N. B. : (1) Attempt any **five** questions of which at least **two** questions should be from **each** section.
 (2) **All** questions carry **equal** marks (20 marks)

Section I

1. Critically examine the salient features of the Indian Constitution.
2. Evaluate the following (any two) : —
 - (a) Right to Equality
 - (b) Right to Freedom
 - (c) Right to Freedom of Religion.
3. Explain the functions of the President of India and evaluate the real role of the President in Indian Politics.
4. What is Independence of Judiciary ? How the Independence of Judiciary is secured in India ?
5. Write short notes on (any two) : -
 - (a) Bureaucracy and its role in India
 - (b) Importance of Directive Principles of State Policy
 - (c) Changing role of the parliament
 - (d) Lok-sabha.

Section II

6. Critically examine the Indian "Federal System.
- 7 Explain legislative relationship between the centre and the state
8. Comment on the following :—
 - (a) Religion and Politics of India
 - (b) Caste and Politics of India.
9. Examine the Party System in India.
10. Write short notes on (any two) : —
 - (a) Reservation Issue
 - (b) Criminalization of Politics

(d) Terrorism

(3 Hours)

[Total Marks : 100

- N.B.:** (1) Attempt **any five** questions, of which at least **two** questions should be from **each** Section.
 (2) **All** questions carry **equal** marks (20 each).
 (3) **Tie** the answerbooks of **both** the sections **together**.

Section I

1. Discuss the salient features of the Indian Constitution.
2. Evaluate the following (any **two**) : —
 - (a) Right of Equality
 - (b) Right to Freedom
3. Assess the role of Council of Ministers and Prime-Minister in the Indian Politics.
4. What is meant by an Independent Judiciary? How is this secured under our constitution?
5. Write short notes on (any **two**) of the following : —
 - (a) Role of Parliament in Indian Politics.
 - (b) Fundamental Duties
 - (c) Judicial Activism
 - (d) Directive Principles.

Section II

6. Discuss the features of the Indian Federal System!
7. What are the features of India's Political Party system
8. Is caste and religion the dominant factors in Indian Politics ?
9. Comment on the problem of terrorism in India.
10. Write short notes (any **two**) :—
 - (a) Gender and politics
 - (b) National coalition politics

- (c) Criminalization of Politics in India.
- (d) Environmental movements

(3 Hours)

[Total Marks : 100

- N.B. : (1) Attempt any five questions, choosing atleast **two** from **each** section.
- (2) **All** questions carry **equal** marks (**20 each**)
- (3) **Tie** the answer books of **both** the sections **together**.

Section I

1. Discuss the salient features of the Indian Constitution.
2. Comment on
 - (a) Right to Equality
 - (b) Right to Freedom
3. Assess the role-of the President in the Indian Politics.
4. Explain the necessity of Independent Judiciary. Discuss the provisions made in Indian Constitution to secure it.
5. Write short notes (any **two**):
 - (a) Directive Principles
 - (b) Fundamental Duties
 - (c) Decline of Parliament
 - (d) Powers of Parliament

Section II

6. Make a critical evaluation of the Indian federal system.
7. Account for the factors encouraging communal tendencies in Indian Politics.
8. Discuss on the national parties in India
9. Comment on Social movements in India
10. Write short notes on the following (any **two**) :
 - (a) Gender and politics
 - (b) Criminalization of politics

- (c) Regionalism in India
- (d) Terrorism

(3 Hours)

[Total Marks: 100

- N.B. :**(1) Attempt any **five** questions, out of which two questions should be from **each** section.
- (2) All questions carry **equal** marks.
- (3) **Tie together** the answer-books of **both** the sections.

Section I

1. Discuss the salient features of Indian Constitution.
2. Discuss classification of the Directive Principles.
3. Critically examine the role of the President under Indian Constitution.
4. Discuss the composition and powers of Union Parliament.
5. Write short notes (any **two**) :-
 - (a) Judicial Review
 - (b) Council of Ministers
 - (c) Right to Freedom of Religion
 - (d) The Preamble.

Section II

6. Discuss the salient features of the Indian Federal System.
7. Comment on the role of religion in Indian Politics.
8. Trace the evolution of the Indian Party System.
9. Discuss on peasants and Environmental movements in India.
10. Write short notes any two :-
 - (a) State Autonomy
 - (b) Centre-state executive relations

- (c) Terrorism
- (d) Gender

(3 Hours)

[Total Marks : 100

- N.B. :(1) Attempt any **five** questions, of which atleast **two** questions should be from **each** section
- (2) **All** questions carry **equal** marks. (20 marks each)
- (3) **Tie** the answerbooks of **both** the sections **together**.

Section I

1. Discuss the 'Preamble' as expression of the philosophy of the Indian Constitution.
2. Critically examine the provisions regarding Fundamental Rights.
3. Elaborate powers and functions assigned to the President.
4. Discuss the composition and powers of the Supreme Court
5. Write short notes on (any **two**) :-
 - (a) Powers of the Parliament.
 - (b) Fundamental Duties
 - (c) Decline of parliament
 - (d) Judicial review.

Section II

6. Give an account of the legislative and administrative relationship between the Union and States.
7. Comment on relationship between Caste and Indian Politics.
8. Discuss the salient features of the Indian party system,
9. Examine the
10. Write short notes (any **two**) :-

(a) Gender and Politics India	(b) Religion and Politics in India
(c) Problem of Terrorism Politics.	(d) Criminalization of Politics.

ⁱ <https://aitmc.org/index.php> Trinamool Congress website

ⁱⁱ <http://cpjc.wordpress.com/> 'Campaign for peace and justice in Chattisgarh – CPJC' -
View this site to read more about Salwa Judum

Questions

1. Write short notes about:-
 - a. Communist Party of India
 - b. Communist Party of India (Marxist)
 - c. Communist Party of India (Marxist-Leninist)
 - d. People's War Group
 - e. Salwa Judum
 - f. Red corridor
2. Explain the Government of India's approach towards Naxalism
3. Explain the problem of Naxalism as you understand it