

Federalism in India: Demands for Autonomy and Re-Define the Centre State Relations

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Abstract – Federalism is a system of government in which power is divided between state and national levels. Indian constitution adopted the model of federal system based on Canadian model of federal system.

The paper discussed about the problem in Indian federal system. The paper is an attempt to analyse the challenge to Indian federal system like demands for new states, demands for autonomy and re-define the centre state relations.

Key words: Federalism, Autonomy, Centre- State Relations.

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INTRODUCTION

Federalism is a form of government in which the power is divided between Centre authority and various constituent units of the country. Usually, a federation has two level of government one is the government for the entire country and the others are governments at the level of states that look after much of the day to day administering of their state. Some key features of federalism are:

- There are two or more levels of governments.
- The Supreme Court has given power to settle disputes between Federal governments.
- Fundamental provisions of constitution cannot be altered by any one level of government.
- The jurisdictions of the respective levels or tiers of government are specified in the constitution. 1

FEDERALISM IN INDIA

India is a federal country. Federalism in India describes the distribution of legal authority across National, states and local governments. It is embedded from the Canadian model of federalism. The constitution of India established a federal structure to the Indian government, declaring it to be a, " Union of States,"

In India federalism provides for unity in diversity. It aims at achievement of a consensus about the basic values among the various group and strives to create a sense of belonging to the community.

But there are many problems in the path of Indian federal system. India faced the problem of regionalism, language conflict, State's demand for autonomy, re-define Centre state relationship. These problems leads to violence and conflicts in India.

PROBLEMS WITH INDIAN FEDERALISM:

1. **Regionalism:** It is considered one of the significant challenges to federalism in India. The pluralist character of India gives rise to many factors including regionalism. People from North East sometimes feel themselves at a formidable distance. From New Delhi and people in southern part of the country with bigger States feel neglected having been within largest States.
2. **Division of powers:** The constitution distributed powers between state and centre in union list, state list, concurrent list, residuary powers. One of the important aspects of this division of power is that Central government is stronger than States. States demanded for the equal distribution of power.
3. **Unequal representation of units:** in India, there is no such provision of an equal

representation of states in the Rajya Sabha, the second chamber and nor the states have any substantial say over the amendments done to the constitution from time to time.

4. **Integrated services:** The all Indian services and Central services are also considered by many states and criticise as anti -federal. However IAS or IPS officers are appointed by the central government. Only the central government can take disciplinary action against them. This means that the key administrative officers of states are under the supervision and control of the central government.
5. **Centralised planning:** although economic and social planning is found in the concurrent list of the seventh schedule to the constitution. The union government enjoys unbridled authority over National and regional planning in India. Centralised planning, through the planning commission, now NITI Aayog appointed by the centre, considerable preponderance in legislative power for the union, the financial dependence of States on the centre's Mercy, the administrative inferior of the states make the state meek and weak.

Yet, there is some problems with Indian federalism but we cannot say that there is no spirit of federalism. In Indian federal system relations between Union and States is based on the principle of sharing and distribution of power. The real success of federalism in India can be attributed to the nature of Democratic politics in our country.

Conflicts in India's federal system:

From time to time India's federal system faced a lot of conflicts in its path. These conflicts take place due to separatist movements, demand for autonomy by States, demand for the creation of new states and due to demands raised by States to re-define the centre state relations etc.

- **Demands for autonomy:**

Many states and even many political parties have from time to time, demanded that States should have more autonomy vis-a-vis the central government. These demands expect that the division of powers should be changed in favour of the states and more powers be assigned to the states. Many states (Tamil Nadu, Punjab, West Bengal) and many parties (DMK , Akali Dal , CPI- M) have made demands for autonomy.

- **Akali Dal and demands for state autonomy:**

The political goal of the Akali Dal was adopted at Anandpur Sahib resolution in 1973, the main objectives of the Anandpur Sahib resolution is to create, such socio- political conditions in which the Sikh community would enjoy "Paramount position".
2

The Akali Dal demands for the autonomy of state. The demand for more autonomy was supposed to carry a strong electoral appeal in a state with the large agriculture population as against the Congress party whose state government was supposed to function under the instruction from its Central leadership more aligned to the interests of the industrial bourgeoisie. 3

- **Demands for redefine the centre state relations:**

Till 1967, centre and States continue to be quotes mouth because of the Nehru and Congress was in power both at the Centre and most of the states. The Congress came into power at centre and dismiss Janta ministers in 9 States. A vociferous demand for reforms in Centre state relations was made by West Bengal, Jammu and Kashmir, Punjab, Kerala, Tamil Nadu, Andhra Pradesh etc. states of India.

A Number of committees were appointed to examine the centre-state relations :-

- **Rajamannar Committee:-** this committee was setup by DMK government in Tamilnadu in 1969. This committee recommended that every Bill which affects interest of the state should be first referred to inter- state Council before in introduced in Parliament and article 356 should be used only in rare cases.

- **Anandpur Sahib resolution:-** This resolution was passed by Akali Dal in 1973. It said that centre's jurisdiction should be restricted only in defence, Foreign Affairs, communications and currency. All the remaining and Residuary powers should be vested in States. All states should have equal authority at centre.

- **West Bengal memorandum:**

The communist government in West Bengal published a memorandum in 1977. It asked to replace the west Union in the constitution with Federation. It said that all the subjects including the residuary should be vested in the states and repeal articles 356, 357 and 360.

• **Sarkaria Commission:**

In 1983, the Government of India appointed this Commission to examine and review the existing arrangement of the centre -state relations in all spheres. The commission after examining the legislative, administrative and financial provisions of the Constitution having a bearing on centre state relation made certain recommendations.

A convention should develop that the state government should be consulted when laws are made by the centre on the items in the concurrent list.

- Certain guidelines should be laid down In discretionary power of the Governor, specially in the appointment of a chief minister, and dismissal of a ministry.[4]

M. N. Punchi Commission: - This Commission set up by UPA government in 2007 and it give its recommendations in 2010. The key recommendation are as follows :-

- Governor should get clear guidelines for appointment of Chief Ministers so that he does not misuse his discretionary powers in this context.
- For removal of governor, the doctrine of pleasure should end, and governor should not be removed by the central government. Governor should be removed by impeachment or by resolution in state assembly.
- Article 355, 356 should be amended.

DEMANDS FOR NEW STATES :-

The other dimension of tension in our federal system has been the demand to create new States. After independence our leaders felt that the craving out States on the basis of language might lead to disintegration. But this decision challenged by the local leaders and the people.

A violent movement bring about in Telugu speaking areas which demanded that the Telugu speaking area should be separate. Finally Prime Minister announced the formation of a separate Andhra state in December 1952. 5

Meaning of the creation of linguistic states and the process is still continuing. Gujarat and Maharashtra were created in 1960, Punjab and Haryana was separated from each other in 1966. Later the north eastern region was recognised and new states like Manipur, Tripura, Meghalya, Mizoram and Arunachal Pradesh were created. In 2000 Chhattisgarh, Uttarakhand and Jharkhand were became separate

state. On 2nd June 2014 Telangana became a separate state.

CONCLUSION

Indian federal system faced a lot of challenges due to diversity, nature of Indian society. The Indian federal system has dual objectives: to safeguard and promote unity of the country while at the same time accommodate regional diversity, therefore, two aspects are crucial for the Institutions and practice of federalism.

Governments at different levels should agree to same rules of power sharing. They should also trust that each would abide by its part of agreement. An ideal Federal part of agreement, an ideal federal system has both aspects mutual trust and agreement to live together.

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