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M.A. PART - II
Sub Group 'E'
STATE POLITICS IN INDIA

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2. Formation of States, Issues of resources - river waters, minerals, energy sharing.

3. Structure and Functioning of the State Legislature, Executive and Judiciary.

4. Issues in Regional Politics : Interface between Politics and the Economy, Role of Trade Unions and Peasant Movements; Mass Movements - Women, Youth and NGO's Role of Mass Media - Print and Audio Visual.

5. Linkages between Regional and National Politics : Decline of One Party Dominance and Emergence of Coalition Politics.

6. The changing Role of Caste, Elites, Religion and Language in State Politics.

7. Local Government and Politics : Panchayati Raj and Nagarpalika.

8. Impact of uneven development in states on the federal polity - State finances and the Issue of Autonomy.

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APPROACHES CONCEPTS AND METHODS OF ANALYSIS OF STATE POLITICS

Unit Structure

1.0 Objectives

1.1 Introduction

1.2 The need for formation of the federal set up--historical sociological and political compulsions.

1.3 Methods in studying state politics-Comparative, Institutional and System theories and their limitations

1.4 The growth and emergence of regional parties, its implication for national unity and foreign policy

1.5 Conclusion / summary

1.6 Unit End Questions

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1.0 OBJECTIVES

1) To understand the need for setting up a federal structure in a pluralistic, society like India

2) To analyze the various methods in studying the functioning of state governments.

3) To look into factors responsible for the growth of regional parties and their impact on national politics.

4) To find out the role of established institutions in solving inter-state disputes.

5) To study the compulsions in foreign policy making with the regional demands from states sharing border with foreign countries.

1.1 INTRODUCTION

A multi religious, multi linguistic, pluralistic society like India cannot go for pure federal structure. More so it is for a democratic set-up. Democracy believes in decentralization of political power. A sound democratic set up is one where every citizen gets an equal opportunity to have a say in the government affairs. This can be

achieved by evolving a system where the power is decentralized to the lowest level. So it is against the system that the rulers decide and impose their decision on people down the ladder. The people who have to face the consequence of the policy formulated by rulers should have a say in the policy formulation. This is more widely possible in a federal democratic structure. Since the govt. powers are divided between centre and state. There is an element of decentralisation operating in the gov. affairs. The federal system aptly provides for such an eventuality. We have centre, and state governments operating in their respective fields. These powers are clearly elaborated by a written constitution. The citizen has the opportunity to have a say both in the centre and state policies. Periodic elections enable the citizens to judge the performance of both centre and state govts. There are also occasions where citizens elect different govts at centre and states. This again gives a new dimension to the centre – state relations. If different political parties with varied ideologies are ruling. In a country like India where numerous regional parties are competing for political power, and adamant about their regional demands many times following a confrontational attitude towards centre, the "ideas of co-operative federalism" becomes more difficult to achieve. However, India emerged as a quasi-federal state.

1.2 HISORICAL SOCIOLOGICAL AND POLITICAL FACTORS OF INDIAN FEDERALISM

Before the advent of British rule, India was a loose confederation of many independent states. The regional states were politically strong and the "centre" had a nominal control over them. With the consolidation of British power in India the power shifted to centre. The "Independent provinces", had no military nor any saying in foreign policy. They paid huge protection money to Britishers. Their power was confined to internal matters. The princes of rulers were puppets in the hands of imperialists. Slowly Britishers extended their rule through policies like "policy of lapse i.e. if a ruler dies without an heir, that province will automatically become part of British India, the colonial rulers 'integrated' the loose confederation of independent states into one centralised state. A steel frame work of administration, with over emphasis on law and order stability and an attitude or social arrogance the concept of white mans burden. Indians need to be ruled by Britishers for their own good marked the imperial rule. The net result was the over centralised power structure with no voice for people. A strong and united India, where Indians themselves were subject race was the outcome. Here the voice of people had no bearing on the policies of imperial power. There were no institutional mechanisms to check the misuse of government power. We had a strong power at centre exercised by a foreign govt. The

provinces were independent only for names sake as entire powers were vested with viceroy and governor.

The formation of Government of India Act 1935 introduced a semi resemblance of federal structure. But the veto power exercised by the Governor who was the head of the executive council nullified whatever little power was enjoyed by legislative council in the provinces.

So it is only after independence with the enactment of the constitution that a new beginning was made in the Indian federal system. However in the constituent assembly debates we notice a strong opinion emerging in favour of unitary system of polity. The partition of India based on religion and the aftermath tragic events left a strong impact on the minds of founding fathers of the Indian constitution. They wanted strong centre that can check the fissiparous tendencies emerging in the newly independent country and preserve the unity of the nation. But they were also liberal minded. They believed in liberalism, democracy and freedom. These were ideals for which nation fought against colonial rulers. So the libelal philosophy had a strong impact on their thinking and eventually on the constitution. In fact many writes comment that the Indian Constitution is a "liberal document", knowing the dangers of excessive powers being concentrated at one place, they opted for federal polity. However the system they opted was unique. It suited the Indian conditions. The system struck a balance between the democratic aspirations of the people and the need to preserve the national unity.

As mentioned earlier the historical factors played a role in the formation of federal structure in India. Normally a federation is formed under three conditions (i) the existing state is divided into several regions either for administrative reasons or to address regional demands (ii) within a federal structure division is undertaken to create new unit. For example recently the Andhra Pradesh state was bifurcated and a new state Telangana was formed (iii) some times new states are added to the existing federation for example Sikkim an independent state was annexed to Indian union it is clear that all the three types found a way in the life of the Indian federation. To begin with hitherto existing independent provinces were amalgamated into Indian union. A new political map was drawn out of British India, and independent provinces, into one Indian Union. Some boundaries of provinces were redrawn.

Then came the demand for linguistic division of the country. So the map of India was redrawn. with language as the basis of new states. But due to persistent demands for smaller states, the linguistic states were frurther divided. Like U P was divided to

create Uttarakhand Bihar to create Jharkhand, M.P. to create Chhattisgarh, Andhra to create Telangana and so on.

In a way the demand for linguistic states, arose form the sociological compulsion of Indian system. India is a multilingual and multicultural community. People speaking different languages are residing in composite regions. Language provides a stimulus among the people speaking the same language. Language acts as a vehicle to communicate the cultural traits among the people. It also acts as a custodian of history. It provides them with an identity. So in composite regions a clamour for separate province often emerges. The demand for separate state for people speaking the Telugu language, was very old, it emerged during freedom struggle. It was a spirit or renaissance. Most of the freedom fighters from Andhra, simultaneously pleaded for separate state for Telugu people. As mentioned earlier the colonial rulers were not sympathetic to any democratic demands that might hamper the concentration of their power so any movements towards self-rule freedom was suppressed. The Telugu speaking community was scattered in different regions. The Nizam ruled Hyderabad state in particular followed an antagonist policy towards the telugu people. The rest were in coastal areas. To bring them together and carve out a separate state was a cherished dream of many Telugu people coming from, cultural, political and literary circles.

The Congress party which was fighting the colonial rule agreed in principle to have Indian political map redrawn on linguistic lines. For this purpose, the Congress party recognized the language as basis of formation of State units. So we had Andhra Pradesh Congress committee, Karnataka Pradesh Congress committee and so on. So the foundation for formation of a federal set up based on language was laid down during freedom struggle itself.

But the advent of independence created new problem. The British imperialists added a new twist to the Indian independence act. They gave an option to the princely states which were under their protection, either to join the Indian union or Pakistan or remain independent. This created a big problem for the newly independent nation. There was the urgent need to "integrate the princely states into Indian union. This was done with persuasion and some time with little force under the effective leadership of Sardar Patel. While democracy was the ideal, keeping country united against separatist forces became a matter of urgent concern. There were some parties propagating for separate, independent state for Tamils on the basis of Pakistan to add to the problem the communists who did not accept Indian independence as a reality resorted to "direct action" in telengana area. They wanted to establish a communist system in India through violence and

annihilation of "rich", there were killings and a parallel govt. was running in these regions. So the need to curtail such tendencies became a priority. So the constitution makers evolved certain institutional devices which while providing democratic decentralization also act as a check against balkanisation.

So we have a structure "which is unitary in nature federal in form. This can be better understood by analyzing the following constitutional provisions.

i)   There is a single citizenship
ii) We have a single judiciary – The supreme court of India is the final court of appeal Its rule is binding on all courts.
iii) There is an all India administrative service which is entrusted with the task of carrying administrative work in various states. This is regulated by the central government
iv) The Constitution provides for imposing presidents rule (Art 356) in the states.

The Constitution gives special powers to governor. If he is satisfied that law and order situation in a particular state is collapsing and the state govt. is unable to maintain it, he can recommend presidents rule. This clause has been misused many times and the govt. as centre gets rid off unfriendly state govts., though they had full majority. However, because of supreme court judgment in Bommai case the mis-use of article is a frequent culture. The essence of judgement was that the governor should not use his discretion claming a state govt. has lost its majority and advice president rule wherever any doubt arises. When a particular state chief minister has lost majority, he should he given an opportunity to prove his majority on the floor of assembly. But still the govt. acting as an agent of centre can create troubles for the elected governments.

v)   The constitutional provision regarding the division of powers between centre and the states once again exhibits a bias towards the strong centre. The provision for the concurrent list establishes the supremacy of the centre.
vi) The Constitution empowers the centre to create new states, to change the boundaries of state, amalgamate the state. For this a simple majority in parliament is enough. The consent of state legislature to bifurcate the state is not mandatory. Recently Andhra was divided and state of Telengana was created although there was stiff opposition among the elected members from Andhra side. So a demand was made that the constitution was amended to curb the power of centre to create new states Under article III.

This institutionalised set up for a strong centre did not ignore the regional sentiments and passions to have a separate state of their own. Basically India cannot be called a fulfilled nation from the western standards. It is still a nation in making. The emotional integration of people into one nation is yet to be achieved – the pulls of regionalism, caste, language are stronger than the appeal of nationalism. Basically India is a loose confederation, a pluralistic social system, there are multiple ethnic, linguistic social groups with separate culture and history. Wearing such diversified groups into one nation-state is an uphill task Historically whenever centre is weak, the regional forces assert themselves. Here the ideal is peaceful economic development and welfare administration has different priorities. Its approach is different oriented.

There was the need of rapid economic development and equal distribution of natural resources. Special attention to backward regions were some of the goals the national leaders set for themselves. To achieve these goals a peaceful, cooperative attitude in different regions and provinces is necessary. So all efforts be made to remove apprehensions and antagonisms and to have an attitude of listening to their needs. So the national leadership decided to yield to regional demand. So the states Reorganization commission was appointed to redraw the political map of India, to give importance to regional languages and cultural traits. In some cases like Maharashtra the decision was delayed. There was a desire to keep composite Bombay state untouched. But due to the pressure of public opinion Bombay province was divided and Maharashtra and Gujarat states were formed . The demand for more smaller states is continuing.

Changing Patterns of Demand :
There is a difference in the earlier demand and later demand for creation of states. In earlier days language was of powerful potential factor in limiting people for a separate state. That is one language residing in one state. But later we find three social factors coming up to play. People speaking same language residing in one state began to feel the class conflicts based on caste. It is a well known fact that in Indian social system caste plays a dominant role in economic, political and even cultural matters. In a situation of one language one state the majority caste got consolidated. This had created apprehensions among other castes speaking the same language. The religious minorities, the lower caste, feel the exploitation by majority caste who dominate the political economic and social power in a particular state. Telengana became a separate state as, there was resentment against reddy kamma caste amongst the people. A similar demand is made in Vidharbha against Maratha domination in Maharashtra. Some of the tribes in U.P. and Andhra wanted a separate state for tribes residing in forest regions. Perhaps Dr. Ambedkar envisaged this problem of a

domination of a majority caste in a particular state speaking a particular language and pleaded for a system where there could be more than one state speaking the same language. Apart from caste ethnicity, culture, geographical locations also add to the demand of new states for example the division of Punjab into Punjab and Haryana was actually virtually based on religion – Punjab for Sikhs and Haryana for Hindus- though this has been officially denied the picture of redrawing the map of federal India is far from over. New demands keep getting created. Thus the federal polity of India is unique.

Check your Progress:
1) Make an estimate of the growth of the federal system in India, bring out the role of different factors in the evolution of federalism.

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1.3 METHODS IN STUDYING STATE POLITICS

Since it is **t**ermed as inexact science, political science and the issues coverd by it cannot be studied scientifically like physical sciences. Yet over the years efforts are being made to introduce certain scientific methods to have a better grasp of the subject- for a long time political thinkers followed what is known as normative approach. This is basically speculative in nature and based on value judgment for instance what is the best form of government? What are the ideal political systems for different societies? How to achieve the core values like equality, social justice and freedom and such related things? Can such an approach be followed to study the functioning and nature of state government in federal structure? On the face of it we may say no. Because the study is cutout from reality draws heavily on moral values and emphasizes is on "what ought to be rather than "what is"? If one has to understand the functioning of the State Governments, what is required is to have an empirical approach. To study its actual functioning and problems facility and the efforts made by the concerned authorities to overcome them. So mere speculation has no significance in understanding the federal structure. Again different political systems require different types of methodology and it would seriously hamper the study if we adopt one standard speculation norm to judge the govts. For instance in a political system where there is instability the economic activity and

competition for meagre resources becomes the trend. On the other hand a fairly developed economy gives strong democratic culture, more freedom might be given to regional units to plan their our own economic development. So cultural diversity, ethnic plurality, multi lingual systems may require one type of federal structure, while a state with uniform culture, tradition and common language may require a different system. Then how can one have a normative approach which stipulates a standard for a "good government"?

But it does not mean that he normative approach is totally useless in studying the functioning of state governments. It provides a yardstick govt. by which we can analyze the level to which a govt. has achieved its duties towards people. Gandhi's sarvodaya, village panchyat system, can offer some guidelines to a predominantly agricultural country like India as in how an ideal state should function? Excessive centralisation of power and central planning for economic development though may be effective in rapid economic development but may jeopardise the interest of people . To make any economic policy effective people's participation is necessary. People should feel that the projects undertaken by the govt. is for their own good. If such a feeling is created they would willingly bear little hardships like moving to safer places if big river projects are undertaken and so on – This basic philosophy of avoiding middle man and govt. directly dealing with people is the essence of sarvodaya philosophy.

Today a new term "public private participation", is adopted. When the constitution was amended to make panchayats get financial help directly from centre by passing state govts, the philosophy of" ideal and self-sufficient village is touched upon. Here gandhi's ideal of Ramrajya is being reflected. So while normative approach may not be strictly scientific, it can still be helpful in studying the state governments in a federal set up.

1.3.1 Institutional approach:

This approach can be called as empirical method. Here we analyze the existing legal political and administrative institutions and their functioning. As per the rules laid down- one can study the working of the state government by referring to the constitutional provisions. Indian constitution is a lengthy document and one of the reasons its lengthy nature is the provision of three list system providing for the powers of the centre and the states. While in some federal countries, the powers of centre are listed and non listed powers go to the states automatically. In other types, the powers of the state are listed giving non listed powers to centre but India because of its peculiar nature - to avoid any confusion about the role of centre and its predominant position has a detailed list. To stress the dominant role of the centre the concurrent list is

provided. This list has the powers not listed either in the centre list state list. The constitution provides in case of both the centre and the states wanting a particular power listed in the concurrent list, the centres will prevail. This provision has not been going well with many states which are demanding more powers and autonomy. With the coalition govts. at the centre and its dependence on the state govt which are ruled by the regional political parties the functioning of the federal structure has taken all together new turn.

Economy & FDI (NRI) :

For instance the foreign trade and commerce is earmarked to the centre but now a days it is not uncommon for the chief ministers of different states to directly appeal to people of their states settled in foreign countries to come and invest in their respective states. It is almost an accepted convention that the N R I (Non Resident Indian) were invited to invest and participate in the economic development of a particular state from where they hail. The initiative is taken by the state govt. bypassing the centre. The economic compulsions, the demand of market economy which insists the liberalization of foreign flow of funds has made the centre the line of the states in their venture to attract funds from N R I of their particular states. But the Constitution has clearly earmarked the power of foreign trade to centre. So a study of this changed position can be made. The position of states exercising power is quite visible not only in inviting foreign funds but in other fields as well. This phenomenon, became more explicit soon after Nehru's death.

Role of Chief Minister :

The state chief ministers of the Congress ruled states formed what is known as "Syndicate" and decided who should be the prime minister of India. This behaviour of the CMs of congress ruled states was akin to the attitude of feudal lords in medieval period, who assembled to select kings candidature. This power struggle between the prime-minister and the syndicate led to a situation when Mrs. Gandhi the then prime-minister actively defeated the syndicate in the power struggle. The manipulative power politics of Mrs. Gandhi shifted power to the centre from states. The centre would appoint or remove the chief ministers of congress ruled states at its sweet will. For each and every small issue – like expansion of cabinet, the state CMs would lodge for approval from central leadership this was because a strong leadership with the absolute majority in parliament was ruling centre. In such a situation the state govts became only an extended branch of central govt. So a study can be made of the institution of political parties their leadership and the power emulation between centre and state-again unique feature of Indian federation.

Role of Governor :

The situation gives an altogether different picture, where parties which are different from party at centre are ruling the states. Herein, institution of governor becomes significant. The institution of governor is unique to Indian federal structure. The governor is the non elected chief executive of a state. He is appointed and can be removed by the president of India. He is the representative of the central govt. and reports to the centre about the functioning of the state government. The chief minister of a state, who is elected by the majority party is the real executive. He is responsible to the state legislature. He is elected by the people of the state and is answerable to them. While the governor does not belong to that state, nor is elected, he has some extra powers. These include recommending the imposition of President's Rule in a state, if he is satisfied that there is a breakdown of law and order and the government has lost majority or any such eventuality if where normal functioning of the state government is not possible as per the constitutional provisions. In a way, here is diarchy in states. An elected executive and nominated executive. There have been many instances, where the governor acting as the agents of the ruling party at centre and deestablising elected state govts ruled by different political parties. A detailed study on the role and functioning of the governor, can go long way in understanding the state govts functioning and problems faced in the multi-party federal structure.

Role of Central Govt. :

Now it is established convention though not a desirable one that the ruling party at centre would like to appoint the governors of its choice to various states. The criteria is not competence, integrity, knowledge of constitutional matters, but loyalty to the ruling party at centre matters most in the appointment. Some of the governors interfere in day to day administration causing trouble to the elected Chief Ministers. There were some extreme suggestions that the post of the governor be abolished. Many suggest that the consent of the state Chief Minister be obtained before the appointment is done. By and large through various supreme court judgments it has been established that, if a state government is enjoying majority, the governor would be a titular head but since he is the representative of the centre, and has to report to centre on the functioning of the state govt, the actions of governor might encroach upon the powers of states real executive i. e . chief minister and cabinet .

Similarly quasi-Legal institutions like Lokpal, Human Rights commission also exercise some influence on the functioning of state government. A study of functioning of these institutions will be much help in understanding the nature of state government. Similarly Supreme Court role in harmonising centre-state relations,

through judgment on various issues concerning the powers of governor should be studied for a proper understanding of federalism.

1.3.2 Comparative method:

As mentioned earlier there are different types of federations Not all of them are democratic. Formal U.S.S.R had a federation. There was a provision for the states to become independent from federation if they so desired. But it was a centralized system with strict party control over all political activities in the absence of any other political party apart from the communist party. The provision of State autonomy was meaningless. But with the collapse of the U S S R many hitherto existing provinces become independent countries. This change can be studied by using comparative method. What were the conditions before the collapse of U S S R and now what are the challenges new states face can be better understood through comparative method. The method can be used to study not only between two independent federal structures like India and America or India and Australia, but also a federal system under different conditions. Like USSR, Indian federalism also exhibited different characteristic due to changed political equations. The first decade of Indian independence exhibited a marked co-operations between centre and states with congress party ruling at centre and most of the states and with Charismatic leadership of Nehru, there were hardly any cases of "centre-state conflicts." There were shared ideology of planned development, public opinion was in favour of the leadership. Despite a few irksome instances the harmonious federalism was operating. This situation if we compare to the situation after fourth general election we get a totally different picture. Many states were being ruled by non-congress parties . They demanded for greater state autonomy. A stiff opposition to hindi being made a national language created a hostile opposition to centre in south. A clamour for greater autonomy rose. The things changed with Mrs. Gandhi assassination but only for the short spell with coalition at centre, the regional demands became strong. So a comparative approach is necessary to understand the working of Indian federal structure.

1.3.3 Systems theory :

Study of political institutions is not satisfactory unless the system under which these institutions operate are studied. For instance it has been pointed out that a country like South Africa where diversity of races exist. Plurality of groups operate a strong sense of individualism and a clamour for freedom is the order a federal structure with more freedom and powers for states natural thing. While France by and large has a collective mentality. Britain although a great democratic country is quite happy with the unitary form because of its cohesiveness to the people-same language,

shared history and culture and so on. By studying the social, political and cultural environment under which these institutions exist one can get better picture of their functioning.

