

FEDERALISM

CHAPTER- 2

DEMOCRATIC POLITICS

INTRODUCTION- The chapter covers VERTICAL DIVISION OF POWER/ FEDERAL DIVISION of India & DECENTRALIZATION in India

IMPORTANT TERMS-

1. Federalism- This system of government divide power into different levels of government.
2. Unitary government- The system of government which has just one level of government.
3. Decentralisation- When power is taken from Central & state governments & are given to local government, is called Decentralisation.
4. Coalition government- When govt. is formed by two or more political parties as no political party enjoys power or support of people alone
5. Gram Sabha : All the adults of village are collectively called Gram Sabha

DIFFERENCE OF UNITARY & FEDERAL SYSTEM

UNITARY-

1. One level of government
 2. The central government can pass on orders to the provincial governments
 3. State Governments are subordinate or never exit
 4. Centralization of powers
 5. Undemocratic in nature
 6. It may or may not have a constitution
 7. No power to Judiciary
 8. No power sharing
- Examples: CHINA & UK

FEDERAL-

1. Two or more levels of government
 2. The central government can't pass on orders to state / provincial governments
 3. State governments exit & aren't subordinate
 4. Decentralisation of power
 5. Democratic in nature
 6. It must has a Constitution
 7. Judiciary works as umpire
 8. Power sharing is followed
- Examples: Pakistan, India, Brazil, Switzerland, Australia, Belgium, Canada

OBJECTIVES OF FEDERALISM:

1. To safeguard and promote the unity of the country
2. To accommodate regional diversity

FEATURES OF FEDERALISM:

1. Two or more levels of government

2. Different tiers govern the same citizens but respect its specific jurisdiction
3. Constitutional guarantee of each tier's existence & authority
4. Provisions related to federal division of power can't be unilaterally changed in Constitution
5. The highest court acts as Empire if disputes arise between different levels of government in exercise of their specific powers
6. Sources of revenue for each level of government are clearly specified to ensure its financial autonomy

DIFFERENCE B/W COMING TOGETHER & HOLDING TOGETHER FEDERATIONS

On the basis of balance of power 📌

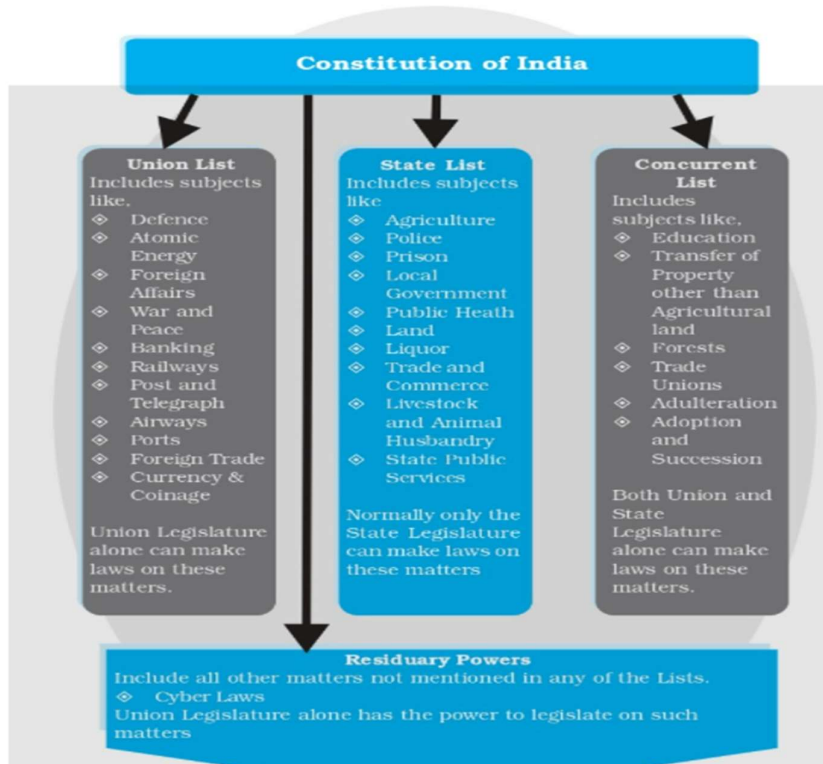
COMING TOGETHER FEDERATIONS:

1. Independence States come together on their own to make a bigger unit.
2. States usually have equal powers & as strong as federal government
3. All units have equal powers
4. OBJECTIVE - To pool sovereignty, retaining identity & for security
5. Examples: USA, Switzerland and Australia

HOLDING TOGETHER FEDERATIONS:

1. When a large country divides its power b/w the national government & its constituent units
2. The central government tends to be more powerful than states
3. Different units have unequal powers
4. OBJECTIVE- To keep country unite
5. Examples: India, Spain and Belgium

Key Features of Federalism / Indian Federalism	
1. more than one level of govt. / multi levels of govt.	e.g. 3 tier system in India
2. each tier has its own jurisdiction & different tiers govern the same citizens	e.g. 3 fold distribution of powers in Union list, state list & Concurrent list
3. Constitutional guarantee	e.g. provisions are mentioned in Indian Constitution
4. fundamental provisions can't be unilaterally changed	e.g. 2/3 majority in houses & consent of 50% states is required
5. Independent judiciary	e.g. court acts as an umpire & solve the disputes of diff. levels
6. Financial autonomy	e.g. sources of revenue for each level is specified



HOW IS FEDERALISM PRACTICED?

Real success of federalism depends upon nature of Democratic policies in the country that includes-

- Spirit of federalism
- respect for diversity
- desire for living together

1. LINGUISTIC STATES-

- a. Creation of states on the basis of language;
- b. States are also created on the basis of culture, ethnicity or Geography e.g NAGALAND, UTTARAKHAND & JHARKHAND
- c. It has made administration easy & contributed to unity of country by not being rigid for language

2. LANGUAGE POLICY:

- a. India has no National language
- b. Hindi - official language of India
- c. States have their own official languages
- d. The Eighth Schedule of the Indian Constitution lists 22 languages, which have been referred to as scheduled languages and given recognition, status and official encouragement.
- e. According to the constitution English was to continue in use till 1965 but due to protest by non Hindi speaking States Central Government agreed to continue use of English along with Hindi for official purposes e.g Tamil Nadu

3. CENTRE-STATE RELATIONS :

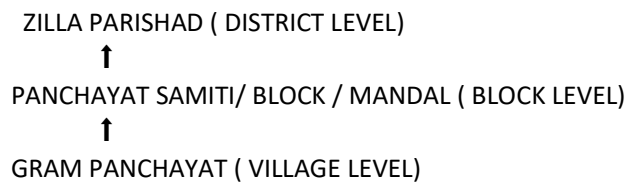
- a. The success of federalism depends upon the state and Centre relationship ;
- b. Initially, same party (CONGRESS)ruled at centre and in states in India
- c. Whenever state government is ruled by different party and the party at centre try to undermine the power of the state that hampered the spirit of federalism;
- d. 1990s - Emergence of regional parties led to beginning of Era of Coalitions ;
- e. This led to culture of power sharing & respect for state governments autonomy

73RD AMENDMENT ACT, 1992

1. Regular elections are mandatory
2. Reservations of seats for SCs; STs & OBCs
3. Atleast 1/3rd of all positions should be reserved for women
4. An independent institution called state election commission has been created to conduct Panchayat and Municipal Elections
5. Sharing of power and revenue between states and local bodies

NOTE - the above-mentioned features are of the constitutional amendment 1992 before that these provisions were ignored in different parts of India

LOCAL GOVERNMENT STRUCTURE IN INDIA



GRAM PANCHAYAT : each village or a group of villages in some States has a gram panchayat which is decision making body for the village it has Sarpanch + Panchs and they are elected directly by the gram sabha

PANCHAYAT SAMITI/BLOCK: a few gram panchayats are grouped together to form Panchayat Samiti and the members are elected by all the panchayat members in that area

ZILLA PARISHAD: all Panchayat Samities in a district together constitute Zilla Parishad ; most of the members are elected e.g MPs & MLA'S and some other officials of the district level bodies and Zilla Parishad chairperson is the political head of Zilla Parishad

URBAN LOCAL GOVERNMENT:

- A. Municipalities are set up in towns
- B. Big cities has Municipal Corporations which are controlled by elected bodies consisting of people's representatives
- c. MAYOR/ MUNICIPAL CHAIRPERSON is the political head of municipality

Difficulties:

1. Gram sabhas doesn't meet regularly
2. State governments have not transferred significant powers to local governments
3. Lack of adequate resources