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INDIAN FEDERAL SYSTEM: CHANGING DIMENSIONS DUE TO GROWTH OF REGIONALISM

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Abstract:-India is a federal country where there are altogether 29 federating units which are called states. When the British left India there were two types of states- the states directly ruled by the British government and another were princely states ruled by native Rajas and Maharajas or Nawabs. No doubt, according to the Government of India Act 1935, there was provision for federation in the country but princely states were not included in it. These states were governed by the Rajas or Nawabs who had framed different sorts of rules to rule the people.

Keywords: Indian Federal System , Growth of Regionalism , organic law .

INTRODUCTION :

When the British left India, the princely states were allowed to either merge with dominions of India and Pakistan or follow their own course of status what they had been maintaining. Hence, the greatest problem for the country was to unite various territories and bring them under a single pattern of rule and administration. The constitution which was drafted for India by the Constituent Assembly provided for the unique type of federalism. In general parlance federalism means "the distribution of the force of the state among a number of coordinate bodies originating in and controlled by the constitution."¹ In the opinion of Garner "Federal government, as contradistinguished from a unitary government, is a system in which the totality of governmental power is divided and distributed by the national constitution of the organic law of the parliament creating it between central government and the government of the individual states at the periphery or other territorial subdivisions of which the federation is composed."² Indian federal system is territorial in the sense that it sets up dual polity with the Union government at the centre and the state government at the periphery, each endowed with sovereign powers to be exercised in the field assigned to them respectively by the constitution. However, there is provision that during the cases of emergency caused by different reasons, Indian federal system may be converted into the unitary one to meet the challenges and protect the unity and integrity of the country. In the words of Ambedkar "The Union is not a league of states, united in loose relationship; not are the states agencies of Union, deriving powers from it. Both the states and the Union are created by the constitution; both derive their respective authority from the constitution. The one is not subordinate to other in its own field; the autonomy of one is coordinate with that of the other."³ Various characteristics of Indian federal system have been given. It is called flexible because in some portions of the constitution changes may be brought very easily. Again, it is called 'unitary in the spirit and federal in character' or quasi-federal and quasi-unitary'. It is all because the centre is more powerful in comparison to the states and states' autonomies or powers may be taken back by declaring various types of emergency in the country. Bhambhri is of the view that the very strong position of the centre even during normal times has led to the emergence of the new trend of centralism, for instance, in the form of national planning what Bhambhri designates 'vertical federalism'.⁴

Thus, it is very much obvious that India has a federal system of government where there are a centre and federating units having constitutional authorities to work together for the betterment of the country as a whole. But in practice, it has been observed that tussles between the centre and the states for powers and differences of opinions have occurred a number of times. Especially during the rule of the Congress from 1952 to 1966 where the party had established political monopoly over centre and states both, the centre remained very much powerful. It is all because

the Congress was the single political party which ruled the states and the centre both authoritatively. There was no opposition of Pt. Nehru's rule. There was neither strong opposition nor dashing Congress leaders who could challenge the authorities of Pt. Nehru. It has rightly been said that "Indian federal system has become of a Unitarian type because of the centralized party system. The role of the Congress and other parties at the centre Vis-a-Vis the states has been governed not by the formal constitutional provisions, but by the role of the party under the towering leadership of the High command."⁵ Scenario of Indian politics began to change with the end of Congress monopoly over political power and emergence of strong opposition and growth of regional political parties which became more and more vocal and remain strict to project the interests of the states and fight for the rights of the states' people.

Soon after the partition of the country, the new government was faced with many serious problems, which provided disintegrating forces and those opposed to the growth of national integration on one hand, and those who wanted to see India a weak nation, on the other. Such people wanted to avail the opportunity to play their role in regional areas. In India task of national integration became still more difficult because of vastness of the country and the people having heterogeneous character. The loyalties of the local people with their local leaders has always been the factor that hinders the process of national integration and unity. It was the British rulers who by applying the policy of divide and rule disintegrated people of India. In the hill areas it was the British authorities who spared nothing to misguide simple hill people and create a feeling of hatred in their mind against India. It is notable that the British while ruling North East India, had applied all possible efforts to spread Christianity among the hill people and Baptise them. That is why almost all the hill people living in the hills of North east adopted Christianity as their permanent religion. The British rulers who had gone too much near to the leaders of the hill tribes instigated them to maintain their own political identity after the departure of the British from India. Under such instigation and persuasion the hill people formed several regional political parties that became vocal for self-rule and sovereignty soon after India's independence. Today, the growth of regional parties and growing role of regional leaders in the politics of centre and states have brought about a number of problems which affect national integration.