The Indian political system is dominated by its social system. The factors like caste, regional pride, hero-worship mentality communal sentiments, linguistic chauvnism, dominate peoples thinking. Inevitably this has an impact on the polices pursued by state govts. More often then not the state govts pursue policies that cater to the regional sentiments, appeal to caste feelings without any regard to long term repercussions. For instance introduction of regional language as the medium of instruction may in the short run provide regional pride but in the long run put the students at a disadvantageous position, when they lack proficiency in English. It also presents free movement of students from one state to other state. Similarly the populist policies of offering free monetary aid, Free distribution of TV sets computers providing unemployment allowances and such things have a drain on public exchequer. Yet no state govt dares to stop this lest they be accused of following polices which are anti-people. Big landlords are reluctant to repay. Though it has serious consequences on the banking system the govt dare not initiate any strong measures against them because they have caste based support. The concept of ''social justice'' is highly selective in the Indian social context. It is decided by the socially and politically dominant caste.

When the issue of allotment of seats to Rajyasabha or state legislative council or nomination to various government bodies creep up what matters most is the caste. Each and every group would demand share in govt posts. The caste sentiments undermine the cause of "genuine social justice", For instance the idea of giving 33% reservation to women in parliament is aimed at empowering women politically and promoting general justice. But some parties opposed it with the apprehension that the it may undermine caste domination. So a suggestion was made on the women representation based on caste. This has virtually made govt to keep the matter in cold storage. So strong is caste pull that it can veto any legislation and the state govt is helpless. Even when the corruption charges are leveled against chief minister, it is projected as harassment of a particular caste. The case of Mayawati is classic example. During the debates on corruption charges may "intellectuals" strove hard to drive the point that a 'dalit woman' is being targeted by upper caste people.

The point to be explained is that without understanding the social system our analysis of functioning of govts will be incomplete. Mere institutional approach will give us legalistic answer. Comparative approach provides the data of similarities and differences between various forms of federalism. They have there

advantages and limitations. Even the systems approach may lead us to many sociological, cultural, and ethnic components and eventually we may lose the track.

So we should be selective and select such method or combinations of methods which can help us to understand the functioning and problems of state govt in a federal structure.

Check your understanding
1. Describe various methods of studying federalism what are their limitation.

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1.4 Regional parties and its implication for national unity

India is a democratic polity where multiple political parties are operating. These are national and regional parties. The growth of regional parties can be attributed to the major factors. The dissent within the congress party which had monopoly of political power for more than three decades. Secondly existence of strong ideological factors which are at variance with the accepted 'national ideology'. The policies which are formed out of congress tend to favour parent organisation or enter into some type of electoral understanding. They do not have long history. Most of these parties have name "congress" in their names. Like Trinumul Congress, Kerala Congress, etc. Normally their ideology is too thin and it is personality clashes that prompted the formation of these parties. Where as the regional parties which have formed on strong ideological basis have a long history and today are playing a crucial role in Indian politics. They act as pressure groups, challenging the national policies, catering to regional passions and needs. They have prevented the centralization of power. Any party that is ruling at centre will be compelled to take a note of regional sentiments before framing an all India policy. For instance on the national language issue, the Tamilnadu parties like DMK AIDMK out right resist to make hindi as national language. There is a political history of anti-Hindi agitation in tamilnadu. So the constitutional provision could not be implemented, centre has been compelled to yield regional pressure. Some regional parties like Akali Dal are based on religion. No govt can initiate policies which will not be to the liking of Akali leaders. We all knew how difficult it was to control of

Akali extremism in Punjab and the consequences operation Bluestar. Even now some parties openly claim independent Sikh state. Creating regional animosity. Similarly small parties that cater to Muslim sentiments are strong in selected areas like Kerala, Hyderabad and oppose any attempt to change the Muslim personal laws.

Ones pride in their our language has resulted in hatred of other languages. Regional parties like Shiv Sena, Assam Gana Parishad, Telgu desam rally around language issue. In 1960 s and 70s in Maharashtra attacks have been conducted against non Marathi speaking people. Regional parties always claim, people from these states are looting their opportunities and the reason for a state economic backwardness is 'influx' of outsiders". In Maharashtra south Indians and biharis were targeted by Shivsena, in Telangana the Telangana Rashtra samiti (TRS) claimed that people from Andhra speaking same language and sharing similar cultural trails have exploited telengana. In Assam area bodos have an ethnic clashes with non-bodo tribes. The example can multiply the point to emphasize the point is the existence of regional parties have a strong bearing on functioning of federal structure and in more than one way they cut the power of Central govt. Even if the same party is ruling at centre and state, the regional pulls will be so strong that no political party can afford to ignore them The water dispute between Tamil Nadu and Karnataka is an example. While he congress party at centre had D.M.K as an ally and Karnataka ruled by Congress yet he congress govt in Karnataka followed a policy of not releasing Kaveriwater owing to local peasants. The inter- state water dispute is a very big issue that can threaten national unity and integrity. Whenever a state constructs a dam it prevents the flow of water to other states which are geographically at low level. The argument of the state would be very need of water for irrigation and power generation. The states of lower level literally complain that their natural right to use of natural resources is affected by this measure. Here the parties of different ideologies unite to serve their state is interest. For instance Maharashtra constructed Almetti dam that Andhra felt would reduce flow of Godavari river. However both Maharashtra and Andhra were ruled by the congress party and congress party was ruling at centre yet the problem compounded with litigation, agitation and so as.

Another aspect of regional parties influencing federalism is in the area of foreign policy. It has been an accepted norm that international relations, Foreign policy, friendship and trade agreement with neighbouring countries is the prerogative of the central government. But in India the regional parties have virtually fixed the agenda on some of the foreign policies. For instance the Dravidian parties in Tamil Nadu would not allow any more conciliation on part of India towards Sri Lanka. There is pressure on

central government to vote against Sri Lanka in U.N. This may not be in the "national interest" – as needless antagonism with a neighbouring country is not a prudent policy. But still the pressure of regional parties is so intense that the central government is compelled to take such steps. Recently when the new government invited the president of Sri Lanka to come to oath taking ceremony of new government there were protests of the reigional parties in Tamil Nadu.

Similarly the Trinmool Congress in Bengal is opposed to treaty of sharing river water with Bangladesh. It is also opposed to sending back illegal imigriant from Bangladesh. We all know the stand of parties like Hurriyat at conference on relations with Pakistan vis-v Kashmir issue. Even the ruling National Conference would like a soft approach towards Pakistan.

Check your understanding:-
Explain the regional forces and how they affect national policies.

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1.5 CONCLUSION / SUMMARY

A vast country like India with a pluralistic culture has to have a federal system. If it wants to pursue a democratic polity. When regional passions were on raise, attacks were carried out against people from other states many expressed feeling that Indian nation might collapse under the weight of regionalism. A demand was voiced to scrap the linguistic states and switch on to unitary state. Although it was a minority view the strong sentiment behind such view could be discerned. But it has been proved that the federal structure has infact stemmed the self national tendencies. Today all regional parties have realized that they can get their share of political power through present arrangement of federal system. The demand of separate independent states is no longer heard. Even the D.M.K. which once galmoured for separate Tamil State had given up that demand. The Dravidian parties are fighting for effective implementation of constitutional provisions the states powers assurances on non imposition of Hindi, greater financial assistance from centre and so on. They are working within the constitutional set up. This itself is a victory to Indian Democratic system. India tried to curb the linguistic and regional desires by force and imposed unitary system. There would have been balkanisation and disintegration of the Indian nation. We have the

example of Bangladesh emerging from estimate East Pakistan due to rigid policies of curbing linguistic aspirations of people by military rulers and West Pakistan. India has been presenting its domestic set up and pluralistic nature in that endeavour federalism has played a crucial role.

Indian federalism is unique. To understand its working, different approaches are needed. Each approach has its limitations. A combination of historical, institutional, normative and systems approach may be needed to have a graspe of the state governments as they are functioning under their structure.

Though federalism has been functioning reasonably well, the problems are plenty. The growth of regionalism, animosity towards other regions, imbalance in economic development, inter state disputes, plague the nation. What is required is to strengthen the existing institutions to faithfully implement constitutional provisions and create an awareness among cities that what India wants is unity not uniformity. Unity in diversities is our national motto and federalism strengthens it.

1.6 UNIT END QUESTIONS

1) What are the various difficulties involved in running the federal structure in India?

2) Examine the constitutional provisions that decide the centre state relations in India ?

3) "India is unitary state in nature and federal in form" – Explain

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2

FORMATION OF STATES, ISSUES OF RESOURCES-RIVER WATERS, MINERALS, ENERGY SHARING

Unit Structure:

2.0   Objective
2.1   Formation of States
2.2   Issues of Resources
    2.2.1 River Water
    2.2.2 Minerals
    2.2.3 Energy Sharing
2.3   Let us sum up
2.4   Unit End Questions
2.5   References

2.0 OBJECTIVES

In this chapter we intend to get introduced to some of the major concerns in state politics in India. Formation of States and control over resources like river water, minerals and energy sharing are some of the contentious issues in practice of federalism. The intention is to get introduced to various dynamics of centre state relations and inter-state politics within federal framework of Indian political system.

2.1   FORMATION OF STATES

Formation of states remains contentious issue in the federal organisation of Indian Polity. Soon after the independence, India was reorganized on the basis of geo-linguistic contiguity along with economic and regional coherence. Thereafter various movements and demands for equitable regional development and the recognition of linguistic-cultural rights of their minorities grew and altered the federal map to considerable extent. Recent additions in the list of states are Chhattisgarh, Jharkhand and Uttarakhand in the year 2000 and Telengana in 2014.

India has a long history of formation of states. Language was the basis for the demand for reorganization of states before independence. Indian National Congress (INC) supported the idea of linguistic states from the beginning of the 1900s. In 1920 INC reorganized its own party units on the basis of regional linguistic boundaries. Language characterized the paradigm of statehood by nationalists in such a manner that it resulted in awakening of interest in self-rule among various nationalities and ethnic groups. Provinces of Andhra, Karnataka, Orissa, Tamil Nadu and Sindh asked for the cultural reorganization of provinces on the basis of the principle of language. In Bihar in 1937-38, a Bihari-Bengali controversy emerged. The demand for Chotanagpur and Santhal Parganas under the name of Jharkhand and Darbhanga within the region of Mithila emerged. During this period, Central Provinces and Berar legislative assemblies passed a resolution calling for the separation of Marathi and Hindi speaking areas. Realizing the potential of linguistic nationalism on rise, the Congress working committee in 1938 asked people to desist from making demands of the linguistic provinces. The post 1947 movements for statehood had their origins in this pre-independence phase.

In 1950, there were 27 states of different status and powers. In 1956, the number of states was reduced to 14, mainly on linguistic lines, each having equal powers and function. Thereafter new states continued to crop in to house India's manifold diversity. The Indian constitution is quite flexible in its provisions for the creation of new states. The Indian federation, constitutionally speaking, is an indestructible union of destructible states. The Indian Constitution (Articles 3-4) empowers the Union Parliament to reorganize the states for territorial adjustment. So far more than 20 Acts have been passed by the parliament to give effect to states reorganization.

Andhra Pradesh owned the distinction of being the first state created on linguistic basis in 1953. The Government of India formed the States Reorganization Commission in 1953, and subsequent upon the basis of its recommendations, passed the States Reorganization Act in 1956. In 1956, the new scheme of reorganization was enacted by which state boundaries were redrawn to correspond with linguistic boundaries.

Since 1956, the process of states reorganization continued unabatedly. New states were created on the basis of both ethno-

regional and linguistic characteristics. In the 1950s and the 1960s, language was the most significant factor behind formation of new states. In the 1970s, India's northeast region underwent major reorganization. Three new states were created as a political recognition of tribal identity. In the 1980s, another three states were created (two in the northeast and one in the southwest).

State is created by upgrading the status of a "Union Territory". Till now there are seven Union Territories directly ruled by the Central Government within the federation. Some states like Goa were formed through up gradation of the Union Territories and granted statehood for ethnically significant people living within a given territory. Statehood means more autonomous powers, and more freedom of action within the federation.

At the heart of demands for statehood has remained the urge for decentralization and autonomy for the protection of identity and for development. There are new bases for state formation as well. In the formation of Chhattisgarh, Jharkhand and Uttaranchal, language, as a symbol of identity, has played very little role. The process of creation of Chhattisgarh out of the state of Madhya Pradesh has been peaceful. The parent state of Madhya Pradesh was created in 1956. A movement for a state of Chhattisgarh has existed from about the 1960s. The ex-Malgujas, the rich peasants who collected land revenues on behalf of the Maratha and the British rules spearheaded the movement for Chhattisgarh. The new state of Uttaranchal was carved out of the northern mountainous regions of Uttar Pradesh, India's most populous state. Ecology as the defining factor of ethnic identity played the most active role in the creation of Uttaranchal. Lack of economic development and protection of cultural distinctiveness born of the ecological distinctiveness of the hill people of Uttar Pradesh defined the tenor of the statehood movement for Uttaranchal. The state of Jharkhand is the product of historic struggle by tribals in Bihar for the protection of their identity, for power over development in their region, and for a state of their own. In the creation of Jharkhand state, regional underdevelopment and a sense of deprivation have combined with tribal affiliations. And as in the other two cases, language factors played no role in carving out the state.

The process of formation of states in India does not seem to end here. The social and cultural landscape of the country is dotted with various movements for statehood, rooted in communities'

concern for their identities, such as, Harit Pradesh in western Uttar Pradesh, Vindhyachal in Madhya Pradesh, Telengana in Andhra Pradesh, Vidarbha in Maharashtra, Kodagu in Karnataka, Gorkhaland and Kamtapuri in West Bengal, and Bodoland in Assam.

It is generally observed that movements for statehood have grown out of dissatisfaction with institutional measures such as District or Regional Councils, Union Territories, and Associate State or Sub-State units that failed to address the grievances emerged out of complex diversity combined with regional imbalances, social and economic inequalities, and mass poverty. Statehood provides an institutional framework for autonomy and decentralization to respond to the need for development and the protection of identity.

2.2 ISSUES OF RESOURCES

Management and development of natural resources is the subject of wider national interest. Throughout Nehruvian model of development and present neo-liberal economy, natural resources emerged as key to drive the engine of the growth and development at the national as well as local level. Resource-rich states in India see the resources-minerals, oil, natural gas, and hydropower- as key revenue and development handles, and are demanding a greater share of the economic benefits of their development. Share and distribution of these resources and their benefits have strong implications for federal structure in India.

2.2.1 RIVER WATER

Water is essential for human beings for domestic as well as industrial purposes. Scarcity of water can lead to disputes in society. Its unequal allocation among states can potentially disturb the federal relations. It is politically volatile issue in our country. In this section we are mainly concern with river water and politics revolving around its distribution in India.

Geographically the country fails into monsoon climatic region. That makes it rich in terms of annual rainfall and total water resources available at the national level. Uneven distribution of water is observed as we go region wise. India's average annual rainfall (4000 BCM) is unevenly distributed across regions. The

annual per capita utilizable resource availability varies considerably. It is as higher than eighteen thousand cubic meters in the Brahmaputra Valley to as lower than two hundred cubic meters (cu m) in the Sabarmati Basin. A level of rainfall differs as lowest in Rajasthan to highest in the state of Meghalaya. The Indian rivers carry 90 percent of the water between June and November wherein only 10 per cent of the river flow is available during the other six month.

The country's rivers have been classified as Himalayan, peninsular, coastal and inland-drainage basin rivers. Himalayan rivers are snow fed and maintain a high to medium rate of flow throughout the year. Peninsular rivers are mainly rain-fed. Coastal rivers, especially in the west, are short and episodic. Inland System Rivers centered in western Rajasthan state, are few and frequently disappear in years of scant rainfall. On the basis of basin area Indian rivers have been further divided into three categories. Major rivers cover basin area of more than 20,000 square km., medium rivers in between 2,000 and 20,000 square km, and rest are minor rivers. There are thirteen major river basins, forty-five medium river basins and fifty five minor river basins in India. These river basins are spread across different political boundaries. The increasing needs of water in different parts of India to meet varied demands have given boost to planning and implementation of large inter basin transfers with many schemes of large-scale interlink projects. Control over the water and share in the utilization of water from these cross cutting rivers have led to the conflict of interest amongst different states and communities.

Management of water of major rivers that flow across the states in India is the bone of contention in state politics. Some of the issues that involve the management of water are flood control, prevention of drought, hydroelectric power, creation of employment and environmental protection. This makes altering the flow of rivers as politically volatile field. The demand for water has been increased by the rapid population growth, the growth of agriculture, urbanization, economic growth and demand for improved access to basic services. Some areas face perennial water shortage due to adverse climatic situations. Non availability of water led to over exploitation of ground water consumption for domestic, agricultural as well as industrial activities. The situation is further deteriorated due to decline in quality of available water in the absence of the treatment of waste water. The gap between availability and supply

of water led to discord between riparian states and non-riparian states. Numerous inter-state river-water disputes have erupted since independence.

Due to federal nature of political system efficient and just mechanisms for allocating river flows amongst states has been the great legal and constitutional concern. One of the major difficulties in having peaceful solution on disputes is multitude of actors and the complexity of the institutional environment within which stakeholders are expected to reach to consensus. State governments, regional political parties, interest groups, the national parliament, central ministries, the courts and *ad hoc* water tribunals negotiate within a rich institutional setting.

The constitution of India provides the framework for the management of river water in the country. Article 17 in the State List, makes water a state subject, but qualified by Entry 56 in the Union List, which states: "Regulation and development of inter-state rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by parliament by law to be expedient in the public interest." Article 262 explicitly grants parliament the right to legislate over the matters in Entry 56, and also gives it primacy over the Supreme Court.

According to Iyer (1994), the parliament has so far not utilized the power accorded to it by Entry 56 in Union List. It created river boards with only advisory powers. Therefore, the state governments dominate the allocation of river waters. In 1956, The Inter-State Water Disputes Act provided for the establishment of tribunals to adjudicate where direct negotiations between states have failed. The provision was not very useful as states sometimes refused to accept the decisions of tribunals and even the courts were also ignored. The center has sometimes attempted direct intervention without much success in most cases such as Ravi-Beas waters among Haryana, Jammu and Kashmir, Rajasthan, and Punjab.

Alan Richards and Nirvikar Singh (2001) analysed the Cauvery Water, Ravi-Beas and Satlaj-Yamuna Canal Link disputes and observed that resolution of water disputes depends largely on political considerations. Most appealing reason for the failure of the negotiations is the merely advisory nature of various water authorities. The possibility of resolution marred by the dynamics of

state politics. While one state considers it advantageous to it the other sees its interests, as against its interests. The political parties even within the same state view matters in the light of repercussions on their political support base. On many occasions the state political leaders defy their national leadership and the advice of the court as well. Further such disputes have its implications for identity politics in neighbouring states. This results into ethnic violence in concerned states.

2.2.2 MINERALS

With increasing industrialization minerals as natural resources acquired immense value in political economy of India. The country produces about 90 minerals, including major fuel, metallic, non-ferrous, and industrial minerals. Andhra Pradesh, Chhattisgarh, Gujarat, Jharkhand, Karnataka, Madhya Pradesh, Orissa, Rajasthan and West Bengal are the mineral-rich states of India. The mining sector contributes greatly to the economy of some of the states. In some states it is higher than the national average. In Chhattisgarh and Jharkhand, the contribution of minerals in the state domestic product (SDP) is next only to agriculture and manufacturing. Also, income from mineral royalties is major source of revenue in some states. It is the single most important contributor to non-tax-revenue. The coal contributes about 65-90% of the royalty revenue in Chhattisgarh, Jharkhand, Orissa, and Madhya Pradesh. Other important minerals in these states are limestone, iron ore, bauxite, and chromite.

Many of the minerals producing states are economically backward. Their per capita income is lower than the national average. In order to manage the growing expenditures and rising fiscal deficits, mineral rich states are looking to increase their revenues from mineral royalties. These states also demand more control over minerals development.

The Constitution of India has assigned functions, legislative competence and fiscal powers to both the centre and states with respect to different subjects. Different aspects of natural resources are administered by either the central or a state government depending on where they are in Schedule VII of the Constitution. .

In India, the proprietary title to onshore minerals lies with states. However, this ownership is subject to central legislation

governing regulation and control of mining. While states own the mineral resources located within their territory, the centre has jurisdiction over the regulation of mines and mineral development. Although states are empowered to legislate on regulation and development of mines and mineral development, such powers of state are subject to the powers of the centre under List I. So, even though states may own mineral resources, legislative control over them effectively lies with the centre. Resource-bearing states have become increasingly dissatisfied with centre-state relations, both fiscal and administrative, and the space that is occupied by the centre. With reference to the control over mineral resources mineral rich backward states demand for just system of determining royalty rates in order to be beneficial to the states, which rely heavily on mineral resources for their income generation. Intervention and control of central government should be minimized and more stable fiscal regime should be provided.

States accuse that there is an encroachment into the states' domain through the MMDR Act. The manner of royalty fixation, delays in revising royalty rates, control over minerals development by the centre which does not reflect states' need for new investments, matters of cess and other charges on mines and other minerals under Entries 49-50 of List II are some of the concerns of these states.

