



Mains Practice Question

Q. Explain the concept and evolution of federalism in India. Identify major challenges and propose solutions for strengthening India's federal structure after the resurgence of coalition politics in India. (250 words)

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Approach

- Briefly introduce the concept of Federalism in India
- Explain the evolution of Federalism in India
- Identify the major challenges in India's Federal structure.
- Propose solutions for strengthening India's Federal structure.
- Conclude by proposing a forward-looking approach to federalism in India.

Introduction

Federalism in India is a system where power is constitutionally divided between the central government and various state governments. The clear division of subjects into the state list, central list, and concurrent list under the seventh schedule of the Indian Constitution makes the constituent units of the federation conscious of their respective roles.

Federalism in India aims to maintain unity while allowing for regional self-governance. Federalism allows for the accommodation of diversity and regional autonomy within a larger political unit. However, the Indian Constitution establishes a federal system characterized by a strong central government, often referred to as "quasi-federal".

Body

Evolution of Federalism Evolved in India:

- **Inner-Party Federalism(1950-67):** During the first phase of federalism, major disputes between the federal government and the states were resolved in Congress party forums, or what political scientist Rajni Kothari called the "Congress System".
- **Expressive Federalism(1967-89):** This phase marked the emergence of an era of "expressive" and more direct conflictual federal dynamics between the Congress-led Centre and the opposition parties-led state governments.
- **Multi-Party Federalism (1990-2014):** This period saw a decline in the intensity of Center-state confrontations as well as in the Center's arbitrary use of Article 356 to topple state administrations.
- **Confrontational Federalism (2014- 2024):** Federalism under the "dominant party" reemerged, with the ruling party tightening its grip on power by taking over several states, leading to confrontational federalism and significant disputes between opposition-led states and the center.
- **After 2024 Lok Sabha Election results:** The resurgence of coalition politics at the central level has elevated regional parties to key power broker status, countering the trend of centralized policy decision-making.

Major Challenges to Federalism in India :

- **Balancing Centralization and Regionalism:** India walks a tightrope between central authority for national unity and state autonomy for regional needs. Strong central governments can be seen as overstepping, while strong regional movements can threaten national cohesion.
 - The abrogation of Article 370 of the Constitution, granting special status to Jammu and Kashmir, in 2019, was done by the central government without consulting the state legislature. This move has been criticized for undermining federal principles.
- **Disputes in Division of Powers:** The Constitution divides powers between the Centre and states. However, this division can be blurry, leading to conflicts over jurisdiction, especially on issues like agriculture or education in the Concurrent List.
 - The three farm laws passed by the central government in 2020 were challenged by states like Punjab on the grounds that agriculture is a State List subject. This highlights the ongoing disputes over interpretation of power division.
- **Misuse of Governor's Office:** The misuse of the [Governor's](#) office has increasingly become a matter of concern, particularly in matters related to the arbitrary dismissal of state governments, manipulation in government formation, withholding assent to bills, and frequent transfers and appointments, often directed by the central ruling party.
 - In Arunachal Pradesh (2016), the Governor's recommendation led to the imposition of President's Rule despite the ruling government having majority support, later quashed by the Supreme Court.
- **Misuse of Article 356:** Historically, Article 356 has been used to impose President's Rule over 100 times until 2000, disrupting state autonomy. Although its usage has decreased, its potential misuse remains a concern.
 - In 1988 the Sarkaria Commission found that at least a third of all Article 356 impositions were politically motivated.
- **Unequal Revenue Distribution:** The 15th Finance Commission recommended a higher share of central taxes for states, increasing it from 32% to 41%. However, states often complain that the funds are insufficient and not disbursed timely, leading to fiscal stress.
 - Furthermore, the southern states frequently complain about receiving fewer funds despite contributing more in taxes compared to the northern states, attributing this disparity to their lower population.
- **Inter-State Disputes:** Inter-state disputes in India encompass a range of issues, including water sharing, boundary disagreements, and resource allocation.
 - Between Tamil Nadu and Karnataka, this longstanding conflict revolves around the sharing of the Cauvery River waters. The dispute has seen multiple legal battles, violent protests, and political standoffs.
- **Demand for Special Category Status :** Regional parties in the national coalition government from Bihar and Andhra Pradesh see Special Category Status as a critical tool to address their unique developmental challenges and to secure additional central support necessary for sustainable growth and development.

Steps to Strengthen India's Federal Framework:

- **Respecting Federal Principles and Spirit:**
 - **Minimizing Central Intervention:** The Sarkaria Commission suggested Article 356 (President's Rule) should be used very sparingly, in extreme cases as a last resort when all the available alternatives fail.
 - **Ensuring Greater Representation and Participation:** Punchhi Commission recommends the Chief Minister's involvement in Governor appointments.
- **Enhancing Devolution of Powers:** Federalism can be strengthened by enhancing devolution of powers and resources to states and local bodies by revising the constitutional lists, increasing the share of states in central taxes, giving more fiscal autonomy and flexibility to states, etc.
- **Increasing the share of states in Central Taxes:** The Punchhi Commission suggested increasing the share of states in central taxes and enhancing their fiscal autonomy.
- **Revitalizing the Inter-State Council (ISC):** Make the ISC a more effective forum for resolving inter-state disputes and fostering cooperation on national issues. This could involve giving it more power to evolve common policies.
- **Fostering Cooperative and Competitive Federalism:**

- **In cooperative federalism**, the centre and states work together on issues of national importance like national security, disaster management, and economic development. This ensures a unified approach to achieving common goals.
 - For instance, establishing the GST Council and approving the Finance Commission's suggestion to raise the states' funding share.
- **In competitive federalism**, states compete for investments and talent by improving infrastructure, public services, and regulatory frameworks. This fosters innovation and better governance practices across the country.
 - NITI Aayog acts as a catalyst for a more robust and competitive federal system in India through various indices that rank states on specific parameters such as School Education Quality Index (SEQI), State Health Index (SHI), Composite Water Management Index (CWMI), etc.

Conclusion

The evolving political landscape, marked by the resurgence of coalition politics and the increasing influence of regional parties, offers a unique opportunity to redefine and strengthen the federal structure. A forward-looking approach to federalism in India will be one that celebrates its diversity, fosters cooperation and builds a harmonious and prosperous future for all its citizens.

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