What is national integration? By national integration what is meant is that divisive forces should be contained and national and public interests should be kept above everything else. It is a process which helps in bringing discreet social and cultural groups together. It also helps in developing and evolving some basic values which can help in maintaining social order. According to Dr Radhakrishnan "integration... is a thought which must go into the heads of the people. It is the consciousness which must be awoken in the people at large. The government of India under the capable leadership of national leaders has been trying their best to maintain national integrity and create the feeling of nationalism among the people. However, at several occasions the Indian leaders have failed to take right decision to stop insurgency and suppress the demands of regional leaders at the cost of national integrity.

Myron was of the view that area between the centre and the states has not been analyzed properly.⁶ He is very much correct in his analysis. Till the Congress ruled the states authoritatively, no one needed nor dared to fight for the cause of state's development. What the Congress rulers did was acceptable to all. To quote Myron once more "each of the Indian states provides us with unusual microcosms and macrocosm for studying processes of development: a microcosm since the states are constituent units of a large system, and a macrocosm because the units are themselves so large that they can be studied as total systems."⁷ Some of the Indian states under the princely rule had total autonomy. No doubt, they merged with the Indian Union either willingly or under pressure; they did not forget the status that they had before formation of the Indian federal system. The local leaders when they came in prominence realized the significance of the state autonomy and began to oppose unnecessary interference of the central government in the affairs of the state. That is why the regional people began to support the view-points of the regional leaders.

India is a very big country looking like a sub-continent with states as its components units. Like the American Union, she is rightly described as, in the words of Dr. Rajendra Prasad, 'indissoluble union.' When the case of state politics is studied, one takes note of the elements of competitiveness and political bargaining. It smacks of the quest of the state for self-identity and consequent for self-assertion. In other words, while regarding themselves as integral part of Indian Union, the states strive as well as contend for the identity not for the sake of eventually seceding from the Indian Union as for maintaining their separate and distinct culture. Sheikh Abdullah often asserted this point and he endeavored to have some provisions of the J&K constitution repealed that had, in his view, undermined the special status of the state as guaranteed under article 370 of the constitution.

It is true that the political structure of all states more or less uniform on account of being sanctioned by a single constitutional system, yet certain degree of distinction can be marked out so as to highlight the facts of diversity in state politics in India. Its reason may be traced in the working of multi-party system. As the Indian National Congress was the biggest of all India party, it operated under the supreme leadership of small group, called the High Command; it could control the behaviour of its governments in the states with its "big stick". By virtue of being dominated by the leaders of the Working Committee with prime minister in a very powerful position, it could control its governments in the states by installing or changing a chief minister or making changes in council of ministers, or by invoking Article 356 to deal with a challenging situation as a measure of last resort for maintaining political stability. The trend is still in operation and has been followed by other parties like the BJP. It is for this reason

that so many important matters like selection of the party leader to act as the chief minister or composition of his ministry and the like are settled in New Delhi.

However, different is the case with other parties. What has been said above does not apply to parties having a regional character. For instance, National Conference in J&K, Akali Dal in Punjab, DMK and AIADMK in Tamilnadu, Telgu Desham in Andhra Pradesh, Asom Gana Parishad in Assam, and Nagaland People's Front in Nagaland and Shiv Sena in Maharashtra play a different type of politics when they are in power. These parties are not controlled by all India leadership. The result is that the way for centre-state confrontation is opened. Leaders of such parties capitalized on the exploitation of local and regional grievances have come forward with fantastic demands like more and more grants for the implementation of public welfare schemes. In case the center expresses its limitation in this regard, it is used as an instrument to criticize the government of India for being partisan. Conversely, if the centre sends a directive or a piece of advice to a state government in the hands of different political parties, it is often misconstrued as an act of interference with its autonomies. For instance, in 1978 to 1979, the government of J&K did not appreciate the advice of the centre in repealing the Public Safety Act or not going ahead with a fantastic change in its law of citizenship.

Leadership is an essential institution of a democratic political system. It is all pervasive. The local leaders support their regional counterparts. Inversely, it means that top leadership at the central level receives sustenance from local and regional leadership. For this sake, great national leaders take active interest in local and regional politics. There occurs a two-way traffic. As local leaders need guidance and assistance from their seniors, they look towards all India leadership; in return, as all India leaders have to legitimize their superior position, they look towards the junior fellows. State leaders, therefore, stand mid-way. While they draw support from the local leaders in order to maintain themselves in authority role, they also strike to have the patronage of their leaders at the national level. Outstanding figures at the state level are, therefore, picked up for national leadership. The names of G.B. Pant of Uttar Pradesh, Y.B. Chavan of Maharashtra, S.S. Ray of West Bengal, K. Kamraj of Madras, N. Sanjeeva Reddy of Andhra Pradesh etc. immediately engaged country's attention.