Dolly Arora (2014) argued that apart from rift between centre and mineral rich states there are criticisms regarding discriminatory effect of policies in favour of the consuming states as against the resource endowed states. Several Central policies and institutional arrangements have adversely impacted, and continue to adversely impact, the less developed States that have rich natural resource endowment. These States have not benefited from their rich natural resource endowment. More developed States always benefited at the cost of less developed States. The rich States reaped the benefits of early private investments in manufacturing and other sectors as they were compensated the differential costs of transportation of minerals mostly from the less developed States. The less developed States could not avail location advantage and thus continued to lag behind the rich States.

The mineral rich States regret their dependence on the Centre, as, the powers for allocating and regulating most natural resources is vested with Government of India. The States have no

or little role in allocating their own resources to most efficient and equitable uses. They cannot tax minerals directly within the framework of the Central Laws. The States cannot even levy sales tax on iron ore and other minerals at a rate higher than two per cent since bulk of these minerals are exported to other States. Nor can the States auction the lease rights for mining to capture the economic rent from these scarce natural resources. The mineral rich States have repeatedly expressed their concerns in this regard. Since they have followed a policy of encouraging value addition in the mineral sector, the States should have a say in assigning mineral concessions and benefit their people, it is argued.

Scholars like Ligia Noronha, Nidhi Srivastava, Divya Datt, P V Sridharan (2009) argue that control over decisions that relate to revenue augmentation for the states should be exercised by an independent body, such as the Finance Commission or some other third-party mechanism that is neither linked to the centre nor the states. Alternatively, a cooperative arrangement can be set up by the states, or collectives of states, for the purpose of setting common royalty rates across states, which better reflect their interests and needs.

2.2.3 ENERGY SHARING

Since 1991 India is transforming into an open and free market economy. Neo liberal reforms adopted by the government of India accelerated the pace of industrialization in the country. Urge for industrial development has increased the demand for energy and other resources. In order to understand India's political economy it is essential to understand India's energy sector. Like water, minerals and other resources energy too had been the subject of politics of allocation between states. Federal system of India is one of the major intermediating variables worth exploring in our attempt to understand the politics of energy sharing.

There is limited influence of the central government on energy policy at the state level. The Indian parliament cannot legislate over certain aspects of this sector in the states. The states implement the national laws and also empowered to enact their own laws and regulations of application in their own area of jurisdiction. State governments manage their own energy issues and control market conditions in their states. State governments play major role in the energy sector, especially in the power sector

where both Center as well the states are responsible under the Indian Constitution. As a result, the evolution of power sector reforms and the level of penetration of renewable energy sources differ widely among states.

In this section we intend to focus on power, coal, oil and gas, and renewable energy sector and role of states as a major stakeholder in energy policy framework in India. At the beginning we need to highlight that energy policy framework in India established the context in which the role of energy players and policy issues are shaped and change. India pursues three key objectives in its energy policy: energy access, energy security and climate change. The three main energy policies in India – the Integrated Energy Policy, five-year plans and National Action Plan on Climate Change – are designed to deal with growing challenges in the country's energy sector and establish a workable path to achieve India's three energy objectives.

Power Sector:

Under the constitution, state governments are assigned an important role in the power sector. However, increasing financial losses of State Electricity Boards (SEB) exposed the limitations of the SEB-oriented strategy for power sector development. This led to the liberalization of the sector which varies by state. While some states unbundled each segment and others separated only the transmission part. There is a high degree of regional concentration of power generation capacity in India. Most of the installed capacity is located in the western region. Each state has its own unique energy mix, mostly derived from its own resource endowment, existing infrastructure and policy initiatives. For instance, Gujarat has a large gas-based installed capacity West Bengal and Uttar Pradesh's installed capacity is coal-based, Punjab's installed capacity is hydro-based. Tamil Nadu has a high share of renewable-based installed capacity.

The regional concentration of power generation capacity results in a greater gap between supply and demand because different fuel resources are available in different seasons. For instance, the anticipated peak demand season for the northern region is July and August, and for the western region is October, while the national peak occurs in March. Hydro rich states in the northern region, including Himachal Pradesh, and Jammu and Kashmir, have a surplus of electricity during monsoon season, but

face shortages during winter when precipitation is low. The regional concentration of power capacity in a few states risks perpetuating the uneven economic development across the country.

Coal Sector:

The central government is mainly responsible for coal sector in India. The Indian Constitution places mineral resources on the Union list. State governments have restricted powers to issue coal mining licenses and leases within their states, which are prerequisites to obtaining final approval from the MOC. States like Gujarat have their own mineral mining company lignite. The Mines and Minerals (Development and Regulation) Act 2011 calls for establishment of a National Mining Regulatory Authority to advise on the revision of royalty rates and to set standards for the mining sector. It allows state governments to establish a similar organisation at the state level, which is expected to provide state governments with greater authority on mining.

Oil and Gas Resources:

The Indian Constitution gives the central government exclusive rights to regulate and develop oil and gas resources both onshore and offshore. However, states levy taxes on sales of petroleum products, and earn royalties and dividends from upstream projects within their states.

Renewable Energy:

The role of renewable energy varies among states. Generally, state governments approve all projects within their states including land acquisition and especially, water allocation for solar thermal projects. The state energy agencies run their own renewable programmes. Some states, including Gujarat and Karnataka, have their own independent solar policies. Some states offer incentives to increase investment; for example, Maharashtra provides a single window clearance process for land acquisition.

Inter-Governmental Coordination

In India's federalist political system coordination between the central government and state governments is crucial to implement policies. The central government makes plans and provides funding, but most of the time, it is the state governments that actually execute the plans and implement the projects. For instance, although the Electricity Act 2003 mandated state regulatory commissions to introduce RPOs, some states have yet

to do so. Recently, MNRE called for the Expression of Interest for reviewing state Solar RPO and RECs (MNRE, 2011c), which would be highly valuable to assess status quo of state renewable policy implementation. But there would be very limited scope for MNRE to enforce the implementation of these initiatives at state level.

Inter-governmental coordination is also important to alleviate the growing imbalance among states in terms of energy infrastructure and investment. The regional concentration of energy capacity in a few states risks perpetuating the uneven economic development across the nation. The central government needs to closely work with state governments to address this issue and ensure that an investment-friendly environment can be created in those less developed states.

Power producing States have been asserting their eligibility for compensation on account of the ecological loss occurring due to air and water pollution and large scale ecological destruction by power projects which supply most of their power production to the other States.

2.3   LET US SUM UP

India is a quasi federal state. Inter-state and Centre-state relationship has been problematic areas in functioning of the political system. Formation of states and allocation of resources among them are two major areas of enquiry into the state politics. Ethnic identity and drive for economical development are the twin processes behind reorganization of states and distribution of resources in India. These two aspects are in reality two phases into the life of organic entity called stats. Formation of states is related to the birth of the political unit within the broad federal structure of the political system, largely motivated by the primordial ethnic identity such as language and cultural distinctiveness. Issues into control over and distribution of resources resembled the drive for existence for body politic.

2.4   UNIT END QUESTIONS

1.   Discuss in detail the trends in the formation of federating states in India.
2.   What are the various issues in the management of river water in state politics in India?
3.   Write a detailed note on mineral resources and federal relations in India.
4.   Examine the role of states in administering energy sector in India.

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3

STRUCTURE AND FUNCTIONING OF THE STATE LEGISLATURE, EXECUTIVE AND JUDICIARY

3.0 OBJECTIVE

In this chapter we shall try to understand the structure and functioning of the Legislature, Executive and Judiciary of the Indian Political system as prescribed in the Constitution of India.

3.1 INTRODUCTION

Inspired by the British rule India adopted the Parliamentary form of government but unlike their unitary system adopted a federal system with exclusive jurisdictions for the union and the state governments. India though has declared itself as a federal

state it has prominent unitary features thus it is often called as a quasi-federal state. Article 1(1) of the Indian Constitution says-"India that is Bharat, shall be a Union of States". Dr. Ambedkar the Chairman of the Drafting Committee explained it by indicating that the Indian federation was not a result of an agreement by the units and that the component units have no freedom to secede from it. All said and done the federalism in Indian is not a matter of administrative convenience but one of principle. The Government of India Act 1935 first introduced the concept of federalism in India by using the expression 'Federation of India'. The Act of 1935 set up a federal system "by creating autonomous units and combining them into a federation by one and the same act". Under the provision the Provinces derived their authority directly from the Crown and exercised legislative and executive powers within the defined sphere, largely free from central control. The Act had given limited power to the state retaining the power of the Centre to monitor and restrict any act that challenged the authority of the Union. The presence of the Governor as the highest authority and endowed with discretionary powers proved a constant check on the provinces.

India has a single integrated Constitution applicable to both the centre and the state except the state of Jammu and Kashmir that can determine its own constitution. The system of the government at the centre and the state are formed in a similar pattern. A structure of the parliamentary form of government at the centre is replicated at the state level with the executive comprising of the Governor, the Chief Minister and the Council of Ministers. The Governor like the President of India is the nominal head and the Chief Minister along with his Ministers form the real executive with collective responsibility to the legislature. Some of the state legislature like that of the centre are bicameral with two houses namely the Legislative Assembly and the Legislative Council.

3.2 STATE LEGISLATURE

Legislative Council / Vidhan Parishad :

The Constitution of India prescribes a uniform pattern of government for the states in matter of the composition of the legislature. But considering the varied sizes of the state it would be impossible to operate two houses of the legislature. Thus the Legislature of every state shall include the Governor and, in some if the States, it shall consist of two Houses, namely, the Legislative Assembly and the Legislative Council, while in the rest, there shall be only one House, i.e., the Legislative Assembly (Article 168). Very few states such as Maharashtra, Uttar Pradesh, Bihar, Karnataka and Jammu and Kashmir have opted for bicameral system in fact most of the state have preferred a unicameral legislature. The presence of a Second Chamber or Legislative Council is not a permanent feature of the states. The Constitution makes available a simple provision through

which a state may discontinue or abolish the Legislative Council that exists or create a new one where none exist. The constitutional provision prescribes a resolution of the Legislative Assembly of the State concerned passed by a special majority (that is, *a* majority of the total membership of the Assembly not being less than two thirds of the members actually present and voting), followed by an Act of Parliament (Article 169).

3.2.1 Composition of The Legislative Council :

The membership of the Council shall not be more than one-third of the membership of the Legislative Assembly but not less than 40. This provision is incorporated by Article 171(1) to ensure that the Upper House does not dominate the Legislative Assembly. The Council is partly elected and partly nominated; the election is conducted in an indirect manner in accordance with the principle of 'proportional representation by single transferable vote. The members of the Council are drawn from different segments of the society. Approximately $5/6^{11}$ of the total number of members of the Council shall be indirectly elected and the Governor will nominate $1/6^{lh}$ of the members. Thus,

1. $1/3^{rd}$ of the total members of the Council shall be indirectly elected by electorates consisting of members of local bodies, such as municipalities, district boards.

2. $1/12^{th}$ shall be elected by the electorates consisting of graduates of three years standing residing in the state.

3. $1/12^{th}$ shall be elected by the electorates consisting of persons engaged for at least three years in teaching in educational institutions within the State, not lower in standard than secondary schools.
4. $1/3^{rd}$ shall be elected by members of the Legislative Assembly from amongst persons who are not members of the Assembly.
5. The remainder shall be nominated by the Governor from persons having knowledge or practical experience in respect of such matters as literature, science, art, co-operative movement and social service. [Article 171(1)].

3.2.2 Composition of the Legislative Assembly / Vidhan Sabha :

The members of the Legislative Assembly of all states are elected by a method of direct election on the basis of universal adult suffrage. The Assembly shall not have more than five hundred and not less than sixty members chosen by direct election from territorial constituencies. Though the Assemblies of Goa and Mizoram have only 40 members due to their small size. Each State shall be divided into territorial constituencies in such manner that

the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the State. Territorial constituencies are re-adjustable, ideally after every Census as per the changes that occur in the population [Article 170]. The Governor has the power to nominate one member of the Anglo-Indian community as he deems fit, if he is of the opinion that they are not adequately represented in the Assembly.

3.2.3 Duration of State Legislatures:

The duration of every Legislative Assembly of the State if not dissolved in mid-term shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years. The Governor has the power to recommend to the Parliament to dissolve the Assembly in case of failure of Constitutional machinery. The Assembly may get an Extension in case of a Proclamation of Emergency by the President. It may be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate [Article 172(1)]. The Legislative Council of a State is not subject to dissolution, but one-third of the members retire on the expiry of every second year. Thus like the Rajya Sabha the Legislative Council too is a permanent house wherein only a fraction of its members retire every third year [Article 172(2)]. The Speaker and the Deputy Speaker preside over the meeting of the Legislative Assembly while the Chairman and the Deputy Chairman manage the Legislative Council.

3.2.4 Qualifications for the membership of the State Legislature:

A person shall not be qualified to be chosen to fill a seat in the Legislature of a State unless he- a) is a citizen of India, b) is in the case of a seat in the Legislative Assembly, not less than twenty-five years of age and, in the case of a seat in the Legislative Council, not less than thirty years of age; and c) possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament (Article 173). The Constitution also lays down that: a person cannot hold the membership of both the [x]-Houses of the legislature, a person cannot be a member of the Legislatures of two or more states, no person can be a member of the Parliament and the State Legislature at the same time, a person can become a member of the Legislative Assembly or the Legislative Council of any state, unless he himself is a voter from any constituency of the state.

3.2.5 Disqualifications for membership:

Members of the State Legislature can be disqualified as per Article 191 of the Constitution if he- a) holds any office of profit under the Government of India or the Government of any State, other than that of a Minister for the Indian Union or for a State or an office declared by a law of the State not to disqualify its holder; b) is of unsound mind as declared by a competent court; c) is an un-discharged insolvent; d) is not a citizen of India or has voluntarily acquired the citizenship of a foreign State or is under any acknowledgement of allegiance or adherence to foreign state.

3.2.6 Quorum:

The State Assembly like the Parliament is expected to meet at least twice a year and the gap between the two sessions of the legislature shall not exceed more than six months. The transaction of business in the house cannot be carried out unless it has a quorum of at least one-tenth of the total membership of the House.

3.2.7 Privileges of the Members:

The Constitution of India provides that, "No member of the Legislature is liable for any proceeding in any court in respect of anything said, or any vote given by him in the Legislature of any committee thereof".

3.2.8 Legislative Procedure:

States having a bicameral legislature follow more or less the same legislative procedure as the Parliament barring certain differences. In case of a deadlock on an ordinary bill between the two houses, the Constitution of India provides for the joint session of Parliament to resolve the stalemate. There is no such provision for resolving the differences between the Legislative Assembly and the Council. The maximum power that the Council has is to delay the bill but they cannot stall it forever. In case of a bill other than money bill passed by the Legislative Assembly and sent to the Legislative Council, it can pass the bill without any suggestions or recommendation or amendments. But if, for any reasons the Legislative Council disagrees with the Legislative Assembly it can reject the Bill or it can pass the Bill with certain recommendations or amendments, and lastly it can keep the Bill pending for the next 3 months. In either of the three conditions when the Bill gets delayed in the second chamber the Legislative Assembly may again pass the Bill with or without further amendments and transmit the Bill to the Council once again. In the second round too if the Legislative Council again pursues any of the above mentioned options of rejecting, amending or withholding the Bill (this time for only one

month) then the bill is deemed to have been passed by both the Houses and then is presented to the Governor for his assent.

After the State Legislature passes the Bill it goes to the Governor for his sanction. The Governor can take recourse to any of the following steps:

1. He may give his consent to the Bill and it can become a law immediately; or,
2. He may declare to withhold his assent to the Bill, in which case the Bill fails to become law; or,
3. In case of Bill other than a Money Bill he can return it to the Legislature with a message; (if the Legislature passes the Bill once again then the Governor has no alternative but to give his assent to the Bill).
4. Finally he may reserve the Bill for the consideration of the President. A Bill so reserved can be enacted only on the approval of the President.

3.2.9 Powers and Functions :

It is the distinct prerogative of the State Legislature to legislate on any of the 66 items enumerated in the State List. It also has the privilege to make laws on any of the 47 items mentioned in the Concurrent List provided it does not clash with the law made by the Parliament. Money Bill can be introduced in the Legislative Assembly only whereas an Ordinary Bill can be introduced in either House. The Legislative Assembly can either accept or reject the recommendations of the Council on the Money Bill. In case disagreement with the Assembly on Money Bill the Council can at the most withhold the bill for 14 days only whereas in case of the Ordinary Bill it can go up to 4 months, after which the Bill shall be deemed as passed and sent to the Governor for signature. Legislature is the final authority in case of sanction of grants and also is responsible for its proper utilisation. State Legislature monitors the Executive through constant questions and putting supplements, adjournments, no-confidence motions, resolutions and criticism of government policies in the implementation of its policies and programmes. The Council of Ministers are collectively responsible to the Assembly and on the passage of a no confidence motion by a majority of the members present and voting the Chief Minister and his Council of Ministers will have to resign. The day to day meetings of the Legislative Assembly is presided by the Speaker and the Deputy Speakers who are elected from the elected members of the Assembly. The House on passing of a resolution to that effect can remove the Speaker and the Deputy Speaker from their position. The State Legislative Assembly members along with the elected members of the Parliament can participate in the election of the President of India. This right is denied to the Legislative Council members.

3.3 EXECUTIVE OBJECTIVE

3.3.1 Introduction :

The Governor is at the helm of affairs at the state level as the executive powers rest with him. All executive actions in the state are taken in the name of the Governor. The Constitution provides for a Governor for each state but a Constitutional Amendment passed in 1956 allows the same person to be a Governor of two or more states. The Governor of a state is not elected but nominated by the President and shall hold office during the pleasure of the President. In order to be a Governor the person should be a citizen of India and above the age of 35 years. He cannot hold any office of profit nor can he be a member of the Union or State Legislature. The term of office of the Governor is normally five years from the date of appointment but the President can dismiss him earlier or s/he can resign from office [Article 156(2)]. A person can be appointed as the Governor more than once.

It was proposed in the draft constitution to elect the Governors but was rejected by the Constituent Assembly as it would add on to the cost and become an additional burden on the exchequer. Having a directly elected Governor would pose a competition to the position of the Chief Minister. The Governor was supposed to act as an agent of the Centre and keep a check on the state governments and to serve that purpose it was best that the President nominated him/her.

3.3.2 Powers of the Governor :

Though there is much similarity in the position and status of the Governor and the President as both are nominal executive but they differ in terms of the powers they enjoy. The President is the Head of the state i.e., India and therefore is entrusted with diplomatic and military powers which cannot be enjoyed by any Governor of the states. Nevertheless the President and the Governor enjoy executive, legislative, judicial and emergency powers. Under the executive powers the Governor appoints his Council of Ministers, Advocate General and the Members of the State Public Service Commission. The President on consultation with the Governor appoints the High Court Judges [Article 217(1)]. The Governor can appoint one member of the Anglo Indian community if s/he is satisfied that they are not adequately represented in the Assembly (Article 333). Wherever the State Legislature has two house the Governor has the power to nominate "persons having special knowledge or practical experience in respects of matters such as literature, science, art, cooperative movement and social service" [Article 171(5)]. The Governor being a part of the state legislature has the right of addressing and sending messages, and of summoning, proroguing,

and dissolving the state legislature. He has the power of causing to be laid the annual financial statement and of making demands for grants and recommending Money Bills to be laid before the Legislative Assembly. He has the power to veto over state legislation and of making Ordinances. Under the Judicial powers of the Governor he can grant pardon, reprieves, respites or remission of punishments or to suspend, remit or commute the sentence of any person convicted of any offence (Article 161). If the Governor is satisfied that the state government is incapacitated in carrying on the governance of the state he can report to the President as per Article 356 and recommend the Presidential rule.

Like the President of India the Governor too has the power to make Ordinances (Article 213). It has the force of an Act of the State Legislature. The Governor can make an ordinance only when the State Legislature is not in session. Though it forms a part of the discretionary power of the Governor it can be exercised only on the advice-of the Council of Ministers. The Ordinance must be laid before the State Legislature when it meets or it shall automatically cease to have effect on the expiration of 6 weeks from the date of re-assembly, unless disapproved earlier by that Legislature. The Governor himself is also competent to withdraw the Ordinance at any time.

3.3.3 Council of Ministers :

The Governor is the constitutional head of the state executive and acts on the advice of the Council of Ministers (Article 163). The Governor of the state appoints the Chief Minister while the other Ministers are appointed on the advice of the Chief Minister. The Council of Ministers are collectively responsible to the Legislative Assembly of the State and individually responsible to the Governor. The relation between the Governor and the Ministers is similar to that of the President and Prime Minister. But the significant difference between the two is that the Constitution of India does not allow the President to function using his discretion while the Governor is empowered to exercise some function using his discretion. In carrying out those functions that fall under the discretionary jurisdiction of the Governor he need not act on the advice nor seek advice of the Council of Ministers. For example in the situation that the Governor feels that the government cannot carry on in accordance with the provisions of the Constitution he can report it to the President and under those conditions he need not seek nor heed the advice of the Ministers. On acceptance of such a report the President may declare failure of constitutional machinery and the Governor as an agent of the President carries on the administration of the state [Article 356(l)(a)]. The Governor using his discretionary jurisdiction may contrary to the advice of the council of ministers send a bill passed by the state legislature to the Centre for approval if he believes that it may affect the powers of

the Union or contravene any of the provisions of the Constitution. The Governor can dismiss any individual minister at any point of time. He can dismiss the Chief Minister or Council of Ministers too but such dismissal of the Chief Minister will result in the fall of the Council of Ministers hence it needs to be expressed by the State Legislature through a vote of confidence passed against the COM.

The Advocate General for the State is a post corresponding to the Attorney General of IndiE and has similar functions. He is appointed by the Governor of the State and shall hold office during the pleasure of the Governor. A person who is qualified to be a judge of the High Court can be appointed as an Advocate General. He has the right to speak and take part in the proceedings of the State Legislature but he cannot vote (Article 177).

3.4 JUDICIARY

3.4.1 Introduction :

India has a single integrated and hierarchical judicial system to administer both the Centre and the State laws. Part V of the Indian Constitution deals with the union judiciary. Most of the countries with a federal constitution have separate judicial system to manage the Central and the State laws. The Supreme Court is at the apex of the hierarchy followed by the High Court at the State level with similar powers. Subsequently the lower courts to manage matters of lesser significance at the bottom of the pyramid.

The Constitution of India has laid down that there shall be a High Court in each State (Article 214) but Parliament has the power to establish a common High Court for two or more States (Article 231). The High Court is the highest court of the judiciary at the State. Every High Court shall consist of a Chief Justice and such other Judges as the President of India may from time to time appoint. Furthermore, the President has the power to appoint additional judges for a temporary period not exceeding two years, for the clearance of arrears of work in a High Court and also an acting Judge, in case of absence of a permanent judge to carry on his work till he resumes office. The President on consultation with the Chief Justice of India, the Governor of the State (and also the Chief Justice of the High Court in case of appointment of judges other then the Chief Justice) appoints all the Judges of the High Court. A Judge of the High Court can hold office till the age of 62 years.

3.4.2 Composition of the Courts:

The High Court of the State comprises of the Chief Justice and such other judges as determined by the President of India from time to time. The Constitution has not determined the exact number of judges comprising a High Court and the number varies from state to state.

Qualifications:

Article 217(2) of the Constitution of India lays down the qualifications for the appointment of the Judge of the High Court as:-
a) He must be the citizen of India and should not have crossed the age of 62 years
b) He should a have held a judicial office for at least 10 years within India
c) He should have been a advocate of a High Court or two or more such courts for at least 10 years.

Independence of the Judges:

The Constitution in order to maintain the independence of the judges of the High

Court has made the following provisions:

a) By providing that the Judge of the High Court shall not be removed, except in the manner provided for the removal of the Judge of Supreme Court. He can be removed from office if a resolution is passed with special majority by the Parliament on ground of proved misbehaviour or incapacity (Article 218).

b) By providing that the expenditure in respect of salaries and allowances of the Judges shall be charged on the Consolidated Fund of the State [Article 202(3)(d)].

c) By specifying in the Constitution the salaries payable to the Judges and providing that the allowances of a Judge or his rights in respect of absence or pension shall not be varied by Parliament to his disadvantage after his appointment (Article 221), except under a Proclamation of financial •emergency [Article 360(4)(b)];

d) By laying down that after retirement a permanent Judge of High Court shall not make pleas or act in a Court or before any authority in India, except the Supreme Court and a High Court other than the High Court in which he has held his office (Article 220).

The territorial jurisdiction of the High Court is co-terminus with the territorial limits of the state except where the Parliament has extended the jurisdiction of the High Court for two or more states or to a Union Territory. The jurisdiction of the Mumbai High Court extends to Goa and that of Kolkata High Court extends to Andaman and Nicobar Islands and that of Kerala High Court extends to the Lakshadweep.

3.4.3 Powers and Functions of the High Courts:

The Constitution of India determines the jurisdiction of the High Court and has not changed since the commencement of the Constitution. The Civil and Criminal Procedure Code primarily govern their civil and criminal jurisdiction. The High Courts of the state enjoy the following powers:

Original Jurisdiction:

The High Courts of the presidency towns of Calcutta, Bombay and Madras had original jurisdiction on both civil and criminal cases arising within their respective presidency towns. The Criminal Procedure Code of 1973 took away entirely the original criminal jurisdiction of the High Courts. City Civil Courts have been established to handle civil cases within the same area, but that has not completely taken away the original jurisdiction of the High Courts as it continues to retain action on higher value cases.

Appellate Jurisdiction:

The Appellate Jurisdiction of the High Court is both civil and criminal. On the civil side, an appeal to the High Court is either a First appeal or Second appeal. Appeal from the decisions of District Judges and from those of Subordinate Judges in cases of a higher value lies directly to the High Court on questions of fact as well as of law. When the District Judge or Subordinate Judge decides an appeal from the decision of an inferior Court, a second appeal lies to the High Court from the decision of the lower appellate Court, but only on question of law and procedure, as distinguished from question of fact. Whenever in criminal cases the Sessions Judge or Additional Sessions Judge gives a sentence of imprisonment exceeding 7 years or an Assistant Sessions Judge, Metropolitan Magistrate or other Judicial Magistrates decide on certain specified cases other than petty cases, an appeal lies to the High Court.

Power of Superintendence:

All the Courts and tribunals throughout the territory except military tribunals come under the superintendence of the High Court of that State (Article 227). This power also includes revisional

jurisdiction to intervene in cases of gross injustice or abuse of jurisdiction, even though no revision against the orders of such tribunal was otherwise available.

Writ Jurisdiction:

The Constitution of India confers the power of issuing writs to every High Court of the State. Therefore the High Courts can issue the writ of Habeas Corpus, Mandamus, Prohibition, Quo warranto and Certiorari to any person or authority including the government in those territories. The power of the High Court in matter of writ jurisdiction is larger than that of the Supreme Court. The apex court can issue them only in case of violation of fundamental rights whereas the High Court can issue them not only in case of violation of fundamental rights but also in case of an ordinary legal right (provided it is a proper remedy in such cases).

Control over Sub-ordinate courts:

The High Court is the highest court in the State and thus has got an administrative control over the subordinate judiciary within the territory. The Subordinate Courts include District Judges, Judges of the City Civil Courts as well as the Metropolitan Magistrates and members of the judicial service of the State. The control over the Judges of these Subordinate Courts is exercised by the High Courts in the following matters:

a) The High Court is to be consulted by the Governor in the matter of appointing, posting and promoting district judges (Article 233).

b) The High Court is consulted along with the State Public Service Commission, by the Governor in appointing persons (other than district judges) to the judicial service of the state (Article 234).

c) The control over district courts and courts subordinate thereto, including the positing and promotion of, and the grant of leave to, persons belonging to the judicial service and holding any post inferior to the post of a district judge is vested in the High Court (Article 235).

3.5 LETS SUM UP

India has adopted a federal system of government but has prominent features of a unitary system. In keeping with the federal system the Constitution of India provides for a two-tier Government one at the Centre and other at the State level. All States have the Legislative Assembly but only few have the Legislative Council. The Legislative Assembly has real powers to make laws while the

Legislative Council has limited role to play and often works as an advisory body. State Legislatures have full powers to make laws on all items in the State List and as long as there are no difference of opinion between the Centre and the States perspective on the items in the Concurrent List then the States can legislate on them as well. The state legislature monitors the day-to-day work of the executive by asking questions and keeping them on their toes. In an eventuality of mis-governance the legislature has the powers to pass a no-confidence motion and get the Chief Minister and the Council of Minister to resign from office.

The State Executive consists of the Governor and Council of Ministers with Chief Minister as its head. Article 163 of the Constitution vests all executive powers to the Governor, which he shall exercise with the aid and advice of the Council of Ministers. The Governor has executive, discretionary, legislative, financial and judicial powers. The Governor like the President is the nominal head where as the Chief Minister and his Council of Ministers are the real executive. The Governor appoints the leader of the majority party in the State Legislative Assembly as the Chief Minister. Ministers are appointed and allocated their portfolios by the Governor on the advice of the Chief Minister. The Governor is appointed by the President of India normally for a term of five years but actually holds office during pleasure of the President.

India has a single integrated judiciary with the Supreme Court as the apex body and the High Court at the State level and other subordinate courts below it. The Jurisdiction of the High Court is not necessarily restricted to a single state but can be shared between two or more states. The High Court enjoys original and appellate jurisdiction, it has the power of superintendence and control over subordinate courts. The Writ jurisdiction of the High Court is wider than that of the Supreme Court as it extends to matters beyond fundamental right to ordinary legal right.

3.6 UNIT END QUESTIONS

a) Examine the provision for state government in the Indian Constitution.
b) Explain the composition of the State legislature.
c) Write a brief account on the functioning of the State Legislature d)
d) Write a note on:
   1) Composition of the Legislative Council
   2) Qualification for the members of the state legislative
   3) Legislative procedure
e) Write a detailed essay on the position of the Governor in the State.

f) Examine the relationship between the Governor and the Council of Ministers of the State,

g) Write a note on the powers of the Governor.

h) Discuss the powers and functions of the High Court.

i) What are the provisions made in the Constitution to ensure the independence of the High Court?

j) Explain the structure and functioning of the State Government.

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4

ISSUES IN REGIONAL POLITICS; INTERFACE BETWEEN POLITICS AND ECONOMY

Role of Trade Unions and Peasants Movement; Mass Movements - Women, Youth and NGO's; Role of Mass Media - Print and Audio Visual

Unit Structure :

4.0   Objectives
4.1   Introduction
4.2   History of Trade Union activities
4.3   Trade Union Movement in India
4.4   Role of Trade Unions
4.5   Critique
4.6   Role of Peasants Movement
4.7   Mass Movements-Women, Youth and NGOs
4.8   Youth
4.9   NGOs
4.10 Role of Mass Media-Print and Audio Visual
4.11 Summary
4.12 Suggested Readings

4.0 OBJECTIVES

- To understand role of Trade Unions in State Politics.
- To understand role of peasant movements, women movements, NGOs and youth in politics.
- To evaluate the role of mass media in State Politics.

4.1 INTRODUCTION

The Workers when exploited by their employers formed a trade union to better organise themselves to resist and safeguard their interest. According to Professor R. A. Lester, trade union is

"an association of employees designed, primarily to maintain or improve the conditions of employment of its members". For British economist Professor G. D. H. Cole, "In common parlance a trade union means an association of workers in one or more occupations carried on mainly for the purpose of protecting and advancing the members' economic interests in connection with their daily work." From the above definition one can conclude that trade unions are essentially voluntary organisation of workers. The primary function of the trade union is to increase cooperation and well-being among workers, secure facilities, work as a link between workers and employers, ensure the progress of worker and make provision for labour welfare.

Trade union offers itself as a legitimate and legal way to negotiate with the employer for facilities and services that are due to them. For a union to work successfully it requires maximum number of workers in the organisation to join it. The union that receives the support of all workers has greater negotiation powers. The time of agitation and strike are the testing times for all union and it is then that all need to stay together against all odds. Leadership can make or mar the trade union movement, as a dedicated leader shall work for the well being of the worker while one who is corrupt may jeopardise the interest of the workers. Members have to be practical and think rationally while making demands as fighting irrationally for a false cause may lead to conflicts and disharmony.

4.2 HISTORY OF TRADE UNION ACTIVITIES IN INDIA

India was slow to join the industrial revolution, as it was primarily an agricultural economy. Most of the new industries emerged in the post-independent era and lead to a surge of labour force. Labour has always been an exploited class since the British times as they suffered from low wages, long working hours and unhygienic working conditions. Thus they remained always at the receiving end whether it was the British as masters or the native capitalist class. The first initiative on behalf of the labour to regulate the conditions of workers in the factories in India came from the Lancashire textile capitalist lobby. The first factory commission was appointed in 1875, and the First Factory Act was passed in 1891. Consecutively the Factory Act of 1891 was passed which limited the working day to 11 hours with an interval of one and half hour for women labour. The first ever demonstration of the Bombay workers showed their political consciousness as they went for a six-day strike on the issue of conviction and imprisonment of Lokmanya Tilak in 1908. The agitation was initiated by the national leaders and eventually resulted in the formation of the All India Trade Union Congress (AITUC) on 31 October 1920 under the leadership of

Lala Lajpat Rai. In 1926 the Trade Union Act recognised trade unions as legal associations laying down conditions for registration and regulation of trade union activities. The Act also secured their immunity, both civil and criminal, from prosecution for legitimate activities, but at the same time put some restriction on their political activities. Courts of Enquiry and Conciliation Boards were created by the Trade Union Act 1929 for settling industrial disputes. The Act made strikes illegal in public utilities like Postal Services, Railways, Water and Electricity Departments, unless each individual worker planning to go on strike gave an advance notice of one month to the administration.

The trade union movement did not bring in a revolution on behalf of the workers in the post independence era as the state assuming its welfare state image.tried to ease the conflict between the capitalist class and the workers. A newly born state could not allow the gap between the industrialist and the workers to escalate, as it would have caused grave danger tc the development of the country. Trade Unions were encouraged and almost all national parties had some affiliation to one or the other trade union.

4.3 TRADE UNION MOVEMENT IN INDIA

Trade Union movement is often also addressed as labour movement though there is an important point to be noted mainly that trade unions constitute the institutionalised core of labour movements. Trade union is referred as a movement primarily because it has a formal structure, membership, organisational hierarchy, which is absent in other forms of movement. The most important role of the trade unions is to promote and protect the interest of the workers. The trade union movement drew inspiration from the independence movement as during that period all movements aimed at retreat of the British. But the scenario did not remain congenial for the movement in the post independence era as the capitalist were given a free hand and the workers ended up suffering and being exploited. Their working conditions as well as their wages suffered instigating a resistance movement of the workers all over the country. National labour organisations such as All India Trade Union Congress and Indian Federation of Labour came into being after World War II and fought earnestly for the cause of the working class. AITUC split in 1948 and a new organisation called Hind Mazdoor Sangh was formed under the leadership of M N Roy. Those left out in the AITUC renamed the organisation as Indian National Trade Union Congress (INTUC) in 1949.

The INTUC believed that if the industries were nationalised the workers ought to benefit. But there was no unanimity amongst

its members and to pursue the matter. Also their closeness to the Congress party that formed the ruling government resulted into compromising on various issues that were uncomfortable for the government. The leaders of the union were the only people who benefited by these contacts. It is in the fifties and sixties that the workers developed an ideological inclination and understood that industrial relations must reflect the interests of the working class and the union should pursue the cause. It is at this movement that Communist Party of India (CPI) and the Communist Party of India, Marxist (CPI [M]) came to have influence on the unions. The primary goal of these unions was to get revision in pay structure and better conditions for work for the workers. The representatives of All India Railway Men's Federation, National Federation of Post and Telegraph Employees, All India Defence Employees Federation and the Confederation of Central Government Employees called a major strike in 1960. The demands included payment of dearness allowance as per the provisions of First Pay Commission, distinction between different types of workers, namely skilled, semi-skilled and unskilled employees. The strike turned violent as it was declared illegal under Essential Services Maintenance Ordinance. White-collar employees, teachers of schools and colleges also indulged in similar struggles that year. All India State Government employees Federation was instrumental in leading the movement of central and state government employees. The 60's and 70's saw an increase in number of strikes and soon the unorganised sector too joined the fray. The struggle was not restricted to pay hike and improved working condition but also included agitations against the rise in prices, shortage of commodities and mounting unemployment.

4.4 ROLE OF TRADE UNIONS

Trade Unions in India are registered under the Trade Union Act (1926). The Indian National Trade Union Congress (INTUC) is assumed as the biggest of the trade unions in India. The other top trade unions of India are All India Trade Union Congress (AITUC), Indian National Trade Union Congress (INTUC), Bhartiya Mazdoor Sangh (BMS). In India Trade Union Movement is generally divided on political lines. The contribution of trade unions to the development of labour movement in South Asia, as well as at the global level is well recognized. In India, unionization has largely focused on the formal sector. Unionsation is limited in the informal sector and private sector.

In India unions have been successful in facilitating the passage of laws to protect the rights of workers. The National Policy on Urban Street Vendors 2009 was the result of collective efforts of Trade Unions, NGOs, activists and organizations which

also included organizations such as National. Association of street Vendors of India (NASVI). TUs like Akhil Bhartiya Safai Mazdoor Sangh are instrumental in negotiating for rights of workers in government and private organizations. They have voiced the need for equality of representation at policy and political levels on behalf of marginalized sections such as sanitation workers.

The Asanghaditta Mekhala Thozhilati (AMTU) is an only women's trade union that is involved in advocating for women's issues. It consists of women workers employed in different enterprises in Kozhikode and included sweepers, tailors, saleswomen. They have undertaken Right to Pee Campaign for targeting lack of toilet facilities; for women employees in shops and establishments. It met with success when the district collector ordered the construction of new toilets and repair of existing ones. It has taken up issues of unorganized women's sector-in Kerala.

4.5 CRITIQUE

Trade unions in India have suffered due to some peculiar traits that hinder its growth. One of the crucial requirements of a union is to have informed and literate members. In case of Indian workers manage illiterate, hence making it difficult to organise them effectively. Workers often migrate from rural to urban/cities for work and prefer to visit their families during long holidays. This makes it difficult for unions to have meetings especially during strike period as most of the workers return home during such agitations. Coming from the low class the worker is ill aware of his rights and may not be ready to strike nor understand the need to agitate. Political parties often interfere in the activities of the union, which may not necessarily benefit the worker. Finding able leadership has essentially been a problem in India and can be similarly seen among the trade unions too. There have been occasions when leaders have sold the interest of the workers for a price. With the advent of globalisation there are less jobs available in the market hence the workers prefer to retain it at all cost. Also as contract labourers replace permanent staff there is neither will nor inclination to agitate or form unions.

Check your progress:

1. Trace the evolution of the labour movement in India.
2. Do you feel trade union movement have hit a dead end in the globalised era? Discuss.
3. Critically evaluate the working of the trade union movement in India.
4. Have trade unions marred progress and development by calling for strikes and lockouts? Discuss.

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4.6 ROLE OF PEASANTS MOVEMENT

4.6.1 Introduction :

Indian has an agro-based economy, as majority of the population is occupied in agriculture. The feudal system that prevailed in pre-independence era resulted in the land owned by the Zamindars while the rest ended up as landless labourers. Post independence the government worked towards eradicating the unequal distribution of land and modernise agricultural with an eye on increased production. The Green Revolution bought in new agricultural policies; it was an added effort on part of the government to improvise the agricultural economy of the country. But the feudal system that prevailed in India encouraged the retention of most of the land in the hands of the big zamindars and the small farmers were marginalised, as the benefits of agricultural policies never reached them. The policies were focused on providing financial support to the landowners and thereby allow them to use modern methods of agriculture. The agricultural policies of the government of India benefited only a small group of rich and middle class landholders who could secure loans and invest in modern techniques of farming.

Peasant uprising in India dates back to the British time when their policies invigorated the peasants to rise in revolt. For the British these were not people protesting against state oppression but their actions were often labelled as- those of bandits and dacoits. The situation did not improve for the peasants even after independence and they continued to agitate but this time against their own government.

4.6.2 Definition of Peasant :

A peasant is known as *Kisan* in India whose primary occupation involves agriculture. It is not necessary that a peasant who tills the land is its owner. His relationship with the land he tills is varied and thus he would be owner of the land, absentee landlord, supervisory agriculturist, owner-cultivator, sharecropper, tenant and landless labourer. Broadly a peasant is a farmer with a small land holding who cultivates his own land and is dependent on it for his family's sustenance. The situation of the peasant and the landless labourer is more or less the same and thus both are equally involved in the peasants' agitation.

According to rural sociologist S. L. Doshi and P. C. Jain peasants can be classified into different categories on the basis of ownership of land. Daniel Thorner classifies those people as *Maliks* who have the document for the ownership of their land, those who do not own the land or do not possess the land document but cultivate the land are the *Kisans* and those who just till the land as agricultural labourers are known as the *Mazdoors.* Government also classifies peasants on the basis of their land holdings, those holding more that 15 acres of land are rich peasants and those with just 2.5 to 5 acres of land are small farmers. Marginal farmers own land that is less than 2.5 acres and landless peasants work as farm labourers as they possess no land of their own. Some sociologist have categorised peasants on the basis of utilisation of loans, tenancy, ownership of assets, credit from bank, and repayment capacity of loans.

4.6.3 Agrarian Movement :

According to Prof. Sudha Pai the agrarian movement is based on five criteria's. "1) The pattern of land ownership which determines the mode of production, class structure, and the prevailing agrarian relations. 2) State policies, as major shifts in the agrarian economy have occurred due to the introduction of new policies. Also most of the movements are either against particular state policies or make demands that the state cannot ignore. 3) Technology based change, which is powerful and independent force, although researches show that there is no automatic connection between improved technology and political consciousness and action. The impact varies over time, by region, crop, and the organisation of the productive process. 5) Leadership, together with strategies, issues and demands."