It is not much difficult for local leaders to jump to the level of state politics as compared to their jump from state politics to the level of national politics. Thus, ambitious persons brighten their political personality first at the regional level and then use it as a spring board for the final jump. It may be seen at the case of several leaders like H.N. Bahuguna, Kamalapati Tripathi, and N.D. Tiwari of U.P., Morarji Desai, Y.B. Chavan and S.P. Chavan of Maharashtra, P.B. Nrasimha Rao of Andhra Pradesh, Kedar Pandey of Bihar, Zail Singh of Punjab, etc. who had been the chief ministers of their respective states before they were called to the centre. The same point may be studied in the reverse direction also. In order to strengthen their base at the regional level, the central leaders may also dispatch some of their colleagues to the states for sustaining their leadership as Mrs. Indira Gandhi sent back Bahuguna to U.P., Mrs. Nandani Satpati to Orissa, P.C. Sethi to Madhya Pradesh, S.S. Raya to West Bengal and A.R. Antulay to Maharashtra. Such an alternation may, and also may be regarded as an act of promotion or demotion; it is the game of power politics in which national politics interlinked with the state politics.

A look at the basic data of states relating to their political structure leaves this impression that they "all share a common legal system, a common constitutional framework, a common administrative structure, a common international environment."⁸ And yet it may be said that they marked differences in respect of their demographic composition regional traits, linguistic and dialectical expressions, cultural and educational advancement, social stratification, economic growth, political behaviour and the like. In the words of Fadia "Working within the common framework of the national government, sharing common legal and administrative system, the diversity that the states of the Indian Union display in their political process is indeed amazing. They seem to differ from each other not only in their emotional build up and mental outlook, but also in their political affiliations. Some states are strong centers of leftist ideology, others are staunchly anti- leftist."⁹

In India with the rise of regionalism based on geographical environment, cultural and social elements, and religious as well as communal atmosphere, have marked notable changes in political activities of states. Along with regionalism sub-regionalism and infra-nationalism are other factors that have moulded state politics in India towards dangerous zone. Regionalism blinds the people of a particular state or its part to the extent that they have no moral compunction or rational considerations in staking their claim to what even goes against the interest of the country as a whole. In such situation nationalism or national feeling for India is left aside and the behaviour of the state become as if it is not the part of the country. Regional leaders exploit the grievances of the people with the result that matters are taken to the streets where violent demonstrations are held. It, however, does not mean regionalism is all bad. It plays its part in political development itself and takes care of economic development of the state. While it encourages the people to agitate for their claims, it also aspires them to establish reconciliation between regional and national interests. For instance, the creation of Telgu- speaking state of Andhra Pradesh as a result of bifurcation of Madras state in 1953 proved a blessing in time to come. Moreover, the agitation began by the Naga National Council and followed by Naga Nationalist Organization (NNO) forced the centre to create the state of Nagaland in December 1963. Assam was bifurcated and other states like Mizoram, Arunachal Pradesh, Tripura, Manipur, Meghalaya and Nagaland were created under the pressure exerted by the regional political parties of these places. In Andhra Pradesh, the agitation started by the Telengana people for creation of Telengana state is the case of sub-regionalism.

Another case of the triumph of regionalism can be studied in bifurcation of the Bombay state in 1960 into Maharashtra and Gujarat. It also proved beneficial in the long run. Bifurcation of Punjab so as to create the state of Haryana in 1966

Sometime, the trend of regional moves in a wrong direction creating big problem for national unity. When it is backed by certain secessionist forces, it challenges serious threat to the national unity. In such a situation the centre has to take strong and tough step. Movements of the people neither backed by potential linguistic factor nor by that of administrative efficiency and economy, lose their relevance. The result is that the central government dubs such situation as anti-national and has to take drastic action against them. In case of Nagaland and Mizoram, the regional forces took up even arms against the government of India and demanded secession of their land from rest of the country and grant them independent sovereign status. At that time the government of India had no option left other than to mobilize the Indian armed forces in their territories and suppress the rebellion with iron hand. In Assam the Bodos and some other tribes are still creating problems by agitating against the government for the demand of separate state within Assam. The government is not in a mood to bifurcate Assam again and again. However, the political situation in North East India that has been inclined on the path of militancy/insurgency, has compelled the central political leaders to listen to the view points of the rebels and provide constitutional adjustment (if possible) to bring back peace in the insurgency-prone areas. All these happenings have brought about changes in original federal set of the constitution. Various Commissions, such as Sarkaria etc. , were set up to study the problem and recommend suggestion to readjust relations between the centre and states.

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