The early stage of the peasant's agitation revolves round protesting against the feudal system, the exploitation by landlords, or the land distribution policy of the state and better wages for the labour. The state have not been able to address the issues affecting the peasants and times it has forced the agitators to take an extreme step to draw the attention of the government. The

naxalite movement was a result of such an agitation going sour. The Green Revolution bought in affluence for a few big farmers and they became more demanding asking the state to make more policies benefiting them. Eventually the economic power was translated into political power and thus the enemy was no longer the feudal lord but the state itself. The farmer's movement saw a massive change since the 1990's as a general crisis gripped the Indian agriculture resulting into a slow down in the agricultural growth and the structural adjustment program (SAP) leading to globalisation of the Indian economy. The nature of agitation has changed as small farmers have started agitation against land acquisition of agricultural land by the state government for development or mining projects of private national and international firms.

The departure of the British from India called for celebration but the euphoria did not last for long as the government faced the archaic agrarian system that needed drastic structural changes. The dissatisfaction amongst the peasants was reflected in their agitation against the government. According to D. N. Dhanagare the peasant movements in India need to be studied along two axes: the class character of the actors involved and the historical factors which contribute to the progressive development of the political consciousness of the peasantry.

Kathleen Gough classifies the peasant revolts into five categories namely:
1) "Restorative rebellions a movement undertaken by the peasants to drive out the British.
2) Religious movements for the liberation of a region or an ethnic group under a new form of government.
3) Social banditry
4) Terrorist vengeance with the idea of meeting out collective justice
5) Mass insurrections for the redressal of particular grievance."

The peasant's movement like any social movement is complex and cannot be generalised in few categories. Moreover Gough has taken into account only the possible causes of revolt but did not touch upon the class to which the peasant belongs.

4.6.4 Landmark Peasant's Movement in India :
Peasants movement are not uncommon in India and has been going on since the colonial rule. Agitations thus initiated have given positive results as the farm produce increased and there is surplus for the market. The positive growth in the agricultural sector has improved the condition of the peasants to an extent but also has created new sets of issues that need to be resolved. The

Champaran peasant movement (1917-1918) was one of the landmark peasant's agitation initiated by Mahatma Gandhi on his return from Africa where in he experimented on the non-cooperation movement. It also became a part of the national freedom struggle. It was an agitation of the local farmers against the European planter who did not pay them adequate compensation for their labour, forced them to cultivate indigo and increased the rent considerably.

The Patidars initiated the Kheda peasant struggle (1919) in Gujarat as the British government increased the tax and reassessed the land on the bases of the cultivation. The government in its zeal to collect taxes ignored the fact that the region was reeling under severe famine and the crops had failed. Repeated appeal to the government fell on deaf ears resulting in leaders such as Gandhi, Vallabhai Patel, N M Joshi and others encouraged the peasants to agitate using the technique of Satyagraha. Finally the agitation was resolved in an amicable manner as the British made a demarcation and taxed the big farmers while gave remission to the small farmers.

The Telangana Movement was organised against the Nizam of Hyderabad in 1946 demanding the abolition of illegal extractions and the cancellation of peasant debts. They were forcibly made to work in the farms. The pent up emotions one day broke open resulting into sporadic strikes demanding better wages and to stop forcing peasants to work against their wishes. The agitation turned violent and the police retorted with firing at the agitators. As a reaction to this violence the village community grabbed the land of the rich landlords in 300 villages and distributed it among peasants and workers.

A prominent movement by peasants in India was at Naxalabari a State in the north of West Bengal. On May 25, 1967, the police opened fire on farmers rally at the tiny hamlet of Prasadujyot in naxalbari, triggering an armed revolt of peasants with bows and arrow. The peasants refused to handover land to landowners. In 1969, Charu Majumdar, Chief ideologue and co-founder of the movement decided to formalize it into a political party and formed CPI-ML. This party came to play an important role in the politics of West Bengal.

In immediate post-Independence period discontent arising out of failure of State to fulfill its promise of land reform resulted in a number of peasant movements. However in the recent months with deepening of economic reform, farmers movements against acquisition of land for industrial / mining projects of privates national and international Companies have taken place.

With spread of Green Revolution, caste-class combination contributed to mobilization of peasantry in north India, particularly in UP Charan Singh mobilized middle / backward castes-Jats, Gujjars, Tyagis as 'Kisan and backward Caste'. The Bhartiya Kranti Dal (BKD) was formed by him in 1967 of rich peasants and big land owners, in caste terms Jats and other backward castes. In 1980 attempts were made by farmers organizations to join electoral politics.

Check your Progress :

1) Write a detailed note on the classification of Peasants Movements.
2) Trace the evolution of the Peasants Movement in India.
3) Write short note on Champaran and Kheda Movement.

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4.7 MASS MOVEMENTS-WOMEN, YOUTH AND NGOs

4.7.1 Introduction :

The 19th Century saw a set of reformers ardently working for the cause of upliftment of women. The impact of western education was obvious as the social reformers were influenced by the values of liberty, equality and fraternity. In a traditional set up women had limited scope to express their resistance to the exploitative culture hence it was a slow movement. Both in Maharashtra and West Bengal it was the liberated men who took unto themselves to work towards upliftment of the women folk. Many of the women writers in the 18th Century did show embitterment in their writings against the patriarchal system and the injustice carried out against the women folk. But there were rare occasion when they Would actively involve themselves in resisting the oppressive behaviour of the society. The Bhakti movement did see some of the women joining it and standing up to the patriarchal society. Though they lacked in strength to voice their anger and frustration against their oppressors but they were well aware of their plight. The woman's movement went through three stages or waves; the first wave was during the national movement as women were pulled into political action. The independence struggle needed maximum participation and women did fill in to show solidarity with the cause. Post independence the men took over the reigns of the nation pushing women back to their household chores. In the late 1960's women

were once again moved into action and thus formed the second wave. The third wave in the 1970's the focus shifted to women's empowerment.

The women's movement in Indian politics has covered collective action around women's issues of domination, namely caste, culture, ideology, class, it consists of non-institutionalized politics action as well as action for change through and within institutions.

4.7.2 First Wave :

Subordination of women is a common phenomenon in Indian society or for that matter any society in the world and there are enough evidences to prove it. Nevertheless in each era there have been sporadic movements to resist this subjugation. Many of them did make a mark in history as they confronted the oppressors or fought for their rights and have become immortal. For example: Rani Laxmibai of Jhansi, Ahilyabai Holkar etc. Women also challenged the oppression of caste by joining the Bhakti Movement and many Saints also supported their cause.

Reformers were divided in their approach towards women's emancipation though they were unanimous in accepting the fact that women were oppressed. One group saw the root of all evil in the customs and institutions of the society and wanted to implement the democratic principle of liberty and freedom. They were identified as reformers. On the other hand another group believed that the Vedic period was an ideal era as it was based on democratic principles and hence suggested a revival of the same. They were identified as the revivalist. The need to emancipate women was recognised mainly by men and slowly women reformers also joined the forum. Reformers like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, Justice Mahadev Govind Ranade, Maharishi Dhondo Kesha Karve brought in a revolution in the women's movement. Raja Ram Mohan Roy led a crusade against all the evil practices that prevailed in the Hindu society such as Sati, female infanticide, polygamy, devadasi system etc. He convinced Lord William Bentinck to legislate on the prohibition of Sati. Ishwar Chandra Vidyasagar laboured against the most dreadful treatment meted out to widows and sought to legalise widow remarriages. Justice Ranade too worked for widow marriage and insisted on women's education. He encouraged his wife's education and together they started a school for girls in 1884. Maharshi Karve revived the Widow Remarriage Association and started the Hindu Widow's Home. He also wanted the widows to get educated and started the Karve Women's University. He set an example for others to follow as he married a widow after the death of his wife. Many institutions were established during this era and contributed massively towards women's upliftment. For example:

Deccan Education Society, Ramakrishna Mission, Arya Samaj, SNDT Women's University, Seva Sadan etc.

Women leaders like Annie Beasant and Sarojini Naidu were role model and inspiration for women's movement. Annie Beasant convinced women to join the Home Rule Movement and there was considerable endurance and self-sacrifice shown by these women. She opposed child marriage and insisted boys too should not marry in an early age. As an active politician and freedom fighter Sarojini Naidu negotiated with Montagu Chelmsford for woman's suffrage and also went to England as a member of the Home Rule League on deputation to put forward the case before the Joint Parliamentary Committee. There were many other women freedom fighter who valiantly fought for the cause of women's liberation in their own way. To name a few; Pandita Ramabai, Anandi Gopal, Savithribai Phule, Kamaladevi Ghattopadhyaya, Kalpana Dutt and Madame Bikaji Cama.

The first all India women organization came into existence in 1926, with setting up of National Council for Women in India (NCWI) that aimed at securing women's rights through social reforms and women's and children's welfare. The AIWC All India Women's Conference was set up in 1927 in Poona. It took up questions of women's education.

If got passed the Sarada Act in 1929 fixing age of marriage at fourteen for girls and eighteen for boys. It also fought for women's equal rights in inheritance and marriage and reforms in personal laws of different communities.

Women were involved in revolt against colonial State Several Women were involved in Trade Unions and Women also played an important role in struggle of peasants against land lords such as Telangana in 1947 and Tebhaga in North Bengal in 1946-47, During this period women also fought for universal franchise or voting rights.

4.7.3 Second Wave :
The pre-independence era was charged up with nationalist sentiments and hence the aura was different. Women's participation in the movement was appreciated and supported by men. But as the British departed and India had self-rule the demand and needs changed even with reference to women's movement. In the new era the demand was made for gender equality and questions were raised about the oppressive nature of the patriarchal structure. Post independence expectations were high that it was believed that the newly found freedom would percolate to the vulnerable groups in the country but all hopes were dashed down as the situation never changed for any of them

despite well-founded provisions in the Constitution. Women were often inducted into the government and administrative bodies but the number was so miniscule that they could not make a significant impact for other women. Things improved but it was an extremely slow process. In 1972 when Ela Bhatt initiated the formation of Self Employed Women's Association (SEWA) it was the first attempt to form a trade union and it "aimed at improving the conditions of women through the process of training, technical aid, legal literacy, collective bargaining, and to teach values of honesty, dignity and simplicity".

Women's activism in the 1970s and 1980s stressed the need to redefine development. Women also participated actively in the peasant struggle in Bihar and the Chipko movement, which challenged development policies. Middle class women in urban. Bihar and Gujarat participated in movements against political corruption and rising prices of fuel and food. In Maharashtra the price rise movement was organized by a temporary coalition of women belonging to CPI (M) and Socialist Party.

4.7.4 Third Wave :
The UN declared 1975 as the Year of Women and also saw the release of the Status of Women Committee Report. The report proved to be major step towards the women's emancipation as it recommended, "equality not merely for justice but for development, focus should be on economic empowerment of women, child bearing should be shared as a social responsibility, recognition of household work as national productivity, marriage and motherhood should not be a disability, emancipation of women should be linked to social emancipation and special temporary measures for de facto equality". This year proved very inspiring for women as there were many women's organisation that emerged all over India and brought many of the women's issue in the public domain seeking attention from all sections of the society. Since then there was no stopping as these women's organisation took up issues ranging from dowry, rape, alimony issues, anti arrack movement and finally showed their commitment to mother earth by indulging in eco-feminism. The latest movement is still in its initial stage of development and regards the oppression of women and nature as interconnected.

4.7.5 The New Women's Movement :
The New Women's Movement was focussed around women's interests, gender-centered issues, control of female sexuality, all of which were understood within the framework of male domination and patriarchy. The organization like AIWC, Young Women's Christian Association (YWCA) All India Democratic Women's Association (AIDWA) were set up. Forum Against Rape was set up in 1981 which later emerged as a

sustained network of autonomous Women's groups in the form of Forum Against Opppression of Women (FAOW). Autonomous Women's groups like Saheli (1981) Jagori (1984), the Feminist press Kali for Women (1984) were set up all over the country that documented issues of violence against women and provided legal and humanitarian aid.

The emergence of Dalit feminist voices drew attention in 1980s. In 1970 the Committee on Status of Women in India (CSWI) drew attention to the deeply entrenched discriminatory structures that inhibited women's participation in political bodies. The National Prospective Plan for Women issued by the government recommended 30 percent reservation of seats for women at the panchayat and Zilla parishad levels.

By the 1990s, liberalization of the economy and abdication of social responsibilities to NGOs has led to proliferation of NGOs and autonomous organization running on funds from government and international bodies. This has led to depoliticization of women's issues to a certain extent.

Check your progress:

1) Write in detail the rise of women's movement in India.

2) Bring out the three waves of the women's movement in India.

3) Do you feel that the Women's Movement has come of age? Discuss.

4) "Indian Constitution has made adequate provisions for women." Critically examine the statement in the light of the growing insecurity face by women all over the country.

5) Write an essay on the role of social reformers in the emancipation of women in India.

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4.8 YOUTH

4.8.1 Introduction :

"Young people should be at the forefront of global change and innovation. Empowered, they can be key agents for development and peace. If, however, they are left on society's margins, all of us will be impoverished. Let us ensure that all young

v people have every opportunity to participate fully in the lives of their societies. " Kofi Annan.

According to the findings of 'State of the Urban Youth, India 2012: Employment, Livelihoods, Skills,' a report published by IRIS Knowledge Foundation in collaboration with UN-HABITAT "every third person in an Indian city today is a youth. In about seven years, the median individual in India will be 29 years. The report suggests that population in the age-group of 15-34 increased from 353 million in 2001 to 430 million in 2011. Current predictions suggest a steady increase in the youth population to 464 million by 2021 and finally a decline to 458 million by 2026. It is predicted that India by 2020 shall reach a target of around 64 per cent of its population in the working age group and a 2 per cent increase in the GDP growth rate.

It appears that India has a bright future ahead as it would have more than 50 per cent of its population who are of young and productive. But the present is not as bright as the future as the quality of life enjoyed by the urban population is below average as one-fifth of the Indian urban population lives on less than a dollar a day. India is set to undergo a demographic transition but the regional disparities will continue to grow especially dividing the country into two half s, as the South and Western states would grow well and the Northern states may not be able to cope up with the speed. Also the urban-rural divide would be accentuated, as a person in an urban area would have 93 per cent greater chance of acquiring training than someone in a rural area.

The youth in any country form the strength of the country but for that their energies have to be channelized in the right direction. A youth who is imprudent can cause severe damage to the society than even the worst enemy. The youth of today shoulders the future of the nation and the present trend in India shows that he is all charged up to confront the future head on. The youth today represent a whole set of new values, thinking and a new way of life. The recent involvement of the youth in staging protest against the rape of a 23 year old girl in Delhi and their support to the Anna Hazare Movement against corruption and for the Lokpal Bill shows that they are well aware of their surrounding and have accept their role in bringing about change in the society. The modern youth is technologically able and uses the Internet as a source and medium to seek information and also to voice his opinion. The Internet while has exposed him to a world of information but has also misdirected X. them to believe that it is the only mode to express themselves. There is a threat that the increasing social networking that they indulge in may take them away from the ground realities and away from human contact. Giving a missed call or sending a SMS in support of a cause is not the way through which one can bring

about a social movements or reforms in a society. There is a need for an able leadership and direction to be provided for the youth to channelize their energy in the right direction. The youth is the strength and the future of any nation and has to be trained and guided to get the best results from them.

4.8.2 Involvement Of Youth In Politics :

Sociologist Y.B. Damle made a distinction between a 'student youth' and 'non-student youth'. According to him a student youth is often under the pressure of career and desires to achieve high goals in life that makes them resistant to an ideology, which requires understanding and action. The 'non-student youth' too are so much preoccupied with making a living that for them also ideology based political action is not possible. Driven by their personal ambition the youth of today is least interested to think about social and political objectives that would serve the nation's well being. They have neither interest nor have any energy to fight the injustice that is rampant in the society. There is a prevalent belief that politics is all about power politics and an average Indian cannot find any place amongst the mighty heavy weights that dominate it.

For a long time the Indian youth was apathetic towards politics and kept away from it but with the advent of globalization there is a remarkable change noticed in their behaviour pattern. Access to information at the tip of the button and an aggressive media has played a pivotal role in keeping them updated about the events and issues around them. Also activism is no longer restricted to long marches or protest rallies but can be registered by sending an SMS or giving a missed call. Though this might be criticized by activist as a lazy way of protest but it has made its mark in the contemporary era. Indian youth in post independence India have moved beyond electoral politics to participate in students movement for change and influencing the political discourse.

Check your progress:
1. Discuss the role of youth in modern India.
2. Do you think the Indian youth is apathetic to involve themselves in a social cause? Discuss with reference to the Anna Hazare movement against corruption.
3. Does the Indian youth have a role to play in nation building? Analyse.

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4.9 NGOs

4.9.1 Introduction :

Non Government Organization's are popularly known, as NGOs. It is difficult to define and classify it as they perform variety of activities that includes human rights, environmental, or development work. An NGO operates at different level such as local, international or national. The UN, an inter-governmental organization enabled certain approved specialized international non-state agencies or non-governmental organisations to be awarded observer status at its assemblies and some of its meetings. It is the UN that popularized the usage of the term NGO. And thus today a NGO is identified, as any kind of private organization that is independent from government control, is non-profit organization, non-criminal and not just an opposition political party.

Professor Peter Willetts, from the University of London, defines an NGO as "an independent voluntary association of people acting together on a continuous basis for some common purpose other than achieving government office, making money or illegal activities." According to him NGO's operate in two distinct manner, operational NGO's deliver services and campaigning NGO's work towards promoting an idea or work for a cause. There is likelihood that certain NGO's may perform both the functions simultaneously.

Professor Akira Iriye defines NGO as "a voluntary non state, nonprofit, nonreligious, and nonmilitary association". A NGO is thus a legally constituted organization that operates independently and receives no help from the government, financial or otherwise. They are essentially non-profit organization. There are cases where a NGO may collaborate with the government for a social cause and may receive financial support to carry on the task, under such circumstance the NGO maintains its nongovernmental status by ensuring that non of the government officials or representatives are included as its members.

4.9.2 History of NGO's :

The world has been familiar with the international non-governmental organizations since the 19th Century as they played an important role in the anti-slavery and women's suffrage movement. They gained wide recognition as they undertook the task staging protests against armament and insisting on disarmament by nations. However it was the United Nations Organization that popularized the "nongovernmental organization" in 1945 with provisions in Article 71 of Chapter 10 of the United Nations Charter for a consultative role for organizations, which are

neither governments nor member states. The definition of "international NGO" (INGO) is first given in resolution 288 (X) of ECOSOC on February 27, 1950: it is defined as "any international organization that is not founded by an international treaty". The vital role of NGOs and other "major groups" in sustainable development was recognized in Chapter 27 of Agenda 21, leading to intense arrangements for a consultative relationship between the United Nations and non-governmental organizations.

At the initiation of the 20th century the world entered into the phase of globalization where the nature of issues at hand were too complicated necessitating the role of NGO's especially in area where nations became ineffective. Nations were trapped in International Treaties that tied their hands and they were incapacitated to carry on their responsibilities towards their citizens. NGOs counter balanced these trends by emphasizing on humanitarian issues, developmental aid and sustainable development. India is estimated to have around 3.3 million NGOs in year 2009, which is just over one NGO per 400 Indians.

There are a number of NGO's that have been ineffective or deceitful and involved in illegal activities such as tax evasion and misappropriation of government funds. But there is no reason to believe that just because a few have been behaving, as black sheep's the entire herd is on the wrong track. There are a large number that have been honestly working for the people by providing humanitarian and compassionate service. NGOs like Pratham have done excellent work in research on educational outcomes, Teach for India has directly intervened in low-income classrooms and Akshya-Patra has involved itself with the mid-day meal scheme.

4.9.3 Role of NGO's In India :

NGO's in India noticed that the government does set up programs that hardly reach the right people and at times the government programs seem to be inadequate to deal with the deprived section of the society. The NGO's have been able to reach the grass root level people especially the landless, tribals and bonded labourers. It is only during the Sixth Five Year Plan (1980-1985) that the government identified NGO's as new actors who could participate in the development process of renewable energy, family welfare, health, education, water management, soil conservation, disaster preparation, tribal development, environmental protection, etc. The increasing role of NGO's in nation building has been acknowledged and accepted. Increasing prosperity and focus on Corporate Social Responsibility has diverted the attention of the government as well as the private sector in spending adequate resources on the disadvantaged sections of society.

In India, in 1970 NGSs engaged with democracy in response to failure of the formal political process, still dominated by elite groups.

The NGOs arose to substitute the failure of democratic institutions, particularly political parties to provide avenues of political engagement. The party affiliated civic groups and front organizations connected to political party-student federations Trade Unions, farmer's associations Women's Wings, lacked the autonomy. NGOs contributed to protest against Emergency and helped to bring the Emergency to an end. In her book Development Hegemony : NGOs and the state in India, Sangeeta Kamat uses the phrase the NGO-ization of politics which casts NGOs as agents of depoliticization. Mumbai Resistance, a group formed to protest the hijacking by NGOs of World Social Forum argued that NGOs come to the rescue of the state-declaring it, in effect, 'absolved of all responsibilities' NGOs in India have advanced from developmental activities to advocacy or activism. The fear is that through forums. NGOs are being provided an opportunity to legitimize themselves as a political force. In India NGOs have linked themselves with movements. In Rajasthan the movement oriented Mazdoor Kisan Shakti Sangathan (MKSS) is closely Inked to Social Work and Research Centre (SWRC) a NGO. In Mumbai, The Rationing Kranti Samiti was interwoven with NGO. Apnalaya but remained or ganizationally separate. NGOs in India have further moved from adovacy to policy making and policy partnership, implementation & vigilance.

An example is the Mumbai based NGO, Praja Foundation another is ADR or Association Democratic Reforms that works in the area of electoral and political reforms. NGOs in India have also engaged with electoral politics and party politics. An example of this was Kerala Sasthra Sahithya Parishad (KSSP) that was associated with CPI(M) but still retained its organizational autonomy. Another NGO, the Young India Project (YIP) has helped organize many Unions of agricultural labourers and other marginalized groups in rural Andhra Pradesh. These NGOs support the election of their own members to panchayati Raj institutions with support of YIPs.

Check your progress:
1. Define NGO and examine the role it plays in the modern state.
2. Has the role of the NGO increased in the era of globalisation? Analyse
3. Do you think NGO's would make the government redundant as it shoulders all the responsibility? Critically analyse.
4. Can NGO's complement the government in the task of nation building? Discuss.
5. Trace the evolution and growth of NGO's

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4.10 ROLE OF MASS MEDIA-PRINT AND AUDIO VISUAL

4.10.1 Introduction :

The media act as the sense organ of the society as it sees, hears and speaks and as it reports the events citizens too can play an active role by voicing their opinion through it. The impact of the mass media is all pervading and there would not be anyone or anything that does not get affected by it directly or indirectly. The power it enjoys sometimes can turn brutal as it can make or break a person, an organisation or a society. Noam Chomsky believed that it could help the politicians and business houses to 'manufacture consent'. The media has brutal power which can be used as a double-edged sword and if not self-disciplined can be brought under control through laws. Any legislation to that effect would raise an alarm as attack on freedom of press and would be vehemently opposed. Media hype has been a common feature of the contemporary world and there is no escape from it for the common man. But if used appropriately it offers strength to the weak to fight as the world could be manoeuvred to support a cause.

4.10.2 History of Mass Media :

India media saw the light of the day in the 18th Century with the advent of the print media that started in 1780. Radio broadcasting started in 1927 and the screening of moving pictures in Bombay began in July 1895. The Emergency in 1975 saw the media cringing under pressure of the dictatorial government but didn't give up its fight for freedom of expression. "The country consumed 99 million newspaper copies as of 2007 - making it the second largest market in the world for newspapers. By 2009, India had a total of 81,000,000 Internet users - comprising 7% of the

country's population, and 7,570,000 people in India also had access to broadband Internet as of 2010 - making it the 11 th largest country in the world in terms of broadband Internet users. As of 2009, India is among the 4th largest television broadcast stations in the world with nearly 1,400 stations." Indian newspaper played a pivotal role[1] in promoting the cause of Indian independence from the British rule. The Hindu founded by Kastur Ranga Iyengar and his son K Srinivasan was the pioneering newspaper during the first half of the 20' Century. Bombay now Mumbai had it first newspaper The Bombay Herald in 1789.

Since independence the Indian Press has expanded and evolved to cater to the masses and their changing demands. The role of news imparting has been extended to investigative journalism, as they no longer wait for news to happen but proactively create news through sting operation. Media has massively pervaded the life of an individual and has undertaken a larger than life profile for itself. This on one hand keeps the government and administration on their toes but at the same time there are reports of paid news. The latest trends is 'trial by media' as the News Channels engage in dissecting an incident and event online trying to create public opinion and delivering instant justice. Debates on clipping the wings of the media has been strongly objected to and often the debate ends on the note that self discipline is a better option then curtailing their freedom.

Internet is another source of communication that has caught the imagination of the young and old simultaneously. Despite the limitation of infrastructure, Internet has become an easy mode for dissemination of information. The youth have easily latched on to this new medium and have been able to communicate their views across the cyber space at the click of the button. Blogs have become a major source of information about global affairs and often trusted to provide unbiased opinion.

4.10.3 Role of Media in Regional and National Politics :

The India Media has played an active role in providing or denying support to the government in power since Independence. The Congress government at the Centre enjoyed Media support except in the time of Emergency in the country from 1975-77 when press was gagged and the major national dailies were critical of the Indira Gandhi's government. In the 1980, when the Congress Government faced the Khalistan Movement in Punjab, the Media in Punjab particularly the English dailies were critical of the mass violence by the army in Punjab. In Assam, where the Assam movement against undocumented immigrants, the local media criticized the mass violence and killings but the national media chose to criticize radicals in Assam and praise the Government.

In the history of influence of India media on politics and society, an important event is the Bofors Scandal, that took place under the Rajiv Gandhi regime where an allegation of Kickbacks from Sweedish arms manufacturer AB Bofors was made against India's top policy makers. This led to defeat of Rajiv Gandhi government in 1989 after the scandal was made public by the Indian Express and other media.

With Liberalization of India economy in 1991, the Indian media was opened to private investors to start business. The boom an media led to coming in of electronic media as private news channels and Foreign news channels like CNN, BBC etc. which were previously barred in the country till today. Media, particularly print media has played a role in influencing electoral outcomes at national level. In recent times one witnesses the role of media, particularly social media in influencing politics and society.

Media ownership in India is another area of debate and discussion. In Tamil Nadu regional politicians and their family members have launched TV channels that are used for political purposes. It has been found out that more than one third of news channels in India are owned by politicians or political affiliates. Likewise one should also note that political parties such as Communist party in West Bengal have their mouth pieces such as Langol earlier and then Swadhinata. Likewise, the Shiv Sena has the Saamna in Maharashtra.

The north-east is also in the business of ownership of media. In NE, NETV Bangla, HYTV is owned by politicians. Besides this several large media conglomerates are known to fund regional political parties.

Check your progress:

1. Discuss the provision for freedom of press in India.
2. Examine the latest development in the media.
3. Has the media exceeded its limits by conducting 'sting operations'?
4. Explain the influence and role of internet in information dissemination.

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4.11 SUMMARY

Trade Union is also known as labour movement. It is a formal unit that is structured and insists on membership and follows organisation hierarchy that is not seen in other movements. The objective of trade unions is to work for the economic interest of the workers and fight for their rights when they feel it is being supressed. Trade union in India has been linked to the independence struggle as they agitated against both the imperialist regime and the Indian capitalist. Political parties also joined the fray by forming trade unions, leading among them were Communist Party of India and Communist Party of India, Marxist (CPI [M]). Trade Unions played a very important role in getting improved facilities and pay packages for their workers but with the advent of globalisation the manufacturing sector is on the decline. This is resulted in more and more workers being employed as contract labourers with no right whatsoever to form any association to fight for their rights.

Farmers movements in India have been shaped in reaction to agrarian policies of the state and Capitalist tendency in agriculture. They have tried to mobilize for electoral politics as well as to influence changes in policy.

The Women's Movement has looked at opening up of spaces for recognizing differences of caste, class, community among women and it also provides basis for feminist understanding of lived experiences of women. It has also not unfolded as a discreet movement but exists in an interlocking relationship with other social movements. (Roy, OCPI)

The youth has come of age in India. India is a young nation as every third person in an Indian city today is a youth. In about seven years, the median individual in India will be 29 years. The youth has much to offer in the process of nation building but for a long time was alienated from politics. Being self-centered they never focused on the well being of the country and its people. The 21st Century has seen a significant change in the attitude of the youth as they are today actively involved in expressing their opinion through the social networking sites. Sociologist criticize the social networking sites as escape routes as they do not involve hard core activism. Nevertheless it is a noted fact that these networking sites do have an impact on the working of the government.

(Youth of today are active on social media, articulating their opinion on different issues and participating in discussion. Social Media has become one of the most important influences in their life and is also a mode of self representation and expression. Youth are

participating as change makers through numerous avenues such as sports for cause, NGO initiatives, environment related awareness activism and social work.)

NGO's are not new phenomena but have been working for a very long time, it is the United Nations that popularized it and got formal recognition for it in the 20th Century. They operate at local, national and international level. They may either provide service to the people or indulge in promotion and dissemination of information. NGO's often receive aid from the government but have strictly avoided incorporating any government official on board. They often provide support to the government in playing the role of a welfare state. The increasing role of NGO's in nation building has been acknowledged and accepted.

The press is accepted as the fourth estate as the legislature, executive and judiciary form the first threes estate. In a democracy the press whether in the print form of the audio-visual mediurri plays an indispensable role. It is the conscience keeper of a nation. The media's has an important responsibility on its shoulder as it keeps the nation updated on various issues. There has been tremendous change in the manner the media operated today as new avenues have opened up and people have become more demanding. The growth of news channels, which operate 24/7, compels them to seek 'breaking news' to keep the TRP's on constant high. This results in 'making news' rather than waiting for news to happen. Media has come under severe criticism for the very same reason and has been threatened with dire consequences such as curtailment of their right to express. But the government has so long resisted the temptation to gag the media and insisted on self-discipline.

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5

LINKAGES BETWEEN REGIONAL AND NATIONAL POLITICS

Unit Structure :

5.0 OBJECTIVES

This unit focuses on the party system of India and its historical evolution in the context of linkages between regional and national politics. After studying this unit, a student should be able-
i. To understand the rise of Indian Party system and its evolution
ii. To explain changes in party system
iii. To introduce and analyse distinguishing features of various parties
iv. To understand the scope of regional and national politics

5.1 INTRODUCTION

A party plays key role in inter-relationship of society and state. Party politics directs political change and its course.

Indian party system is unique in its nature. We cannot classify the Indian party system with any existing classification model. Indian party system has gradually evolved after independence with the growth of political consciousness.

Hence, to understand linkages between regional and national politics, we have to study party politics with historical development of Indian political consciousness.

5.2 PERIOD OF ONE PARTY DOMINANCE

5.2.1 Indian National Movement:

Indian National Congress (INC), established in 1885, played a vital role in the freedom struggle. It led the Indian political struggle against imperialism Twentieth century. All other major political outfits established before INC, either merged in Congress or worked with Congress on parallel lines. There was no alternative for Indian National Congress on organisational level. With the introduction of electoral politics, Congress had to play two roles: firstly as a party contesting elections and secondly, as a movement to mobilise people for the freedom struggle. Hindu Mahasabha and Muslim League both criticized INC as it lacks in representing interests of their respective religions. Communists accused INC of its capitalist nature. During this entire process INC was playing the central role; even with all the negotiations and pacts, Congress was the most significant party with which the British had to negotiate.

5.2.2 Evolution of Party System after Independence:

While formulating the Constitution of Independent India various provisions were referred from the Government of India act, 1935. Even in this process, Congress was at the centre. Congress organized its party base on the values of nationalism, democracy and public welfare. It became all inclusive because of these features. Leaders like Pt. Nehru and Sardar Patel attempted to build Indian National Congress based on liberal nationalism and all inclusive values.

Contrary to China, one party system did not sustain in India. Contrary to the presidential democracy of the United States, two-party system could not get established in India. But during the initial phase India was a one party dominant system.

Rajani Kothari has pointed out that Indian party system has evolved from a distinct political centre. This political centre was composed of members of the well-educated urban upper class. Due to the same socio-economic background, there was homogeneity among these people.

Indian National Congress was a manifestation of this political centre. By accommodating different social groups and various political ideologies, INC created a huge political space.

5.2.3 Salient Features of One Party Dominance system:

Following are the salient features of party system during this period:

1. This period is termed as One Party Dominance system. It was essentially a multi-party system where Congress played an extremely dominant role.

2. Though there was significant dominance of Congress, many parties in opposition provided free political competition.*Krushak* party was formed by a group led by AcharyKriplani along with the *Jansangh* established by Shyamaprasad Mukharjee in 1951. Communist party existed even before Independence. Morris-Jones aptly described this phenomenon as 'Dominance co-existing with Competition but without a trace of Alteration'.

3. These parties could not play its traditional role of opposition or even challenge the narrative set by Congress due to their inability to provide an alternative to INC. Even these political parties could not gather much public support. In 1952 Loksabha election, Congress got 363 seats, while communist party and socialist party got only 16 and 12 seats respectively. So the role of these parties was restricted to put pressure on ruling party.

4. INC was an umbrella like institution in this period as the political space of opposition parties was also occupied by it. During national movement INC drew support from different social groups. It had assumed the character of broad coalition. After independence it absorbed dominant social elements and attempted to seek balance so as to maintain its unchallenged position of power.

5. Congress was successful in creating broad political consensus. There was hardly any difference of opinion in between various political parties regarding nature of Indian polity. (Exception: Jansangh believed in Hindu Rashtra)

6. Before independence Congress was working on two levels: One as a movement and was influential in social mobilisation; Two as a political party, ruling over some parts of British India. After independence role of Congress as a movement was ceased gradually and it became 'new establishment' where interests of elites were protected.

7. This elite nature of party system gave rise to the establishment of parties like *Chhota Nagpur Party, Jharkhand Dal, Shetkari Kamgar Paksh.* These parties could get political space because of elite nature of Congress.

8. As India adopted the model of welfare state, there was an inherent conflict between the interests of elites and public welfare. Sometimes decisions were taken in favour of elites. But even while taking decisions in favour of interests of the elite, broad political consensus was created. Gradually this political consensus became the tactics of decision making.

9. India is the only State in South Asia with its first Prime Minister, formerly a leader in the Independence movement, in power for 17 years. This had a favourable impact on nation building. At the same time, it made the party system more leader-centric.

10. Though Congress was playing a pivotal role in Indian Politics, cleavages between various groups and ideological ambiguity made the party disorganized.

11. At the outset one must remember 'dominance of Congress' should be understood as dominance of this party at national level. At state level, different power structures were observed for ex. in 1957, Communist party established its government in Kerala. This was the first non-Congress government on state level.

    Congress was not just a party but a wholesome system in the country in first two decades after Independence.

    In a nutshell, Congress was not only playing a key role in electoral politics, but was forming a formal link-institution between state and society and in setting an ideological discourse.

5.3 DECLINE OF CONGRESS:

After 1967, the changed socio-economic and demographic profile of aforementioned political centre altered the nature of party system. As discussed earlier, Congress was open to all; but its decision-making process was elite-oriented.

As a plural party representing diverse interests and ideologies, the Congresshad a number of factions. Of these, some were relatively more dominant andplayed important role in the decision making of the party. Others were thedissident factions.

Rise of political consciousness along with periodic Loksabha and assembly elections was a key factor in alteration of the political centre. Socio-political groups which were not properly represented in the Congress system joined hands.

5.3.1 Party system after 1967

Multidimensional change in the nature of party system after 1967 changed the relationship between the state and society qualitatively since parties were a strong connecting factor.

Before Loksabha elections in February 1967, Congress was defeated in five state assemblies. Even after Loksabha elections Non-congress governments were formed in three states. During this period a number of factions within Congress were observed. Issues in allotting tickets for candidature and forming ministry were two important reasons for these factions.

Splits and divisions within the party was not a Congress specific phenomenon. Communist party got divided in 1964. Following that factions within the Socialist party and Jansangh were formed.

After the split within Congress in 1969, a new Congress was led by Indira Gandhi. Political competition was intensified after 1967. Non-Congress governments were formed in eight states. Non-Congress parties emerged as important parties in regional politics. Hence to counter Congress, Non-Congress alliance with diluted ideology was a major alternative adopted by these parties. As a result of this, party-specific ideology equation was blurred. One of the major consequences was the decline of the consensual model of Indian politics. Jansangh and the Socialists came together in 1977 to form a non-Congress alliance despite major ideological differences between them. The national Emergency imposed by Indira Gandhi was a driving force for this alliance. But this Janata party government could not sustain for five years because of impractical political behaviour of leaders from the government and the masses sensed political instability. This is why Congress led by Indira Gandhi bounced back in the 1980 election.

Even after the decline of Congress, it was an influential and central political agency till 1989. In the initial phase, Nehru's leadership was crucial for Congress and the nation at large. The all-inclusive nature of Indian National Congress was favourable for building the nation. But during Indira Gandhi's period, leadership was over-emphasized and the party became person-centric. It was not an example of exploitation of dynasty as observed in the case of Indira Gandhi. She contested an election within the party and general elections later on.

She was a tremendously popular leader; but during her term, the decision making process became authoritarian. Regional leadership could not grow during this period. She was successful in setting the metanarrative of nationalism by playing a decisive role in creation of Bangladesh and the war therein. Leadership and commitment to supremo became more important than core issues and ideology.

Changed context of politics was also a result of the assertion of middle castes. Lower castes and Dalits were brought into politics in the context of a patron-client relationship. It was an attempt to counter the rise of middle castes by bringing lower castes into mainstream politics.

After the assassination of Indira Gandhi, Congress received a gigantic victory with more than 400 seats on a sympathy wave. But even after that Congress could not become more organized during Rajiv Gandhi's period; on the contrary the existing political vacuum was underlined. With the Janata Government experiment, this political vacuum was visible in electoral politics. Janata Party could not interpret its own victory and it did not have any common ideological ground. Hence this experiment was bound to fail.

After the failure of Janata Government, socialists could not organize themselves. On the other hand Jansangh was successful in making itself relevant with its new incarnation in the form of BharatiyJanata Party. Hindu Nationalist ideological discourse had been in exististance even before Independence in the form of Hindu Mahasabha or Rashtriya Svayamsevak Sangh(RSS) though even they had difference of opinion between them. Jansangh followed the same ideological line after Independence. Though Jansangh could not seek much public support in its initial phase, it got 7% votes in the 1971 elections. Even BJP, when established in 1980, could not gather much public support. This was a party founded on Hindu Nationalism, but declared its ideology as Gandhian Socialism. BJP could get established because of the political vacuum created after decline of Indian National Congress, but in all, three issues catalysed the growth of BJP: One- Sikh genocide after assassination of Indira Gandhi with which politics based on religion got intensified. Two: Appeasement politics played by erstwhile Prime Minister Rajiv Gandhi regarding the Shahbano case after which Hindu vote bank emerged as a strong base in mainstream politics. Three: Demolition of Babari Mosque in 1992. These three factors were favourable for the growth of a communal party like BJP.

Third front came to power in 1989. Coalition politics in real sense started with this. After 2014 election, we have to rethink about the classification and analysis of party politics. Let us learn

about party politics after 1989 in the next part. Following are the salient features of party politics between 1967-1989:

1. 1967 elections indicated the decline of one party dominance as Congress lost in eight states. Despite the decline of Congress, it occupied a central position during this period. Exception was the Janata Party Government.

2. The Congress party was dependent on leadership. Hence political process became more person-centric.

3. So commitment to supremo was more important than party's ideology or basic issues. Leadership could not flourish on regional level.

4. As political competition got intensified, regional parties became more influential during this period.

5. Coalition politics was based merely on Non-Congressism. Hence ideology based politics was diluted.

6. With some exceptions, we can say that Indian voters voted for political stability. The mandate against emergency and refusal to Janata party experiment emphasize this fact.

7. With dilution of ideology, ambiguity was created regarding new political socialisation, party's political mobilisation and collective leadership.

8. Regional parties became influential players in politics. In Kerala, Communist party came to power in 1957. After 1967 Communists built a strong network in West Bengal. In Haryana and Orissa, regional parties played a substantive role. Even after winning more than 400 seats in Loksabha elections, Congress could not form a government in Assam, Mizoram and Punjab. Independent party level politics was shaped in Jammu and Kashmir. In southern states like Andhra, Karnataka, Tamilnadu different political competitive structures were formed where regional parties had more stakes in it.

9. As mentioned earlier, a new power structure of middle castes came into existence. Ram ManoharLohia categorised these castes as *' Aagade'* (Upper influential castes) and *Pichhade* (Lower castes).

 Party politics took new course after 1989.

5.4 COALITION POLITICS

5.4.1 Initial phase of Coalition Politics:

It was during this period that the seeds of future coalition politics were sowed. Congress was losing its ideological and institutional basedespite electoral victories. Congress was unable to respond to demands and aspirations of the newly awakened socio-political group which had been increasingly becoming politically conscious.

Congress received a huge victory in 1984 general elections but at the state level, coalition politics continued. Congress formed an alliance with the National Conference in Jammu and Kashmir. In Tamilnadu, it entered into an alliance with AIADMK in 1984. Left-led coalition governments were already formed in states like Kerala, West Bengal and Tripura.

5.4.2 Coalition politics after 1989:

In 1977 Janata Party was formed with the merger of parties - the Congress (O), the Jana Sangh, the Socialist Party, the Bharatiya Lok Dl. This was not coalition in conventional sense as party was formed before election and it fought general elections on a common symbol and a single list of contesting candidates. Janta Party came to power but could not complete its term. Janata Party experiment is mainly criticised because of its failure in governance and internal contradictions regarding ideology.

Aforementioned coalition experiments took place primarily on the state level. After 1989 coalition politics started on the national level. In the run-up to the 1989 elections, National Front was formed as a result of merger of several parties like Janata Party, Lok Dal (A), Lok Dal (B), Janata Dal. These parties subsequently formed an electoral alliance with small parties like DMK, Congress(S),AGP, CPI, CPI (M) and other small regional parties. National Front led by V P Singh was supported from outside by BJP and left parties.

National Front minority government was the first real coalition government at the Centre as the Janata Government was a coalition government by proxy and Charan Sigh-led coalition government Lok Dal and Congress (S) failed to provea majority in the LokSabha.

The National Front government could not last for five years. This government could not lay down the foundations of consensual polity, based on wide sharing. Ayodhya issue created pressure on this government and later intense competition for leadership within

Janata Dal led to the split in the party. The V P Singh government was defeated as BJP withdrew its support. A newly formed Janata Dal(S) led by Chandra Shekhar was formed but it fell within a year as Congress withdrew its support.

In 1991 election, Congress emerged as the largest party with 244 seats. This government could last for five years but during 1993 to 1995, assembly elections proved that Congress,around which the entire political system was structured, has declined significantly. At the end of 1995, non-Congress governments were formed in 12 states. Increasing tendency towards a bipolar polity at the State level led to a situation that a two-party system at the national level became improbable. Congress was marginalised in UP and Bihar and that moved Congress away from the middle ground of National Politics.

In 1996 elections, BJP emerged as the single largest party. It got large support from Northern and Western parts of India. But BJP's minority government fell within 13 days as it lost the vote of confidence in LokSabha. United Front government led by H.D. Dewegowda first and then by I.K.Gujral with support from outside from Congress and left parties was able to run government for a short duration. Congress withdrew its support in 1998 and the government got collapsed.

In 1998 BJP became the single largest party again. It entered into alliance with parties like Samata party in Bihar, Trinmool Congress in West Bengal, AIADMK in Tamil Nadu etc. This government lasted for thirteen months. BJP emerged as the single largest party in the 1999 election. This time forming the National Democratic Alliance with several parties led by AtalBihari Vajpayee, the BJP could complete full 5 years of its term. This was the first non-Congress government which could complete the five year term.

In 2004, United Progressive Alliance led by Congress came to power with support of left parties. Even in 2009with 206 seats the Congress was able to form a government. Both these governments lasted for 5 years under the leadership of Manmohan Singh. Bipolar polity along with coalition became the distinguishing feature of politics after 1989 with the exception of 2014 elections. In 2014 election, NDA came to the power; and for the first time after 1984, one party could achieve a clear majority in LokSabha. It is said that 2014 election would be recognized as an election which made a paradigm shift in Indian politics.

5.4.3 Salient Features of Coalition Politics

1. With exponential rise of various regional parties, a plural competitive party system came into existence in the real sense.

2. From 1967 to 1989, despite the decline of INC as a dominant party, it was occupying the central position. After 1989, Congress declined as an institution and even as an ideology.

3. During one party dominance period, opposition parties were not able to alter the political centre. Non-Congress governments could not last for five years during theperiod between 1967 and 1989. After 1989, opposition parties became competent enough to alter the political centre. The 1999 NDA government i.e. the non- Congress government could last for five years. The party system which emerged after 1989 is competitive with sufficient scope of alteration.

4. Coalition politics became inevitable as no single party could get a majority.

5. The competitive middle ground was widened during this period as various groups from the periphery came to the mainstream politics. This is often termed as the 'rise of the rest'.

6. Consensual polity was based on common minimum programme. Coalition politics made it imperative to follow the common minimum programme on policy level.

7. Acceptance of common minimum programme does not mean that parties coming together for sharing of power share the same ideology. After 1967 ideologies were diluted. What compelled them to come together was the logic of political power. These were non-ideological fronts.

8. In the initial phase national level politics was Tri-Polar:Congress and its ally, BJP and its ally and the third front. After the emergence of bipolar nature of politics at state level, national level politics became bipolarwith the two poles being UPA and NDA.

9. Regional parties became influential in national politics. With exponential growth and power share, there had been mainstreaming of regional parties. Their influence was not only restricted to power sharing but they were able to make an impact on national policy as well. Regional parties had to be taken into consideration while formulating foreign policy with neighbour countries for ex. National leadership had to consider AIADMK,DMK while taking decisions regarding Sri Lanka or

while taking decisions regarding Bangladesh, national leadership had to consider state politics of West Bengal.

10. The party system which emerged after 1989 is seen as a reflection of various interests of different groups. In the federalised context, it widened the space of democratic polity.

5.5 LINKAGES BETWEEN REGIONAL AND NATIONAL POLITICS

5.5.1 Rise and Growth of Regional parties:

As Congress played an extremely dominant role in Indian party system, all other parties were restricted to specific regions only. With an all- consensual model, Congress occupied the space of opposition parties. Hence there were several limitations on the growth of regional parties. First two decades after independence, a plural party system with the dominance of only one party and the competition was without any scope of alteration. Political competition became intense circa 1980.

Telugu Desam Party was established in Andhra while Akali Dal and AsamGanParishad came into existence in Punjab and Assam respectively. Parties with origin fromJanata party government, could stabilize in North India. Political competitive structure of regional parties was already shaped in Southern India. Several parties came in the middle ground of political space like BahujanSamajvadi Party, Samajwadi party in UP, RJD (Rashtriya Janata Dal), JDU (Janata Dal United) in Bihar, Shivsena and NCP in Maharashtra.

All these new parties could originate and grow with different socio-political bases like religion, language or Demography. A party like Akali Dal was formed on the base of religion while Tamil parties emerged from Dravidian movement and a Party like Shivsena could create its position on the issue of identity politics on the basis of Marathi language and Hindutva ideology.

In 1957, first non-Congress government i.e.a communist government was formed in Kerala. Non-Congress governments were formed in eight states at the end of 1967. Around 1980,Congress had to enter into an alliance with regional parties. This coalition politics at state level directed the course of coalition politics on a national level. Role of regional parties became decisive.

5.5.2. Inter-relationship of Regional and National politics:

For the first time in the history of Independent India, regional parties participated in national government when a government of

the National Front was led by V P Singh. The 1991 Congress government had to take support from Jharkhand MuktiMorcha and DMK. Regional parties became influential to the extent that if they withdrew their support, the government would collapse. With a handful MPs, leaders from regional parties could rise up to the position of Prime Minister.

In the elections after 1989 all the regional parties excluding SP, BSP and the Leftist parties got 180 seats and 48% votes on an average. (withthe exception of 1991 election) This underlines the importance of regional parties.

Regional parties before 1989 and after 1989 had major differences in their role and structure, as parties after 1989 emerged with national ambitions. But they could not come out of the dilemma of remaining regional or becoming national. For ex the narrative formulated by Shivsena was about opposing people from other states. Shivsena cannot grow with this narrative to the national level.This dilemma remains before regional parties in setting their own narrative.

Regional parties especially from Western and Northern India could make an impressive impact on national politics. On the other hand parties like National Conference from Jammu and Kashmir, Manipur peoples' party, Mizo Front could not become influential in national politics as these states could not arrive at a satisfactory answer to the question of becoming an integral part of India or otherwise.

Leftist parties also could not grow beyond Kerala, West Bengal and Tripura despite a huge scope. These parties failed to make their parties relevant to parliamentary politics. One faction from left parties became violent in the form of Naxalism. The dilemma became more complex before left parties specially after 1991 liberalisation policies. Leftists opposed communal politics invoked by the BJP. They accused Congress of being a capitalist party. They could not decide who is really progressive and this confusion was reflected from their decision making process. Leftist parties played a key role in UPA1 (2004-09) government. But leftist parties basically failed to interpret and correlate their role of 'Left' in Indian polity and they forgot that they were the leftist parties after the disintegration of USSR. Lacking compatibility with neoliberal political competition and parliamentary democracy, role of leftists was limited to a certain extent.

5.6 LET US SUM UP

Some interesting findings came from the studies of Myron Weiner, Iqbal Narayan and Palshikar-Yadav. All these studies

came to the conclusion that State has become the important unit for political choice and recruitment. Different political power-structures were evolved with the historical process of politics. Hence, it led to resultant distinguishing political outcomes. Regional parties became more relevant in national politics.

2014 election has changed aforementioned equations to a larger extent. Outcome of 2014 election made a paradigm shift in the Indian politics on national level. Despite huge victory in 2014 general elections, BJP has had to enter into coalition with regional parties on a state level. That means it has not affected the relevance of regional parties to a large extent.

It is difficult to predict the structure of national politics but considering the relevance of regional parties, new equations on national level politics can come out from regional political variables. National aspirations and ambitions of regional parties would make this linkage stronger than politics in the past. In a nutshell, future course of national politics would arise from regional political character.

5.7 EXERCISES:

1. State and explain the salient features of one party dominance period.
2. Analyse the reasons of Congress decline.
3. Explain the relevance of regional parties in national politics.
4. Explain the impact of coalition politics on national politics.
5. Write a short note on the rise and growth of BJP.

5.8 SUGGESTED READINGS

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6

THE CHANGING ROLE OF CASTE, RELIGION, ELITE AND LANGUAGE IN STATE POLITICS

Unit Structure :

6.0   Objective
6.1   Introduction
6.2   Caste
6.3   Religion
6.4   Elite
6.5   Language
6.6   Unit End Questions

6.0 OBJECTIVES

- To understand the role of caste, religion, language and elite in State Politics.
- To critically examine its impact on Indian Politics and democracy.

6.1 INTRODUCTION

India is inhabited by several ethnic and religious groups as compared to other countries of the world. Many intellectuals viewed India as a captivating country where people of many different communities and religions live together in harmony. The Indian population is an amalgamation of various races and cultures. Besides, numerous castes, there are eight "major" religions, many languages spoken in various dialects and a substantial number of tribes and sects. This along with its unique geographical features has earned it the epithet of a subcontinent.

Political processes all over the world have ascended out of social environment. Tribes, clans, castes, classes have existed around a social organization. Economy, polity, religion, family and kinship networks have operated under a social structure. Man is a political animal. When Aristotle said this he had in mind the social element. As such, the Indian society, is multi-ethnic as well as multi-religious. Therefore there is immense significance of politics in India.

6.2 CASTE

In the contemporary Indian scenario, caste mobilisation has become an important factor in determining Indian politics. According to Risley, "caste is a collection of families bearing a common name, claiming a common descent from a mythical ancestor, divine or human and professing to follow same hereditary calling and regarded by those who are competent to give an opinion as forming a single homogenous community." Caste has been described as "localized group having a traditional association based on one's birth in a caste, though at times associated with particular occupation." For centuries caste has permeated all aspects of human life in India. So much so that at various points in history it has been the turning point for various incidents, events and institutions. Whether it is the factionalism of Indian political parties or the nomination of candidates and the mode of election campaign, most things can be explained through caste interests and caste balance.

Ideally, caste and democratic political system signify opposite value systems. Caste is hierarchical. Status of an individual in a caste-oriented social system is determined by birth. It has religious sanction by various holy texts, reinforced by priests and rituals. Conventionally, upper castes had been given certain privileges not only in religious area but also in economic, education and political spheres. Traditional and customary laws differentiate individuals by birth and sex. The Varna system in India evolved a strict system of rules and regulations which were austere for women and Shudras and soft toward males and Brahmins. Conversely, Western democratic political system backs freedom to an individual and equality of status. It stands for rule of Law. No one regardless of status is above law. At the same time Indian democratic system under the Constitution also stands for liberty, equality and fraternity among all citizens. It struggles to build an egalitarian social order.

There are three consequences of such interaction between caste associations and political parties. One, caste members particularly poor and marginalized who previously remained untouched by the political processes got politicized and began to participate in electoral politics with an expectation that their interests would be served. Secondly, caste members get split among various political parties weakening hold of the caste. Lastly, numerically large castes get representation in decision-making bodies and the strength of the traditionally dominant castes become weak. This explains the rise of middle and backward caste representations in most of the state assemblies.

Today in India caste has taken on a bigger role and has subsequently seen multi-polarization of the Indian political system.

The basis of confrontational identity politics based on caste may be said to have its origin in the issue of providing the oppressed caste groups with state support in the form of protective discrimination. This group identity based on caste that has been reinforced by the advent of political consciousness around caste identities is institutionalised by caste-based political parties that strive to promote the interests of specific identities. Subsequently, political parties have the upper-caste dominated BJP (Bharatiya Janata Party), the lower-caste dominated BSP (Bhaujan Samaj Party) or the SP (Samajwadi Party), including the fact that left parties have implicitly followed the caste pattern to extract distance in electoral politics. The aggregate result of politicization can be summarized by arguing that caste-based politics has had a twin role in Indian society and polity. It comparatively democratised the caste-based Indian society and simultaneously destabilized the development of class-based organisations.

The Indian Constitution also took cognizance of the caste factor and gave reservation to certain castes that were traditionally weak and backward. Accordingly these castes were included in the list of Scheduled Castes and Scheduled Tribes. Caste politics became noticeable in India in the beginning of 1990s after the National Front government under then Prime Minister Vishwanath Pratap Singh decided to implement the recommendations of the Mandal Commission, a government panel established in 1979 that called for a fixed quota (reservation) of jobs for the OBCs in the public sector.

In recent years various areas in the country have seen emergence and dominance of certain 'castes' that have not traditionally been in the forefront of politics.

After independence, it became possible for previously oppressed caste-groups to be accorded political freedom and recognition but has also raised consciousness about its potential as a political capital. In fact, Dipankar Gupta has emotionally exposed this ambiguity when he elaborates the differences between Ambedkar and Mandal Commission's view of caste. While the former designed the policy of reservations or protective discrimination to remove untouchability as an institution from Indian social life and polity, the latter considered caste as an important political resource. Actually, the Mandal Commission can be regarded as the intellectual inspiration in transforming caste based identity to an asset that could be used as a basis for safeguarding political and economic gains. It can also be said that the upper castes by virtue of their major position were already occupying

positions of strength in the political and economic system, and when Mandal intensified the consciousness of the 'Dalits' by recognizing their disadvantage of caste-identity as an advantage, the confrontation began.

The initiative of the National Front government to reserve an additional 27 percent of seats for the OBCs led to dangerous clashes between pro and anti-reservation supporters, and the government fell. For, there existed 15 percent of quota in government jobs and educational institutions for the Scheduled Castes (Dalit) people, and an additional 7.5 percent for Scheduled Tribes or tribal (aborigine) people.

After two decades, in April 2006, the ruling United Progressive Alliance or UPA government announced the OBC quota, and once again there was strong opposition by sections of the non-reserved category people. The government's decision was challenged in the court of law. In May 2008, the Supreme Court of India agreed to the quota. However, there were far less protests as compared to 1990 which indicates that in the last 18 years, almost all parties have built their caste-based vote banks. This is also revealed by the fact that many OBC leaders have emerged as prominent politicians, such as Mulayam Singh Yadav from the Samajwadi Party, Lalu Prasad Yadav from the Rashtriya Janata Dal, and Nitish Kumar from the Janata Dal-United.

After Independence, some caste associations were established with political objectives to compete in elections. In Gujarat, some of the leaders of the Kshatriya Sabha anticipated in the early 50s to form the party of the Kshatriyas. They soon realized that they could not muster enough support to contest elections only on the strength of the Kshatriyas. Likewise, the political elite of the Kurmis. Yadavas and Koeris encouraged the Bihar State Backward Caste Association in 1947 to contest elections. During the 1950s, B. R. Ambedkar discouraged the use of caste as a political board. He realized the limitations of using caste as a political resource and instead emphasized eliminating the concept of caste from Indian society.

The Mandal Commission was formed in 1979 by the Janata Party government under Prime Minister Morarji Desai with a directive to "identify the socially or educationally backward". The Commission was set up to consider the question of seat reservations and quotas for people to redress caste discrimination, and used eleven social, economic, and educational indicators to determine "backwardness." In 1980, the Commission's report confirmed the affirmative action practice under Indian law whereby members of lower castes (known as Other Backward Classes and Scheduled Castes and Tribes) were given exclusive access to a

certain portion of government jobs and slots in public universities, and recommended changes to these quotas, increasing them by 27% to 49.5%. L R Naik, the only Dalit member in the Mandal Commission refused to sign the Mandal recommendations, as he was afraid that well-to-do OBCs would corner all the benefits of reservation.

In 1990s, several parties like Bahujan Samaj Party (BSP), the Samajwadi Party and the Janata Dal started appealing that they represent the backward castes. Many such parties, relying primarily on Backward Classes' support, often in association with Dalits and Muslims, emerged as powerful in Indian states. At the same time, many Dalit leaders and intellectuals started realizing that the main Dalit oppressors were so-called Other Backward Classes, and formed their own parties, such as the Indian Justice Party. The Congress (I) in Maharashtra long relied on OBCs' backing for its political success. Bharatiya Janata Party has also showcased its Dalit and OBC leaders to prove that it is not an upper-caste party. Bangaru Laxman, the former BJP president (2001-2002) was a Dalit. Uma Bharati, former CM of Madhya Pradesh, who belongs to OBC caste, is a BJP leader. In 2006, Arjun Singh cabinet minister for MHRD of the United Progressive Alliance (UPA) government was alleged to play caste politics when he introduced reservations for OBCs in educational institutions all around. In Tamil Nadu, Dravida Munnetra Kazhagam (DMK) party rose to power under the rumour of "Brahmin oppression". Many upper-caste Brahmins have criticized of reverse discrimination, alleging that Tamil Brahmins (Iyers, Iyengars) have left the state, due to a "hostile atmosphere" predominant against upper castes in the region.

In political terms, caste has had a major role in the decision making process. Even the reorganization of states in India had to struggle with it so that no caste group dominates a particular territory. After independence untouchability has been forbidden under the Constitution and erstwhile Harijans and Adivasis have also been given legal safeguard as a positive measure. Government made an attempt to create economic and social impartiality but these reservations have affected Indian politics in an unpleasant manner. Groups declared backward are now not prepared to relinquish the concessions that accumulate to them by the label of backwardness. Caste has thus become a major hurdle in the establishment of a casteless society and has paved communal connections. Even the politicians are caught in the network. On the one hand, they would like the differences and preferences based on caste to be abolished and on the other, are well aware that these are helpful in securing votes in elections.

The growing role of caste associations also played a vital role in influencing voting behaviour. Even political parties consider

caste as a vote bank. This empowered the lower castes to be politically influential on the basis of numerical preponderance. In selecting candidates for elections, political parties often give consideration to the caste composition of constituencies. Sometimes, several castes use politics in their attempt to better their conditions or to accomplish their goals.

It is well recognized that role of caste in elections has two dimensions. One is of the parties and candidates and the second is of the voters. The previous notion seeks support of the voters projecting themselves as champions of particular social and economic interests, the latter while exercising their vote in favour of one party or candidate whether people vote on caste consideration. Different parties accommodate certain castes in distributing party tickets. While nominating candidates parties take into consideration caste of the aspirant candidate and numerical strength of different castes in a constituency. Caste leaders also mobilize their followers on caste lines so that they can show their strength. In the 50s wherever caste associations were able to maintain their unity and did not formally align with ally one party they appealed to their members to vote for their caste fellows irrespective of their party affiliation. For a very insignificant number of respondents, candidate's caste was the main consideration. Some of the respondents might have voted for persons who happened to belong to their caste. But it was not caste voting. They, voted because the person was the candidate of the party to which the respondent felt closer for a variety of reasons including the feeling that the party would "protect his/her" interests or the party had done good work for the people like him/her. Their main consideration is the perception of their interests. From a list of alternative party candidates, they consider who would serve their interests better than others.

In all, caste has become an important determinant in Indian society and politics. The new lesson of organised politics and consciousness of caste affiliations learnt by the previously despised caste groups have transformed the contours of Indian politics where shifting caste-class alliances are being encountered. The total effect of these mobilisations along caste-identities have resulted not only in the empowerment of recently emerging groups but has increased the intensity of confrontational politics and possibly leading to a growing crisis of governability.

6.3 RELIGION

Another type of identity politics is that which was produced through the development of a community on the shared link of religion. Religion is a collection of belief systems or cultural systems that link humanity to spirituality and moral values. Many

religions may have organized behaviours, clergy, adherence or membership, holy places, and scriptures. Politicians use religion to gain success in politics.

In India, Hinduism, Islam, Sikhism, Christianity, Buddhism and Zoroastrianism are major religions practised by the people. Numerically, the Hindus have the majority, which stimulates many Hindu loyalist groups like the RSS (Rashtriya Swayam Sevak Sangh) or the Shiv Sena and political parties like the BJP (Bharatiya Janata Party) or the Hindu Mahasabha to claim that India is a Hindu State. These assertions create homogenising myths about India and its history. These claims are contradicted by other religious groups who predict the likelihood of losing sovereignty of practise of their religious and cultural life under such homogenising claims. This initiates contestations that have often resulted in communal uprisings.

Religion in Indian politics can be linked to the country since the pre-independence periods. It is supposed that the British, who ruled India for more than 100 years around the 19th century, pitched one community against the other to decline the freedom struggle. They especially thrived in pervading a feeling of anxiety among sections of the Muslim community concerning their wellbeing in a country that had a majority Hindu population and emerging Hindu nationalist voices. As a result, the Muslims demanded reserved seats in the legislature and a separate electorate.

In 1915, Hindu nationalists established the Akhil Bharatiya Hindu Mahasabha (All India Hindu Assembly) to counter the Indian Muslim League (a political party) and the secular Indian National Congress, a forum founded in 1885 that afterward became a political party. In 1923, Vinayak Damodar Savarkar (popularly known as Veer Savarkar), the Hindu Mahasabha founder, coined the word 'Hindutva' (Hindu-ness) to define who is a Hindu. In 1925, KB Hegdewar, the Hindu Mahasabha vice president, founded the RSS.

The tensions between groups of the Hindu and Muslim societies resulted in the Indian Muslim League demanding a separate nation for Muslims. When the British were to formally depart the country in 1947, the British India was divided into the 'Hindu-majority' India and the 'Muslim-majority' Pakistan. The Partition had dangerous consequences on both the nations. It resulted in a mass migration of 14.5 million people from India to Pakistan and vice versa, and the killing of around 1 million people related to religion of Hindu, Sikh and Muslim in the violent clashes that followed.

In 1951, the RSS began a political party, the Bharatiya Jana Sangh or BJS, under its leadership and control. In 1980, the BJS was succeeded by the BJP.

The BJP, which struggled to become a national party and an alternative to India's one and only major party at the time, the Congress, espoused a resolution in June 1989 to build a temple of Rama in Ayodhya (Uttar Pradesh state), which the party claimed as the Ram Janmabhoomi (the birthplace of God Rama). The BJP and Hindu nationalists asserted that Muslim ruler Babur had demolished a temple of Rama to build the Babri Mosque in Ayodhya in the 16th century. In September 1990, BJP leader Lal Krishna Advani undertook a Rath Yatra (procession on a chariot) to promise the construction of a temple of Rama.

The Ayodhya issue intensified the political dividends. In July 1992, Advani, the leader of the opposition in the Lok Sabha (House of the People), reportedly told the House, "You must recognise the fact that from two seats in parliament in 1985, we have come to 117 seats in 1991. This has happened primarily because we took up this issue (Ayodhya)."

In December 1992, supposed activists of the Vishwa Hindu Parishad (VHP), a sister organisation of the RSS and the BJP, allegedly demolished the Babri Mosque. This not only encouraged communal violence in several parts of the country, in which many people died, but also separated people along religious lines. Consequently, the BJP emerged as a major party.

Progressively, the BJP emerged as a dominant party at the national level for the first time in May 1996, but the government lasted for only 15 days. It again gained power in March 1998 as the leader of the National Democratic Alliance and ruled the country till March 2004.

In 1998, the BJP began targeting Christians after Sonia Gandhi, an Italy-born Catholic and wife of late former prime minister of India, Rajiv Gandhi, became the president of the Congress. Presently, BJP is the ruling party in India.

The generally acknowledged myths that process the identity divide on religious grounds centre on the 'appeasement theory', 'forcible religious conversions', general 'anti-Hindu' and thus 'anti-India' approach of the minority religious groups, the 'hegemonic aspirations' of majority groups and 'denial of a socio-cultural space' to minority groups. Traditionally, the Hindu revivalist movement of the 19th century is considered to be the period that saw the separation of two separate cultures on religious basis, the Hindus and the Muslims that developed further because of the partition.

This division which has become institutionalised in the form of a communal philosophy has become a major challenge for India's secular social fabric and democratic polity. Though communalism for a major part of the last century signified Hindu-Muslim conflict, recently, confrontations between Hindus and Christians have often crystallised into communal battle.

The rise of Hindu national decisiveness, politics of representational government, persistence of communal perceptions, and competition for the socio-economic resources are considered some of the reasons for the generation of communal beliefs and their change into major riots. Identity schemes based on religion have become a major source of skirmish not only in the international background but since the early 1990s it has also become a challenge for Indian democracy and secularism. The growth of majoritarian assertiveness is considered to have become institutionalised after the BJP that along with its 'Hindu' constituents gave political cohesiveness to a consolidating Hindu consciousness, formed a coalition ministry in March 1998. However, like all identity schemes the falsifying of a religious community polishes over internal differences within a particular religion to generate the "we are all of the same kind" emotion. Thus differences of caste groups within a homogenous Hindu identity, linguistic and sectional differences within Islam are shelved to create a homogenous unified religious identity.

The emergence of regional religious parties has also greatly affected the Indian political life. In Punjab the Akali Dal has for a very long time ruled the roost. Also the movement for Khalistan which had its roots in religion took on sinister proportions and over a period of time assumed the form of "war against the state." The holy shrine the Golden Temple in Amritsar was used by terrorists to wage this war. And when then Prime Minister of India Indira Gandhi ordered Operation Bluestar to flush out terrorists from the holy shrine, she had to pay a heavy price for it. She was assassinated by her own bodyguards who were 'Sikh'.

In South India also religion today has emerged as a dominant force in the political ambience. For instance the Muslim League in Kerala projects itself as a champion of Muslim rights. In Telengana Owaisi's party The **All India Majlis-e-Ittehad-ul Muslimeen** or **AIMIM** is a recognized state political party based in the Indian state of Telangana, with its head office in the old city of Hyderabad, which has its roots in the **Majlis-e-Ittehadul Muslimeen** founded in 1927. The party has long been seen as a political representation of Muslims in the state of Andhra Pradesh, and now Telangana.

The North East also saw the resurgence of a number of political parties who mainly had Christian leanings and has resulted in regular political clashes based on religion.

It can be evaluated that in the Indian culture, religion played a significant role. Political leaders realized that to retain unity in India, there is a need to remain secular. Therefore, Gandhiji had been preaching brotherhood among the different religious groups. Nehru was a strong supporter of secularism. Their efforts could not separate religion from politics rather in politics the vested interests started exploiting caste and religion to achieve political advantage. After independence, religious places are used for political publicity and the religious sentiments of the people are excited in order to gain political control of the state. This emergence of religious-political parties has endangered the secularism in India.

Communalism:

The conceptual framework is quite simple and in positive terms, communalism could be defined as a person's attachment with the good of his or her community. However, in the realm of politics it has a very sinister implication in view of the fact that it "is generally associated with a narrow, selfish, divisive and aggressive attitude on the part of a religious group." Bipan Chandra views communalism as an ideology which spreads a communal belief system. Communalism in Pre-Independence India-- Communalism is essentially a modern phenomenon. In pre-independence India, the growth of communalism was basically the result of the British policy of 'Divide and Rule' which the colonial rulers consciously pursued and the relative socio-economic backwardness of the Muslim community. "To check the growth of a united national feeling in the country, they decided to follow more actively a policy of 'Divide and Rule' and to divide people along religious lines, in other words, to encourage communal and separatist tendencies in Indian politics. For this purpose they decided to come out as 'champions' of Muslims and to win over to their side Muslim zamindars, landlords and the newly educated." As a result of this conscious British policy, Muslim League was formed in 1906 and Separate Electorate was granted to Muslims by the Government of India Act, 1909. Both the British and the Muslim communalists raised the issue of Hindu majoritarianism which would put the Muslims of India under the subjugation of the Hindus. The British policy of 'Divide and Rule' could succeed because the Muslims were relatively backward, educationally as well as economically. Their participation in trade and commerce and also in industry was low as compared to their religious counterparts in India. Because of their educational backwardness, the Muslims also lagged behind in government services and other modern professions such as law, engineering and medicine. Due to their socio-economic educational backwardness a fear psychosis developed among the Indian

Muslims that they would be discriminated by the majority if nationalism and democracy succeeded. This has been sincerely expressed by Nehru: "there has been difference of a generation or more in the development of the Hindu and the Muslim middle classes, and that difference continues to show itself in many directions – political, economic and others. . . It is this lag which produces a psychology of fear among the Muslims." Besides the relative educational and economic backwardness of the Muslims, the way Indian history was being presented in the 19th and in the first half of the 20th century gave intellectual support and legitimacy to communalism. It was during the era of Militant Nationalism and the rise of Revolutionary Terrorism after the partition of Bengal in 1905 that the Hindu religious symbols were used on a larger scale. It is not that organised communalism was spread only by the Muslims. In fact Jinnah too added to the divide with his two-nation theory. A section of the Hindus too were communal in their outlook and the formation of the All-India Muslim League was soon followed by the setting up of the Hindu communal organisations like the Hindu Maha Sabha and the Rashtriya Swayamsevak Sangh. It is difficult to enumerate here all the events which took place between the rise of military nationalism after 1905 and the creation of Pakistan in 1947. What can be said is that the communal groups and parties that talked of separate Hindu and Muslim nationalism never took active part in the struggle against foreign rule.

The Hindu communal organizations today, also give a call for unity among Hindus for otherwise, they believe that India would be further partitioned. The memories of the past also promote communalism among Muslims.

We may identify three broad varieties of communalism in India. First, there is the communalism of the majority community manifesting itself in the form of movement for Indianisation, (Hindutva). Second, there is the tendency on the part of some minority religious communities to define themselves as 'nations', not as 'communities' and even to go to the extent of demanding a separate and sovereign 'homeland'. This should be designated as 'secessionist communalism'. Lastly, invoking religion as the source of social discrimination and economic disparity, special treatment is demanded from the state to uplift their socio-economic conditions by some religious collectivities which may be called ' welfarist communalism'.

Politician use religion to gain success in politics.
In post-independence era, India the majoritarian assertion has generated its own antithesis in the form of minority religions' assertiveness and a resulting confrontational politics that weakens the dimensions of the civil society in India. The process through which this religious assertiveness is being increasingly

institutionalised by a 'methodical rewriting of history' has the potential to reformulate India's national identity along communal lines.

It can be summarized that In the Indian culture, religion has played a significant role. Political leaders realized that to retain unity in India, there is a need to remain secular. After independence, religious places are used for political publicity and the religious sentiments of the people are excited in order to gain political control of the State.

6.4 POLITICAL ELITE

Who are the elite? Elite are the most influential and prestigious stratum in a society. The 'elite' are those persons who are recognized as outstanding leaders in a given field. Thus, there are political, religious, scientific, business, and artistic elite. Pareto, Mosca, Wright Mills, Lasswell, Mannheim, Bottomore, etc., have given different definitions. Elite have also been described as "decision-makers whose power is not subject to control by any other body in the society". Some scholars maintain that elite are "those who have an influence over the fate of the society because of their superiority".

The members of an elite group have important influence in shaping the values and attitudes held by their segment of society. Political thinkers have also described elite as those who make decisions having major consequences, who are able to realise their will even if others resist, and who have the most of what there is to have-money, power and prestige.

An elite may thus be described as a dominant group which possesses distinctiveness and exclusiveness.

Secondly, the term does not apply to any one person but refers to a plurality, a group of persons, however small it may be. Thirdly, this identifiable collectivity has certain attributes and skills which give it not only a certain superiority but also power of decision-making and influencing others.

Lastly, elite is a relative term. A group is identified as an elite group in a particular field in which it is 'power excerciser' or 'influential' or commands 'excellence', but in other groups, these elite may be considered as 'ordinary' members.

On this basis, the term 'political elite' may be defined as "a group of high stratum decision-makers in political culture or concrete political structure which monopolises political power,

influences major political policies and occupies all important posts of political command".

If we were to operationalise this term, we could say, political elite include those:
a) Who are elected/nominated to central and state legislatures,
b) Who occupy important positions in national or state-level political parties,
c) Individuals who do not hold any formal positions either in the government or in political parties but are still considered as persons of great political prestige and power because they control power-exercisers (e.g., Gandhi, Jaya Prakash Narayan).

Role and Changing Character of Elite in Post-Independence India:

With the above mentioned definition of political elite, we will now examine the recruitment and change in the nature of the elite operating in the political field in India after independence.

This change can be analysed by classifying the political elite in five phases:

i) Immediately after independence phase (i.e., 1947 to April 1952), in which there was no longer any struggle between the people and the government and in which though the interests of the people and the power elite were one and indivisible, the latter were more preoccupied with the problems of restoration of law and order after partition, refugee resettlement, maintenance of communal peace, and the controversy over the redistribution of territories between various states.

ii) Consolidation phase (i.e., April 1952 to March 1962 or MPs, MLAs and party office-holders elected in April 1952 and April 1957 elections), in which the political elite worked for the economic uplift and social development through the Five-Year Plans.

iii) Chaotic phase (i.e., April 1962 to March 1971 or individuals elected in April 1962 and March 1967 elections), in which non-Congress and coalition governments came into power in several states affecting the inter-state and state-centre relations.

iv) Authoritarian phase (i.e., March 1971 to November 1989 or individuals elected in March 1971, March 1977, January 1980, December 1984, and November 1989 elections), in which one person was catapulted to the position of supreme national leadership, first Indira Gandhi for 16 years (excluding period from March 1977 to January 1980) and then Rajiv Gandhi for five years and the power- came to believe in the personality cult,

and in which all plans for change and development of society were centralized.

v) Multiple-party phase (i.e., December 1989 till April 1999) in which except in Narasimha Rao's period of 5 years, in the remaining period, a number of political parties joined hands to rule the country on a common-programme basis (V.P. Singh ministry for 11 months—December 1989 to November 1990), Chandra Shekhar ministry for about eight months—November 1990 to June 1991), Atal Bihari Vajpayee ministry for 13 days—from May 1996 to May 1996), P.V. Narasimha Rao ministry for five years June 1991 to 1996), United Front governments of Deve Gowda (June 1996 to April 1997) for 11 months and I.K. Gujral (April 1997 to March 1998) for one year and BJP-led government of A.B. Vajpayee (March 1998 to April 1999).

Who were the elite in the first phase? The elites were those who had a stable economic background (though politics was not their profession for earning their livelihood), were highly educated, mostly belonged to the upper castes, and were committed to societal interests. Their socio-political ideology was based on nationalism, liberalism and religio-cultural reforms.

This first generation of power-wielders in free India had earned their reputation for courage, vision and action, and acquired their charisma before they stepped into office as inheritors of political power and earned it more through functioning in office.

The elite in the second phase, particularly those elected in the 1952 elections, some of whom had only a part-time interest in politics wanted rewards in the form of a political office for participating in the national struggle for independence. These elite caused a certain amount of disequilibrium in the beginning in their party structures but their pressures for active participation in politics were pitched in such a low key that were soon integrated in their party systems.

Then came the 1957 elections when the long established dominance of the so-called political sufferers was broken and political power was placed in the hands of a new breed of elite who were either petty land¬holders or traders, businessmen, professional persons, small industrialists or social workers. These elite were not as highly politicized as their older counterparts. They thought that since they could trust the integrity of old professional politicians, they need not concern themselves quite so directly with politics.

Over the years, yet newer elite further down the social scale appeared in the 1962 elections representing the intermediate and lower castes, middle-class professions, small farmers, industrial

workers, or even obscure religious and social sects, to name a few, seeking entry into the political decision-making processes.

Though these elite came to seek a greater role in policy formulation, the older elite still retained their influence. There was thus toleration on the part of the new and accommodation on the part of the old elite. Both old and new elite revised their values to fit situations and establish new relationships.

This type of interaction between the old and the new elite implies a dilution of the pure force theory group of elite or that the position of the old elite depended upon some sort of bargain. We can thus say that change in the elite structure up to 1967 was slow and 'peaceful', not involving any 'conflict' in Marxian terminology.

In the 1967, 1971, 1977, 1980, 1984, 1989, 1991, 1996 and 1998 elections, emerged the elite amongst whom many were found to have politics as their major source of livelihood. They believed more in using the ties of kinship, caste and language to smoothen the way through the corridors of power.

They were blind to the practicalities of the plans and believed in seeking cooperation of the masses by coining attractive slogans and speaking half-truths. They posed as democrats; even their slogans were democratic but their actions belied their utterances. Democracy as a way of life was foreign to their nature and nurture. Ideologically, there were four types of elite functioning in 1967-1971, 1971-1989, and 1989-1999 phases: traditionalists, rationalists, moderates and synthetics.

The second and the third types had two sub-variations:
a) Those who reflected secular but vested national ideology, and
b) Those who professed a neo-secular and vested parochial ideology.

Since these elite with different ideologies functioned within the party, the variation in their ideologies led to segmentation of the party which affected the functioning of both the party and its elite at various levels.

The new political elite who were brought into power first in December 1989 elections and then in May 1996 and March 1998 elections got public votes not because of their rationalist liberal ideologies or because their radicalism was greatly appreciated but because people wanted to throw out the government of the day dominated by one political party for about four decades and also the weak political United Front government which was based on factions. Even the BJP-led government of A.B. Vajpayee which

came in power in March 1998 proved unstable because of constant threats from 3 or 4 of its constituent parties.

Using this description for comparing the 'new' elite with the 'old' elite and for identifying the present structure of political elite, we could say, the 'intellectual committed politicos' of first phase were replaced by 'mediocre, uncommitted, partisan' elite in the following phases.

The last one decade political elite are characterised not only by a plurality of structural background but ideologically also they manifest varied shades. Their political affiliations are guided more by their particularistic loyalty rather than by their ideology commitment.

The old elite wielded power independently, i.e., in their own right as intellectuals, whereas the present-day elite are incapable of exercising independent political power. Barring a few activist elite, most of the present elite do not believe in militating against the status quo. As such, the task of social engineering becomes far more difficult for those few activist revolutionary elite who are really committed to modernisation and believe in economic radicalism, political democratisation and social growth.

Advanced technology, abundant economic production, free trade by curbing industrial monopoly and encouraging competitiveness, freedom of occupation, distributive justice, and ending poverty and destitution; in the political field, our goals are: democracy, decentralisation of power, free public opinion and free elections; in the social field our goals are: equality, mobility, secularism, individualism, a break with traditional customs and rituals, and achieving social status through individual potentialities rather than through birth. But have we achieved these goals?

It cannot be asserted that the political elite alone determine the nature and process of development and modernisation in any society. There are many factors like the structural character of various institutions in society, the competence of the mass of the population, political stability, cultural heritage, and the political pattern, etc., which affect the prosperity of a nation or its development.

Yet, the political elite, being the planners and decision-makers, play a very significant role in the country's development. Nobody would deny that we have made progress in different fields. It may even be conceded that much of our development is due to the efforts of the 'activist' elite we had in the last few decades. But this also is a fact that if our country has as yet reached only its half-way point, it is because our political elite have proved to be a

barrier in the process of modernisation of our society in several ways. Their discriminatory attitude, blind conformity to tradition, indifference to development, their vested interests, political rivalries, factionalism and corruption have adversely affected the techno-social changes taking place in our society.

Can an average Indian be a beneficiary of programmes and policies which are motivated by monopoly-dominated and by powerful pressure per capita consumer expenditure of a few rupees a day? Can a society be modernised by the elite whose 'crash' programmes are to appoint committees and commissions for suggesting, initiating and implementing efficient means and mechanisms for solving various socio-economic problems of the society?.

There are some oligarchic activist elite who do possess this insight and who are committed to development, but they too have not been able to do much in our country because of several problems they face in their functioning.

The main problems they face are:
i)   The problem of split ideologies, namely, the ideologies of passive party officialdom, of party militants, of the disinterested and uncommitted rank and file of party members and party identifiers, and the party's public ideology;
ii) The problem of confusion of cross-cutting issues and alternative preferences; and
iii) The problem of in-fighting among the elite for power-sharing. "We know that the important political parties functioning at national level these days are conglomerations of groups and sub-groups with conflicting loyalties.

The result is that these politically ineffective elite are manipulated by the oligarchic elite, often through promises and slogans that portend economic development, socialism, social justice, end of monopoly, etc., as ends, while at the same time they (the oligarchic elite) themselves operate through largely undemocratic and monopolistic means. On the surface, the oligarchic elite are ideologically motivated, but in practice their ideology seldom remains operative.

As long as the subjacent elite remain inarticulate and thus incapable of holding the oligarchic elite responsible for their suppression, both the big as well as small political cultural groups will continue to be dominated by the oligarchic elite and they will continue to deny political legitimacy to the leaders of the lower rung as well as to the new entrants.

To understand modernisation at a macrocosmic level in India, we have to assess the pattern of economic, social and political development at microcosmic level in its constituent states, and have also to examine the relations between the elite functioning at two different levels, viz., na-tional and state levels.

To sum up, we maintain that unless the behaviour of the present political elite is motivated more by altruistic values rather than by the mundane or pragmatic considerations, the goals of modernisation will not be achieved and the struggle for social change will continue to be hampered.

6.5 LANGUAGE

India is a multi-linguistic nation with several well developed languages which are rich in grammar, expression and literature and have their own distinct script. Multi-linguism is, therefore, one of the primordial facts of the Indian polity. There are four major linguistic families covering the major languages of India.

1. The Austric (Nishada) family, 2.The Dravidian family, 3. The Sino-Tibetan family, and 4. The Indo-European family. Apart from these four major language families many other linguistic formats and vocabularies from languages spoken from around India have been absorbed. Thus, there is vast linguistic diversity in India. But the big commercial centres, markets, people in both of army and trade, sacred pilgrimage and religious practices have tended to favour a common language which could be understood and spoken by all in the bureaucracy, army, business and priesthood. For example Sanskrit, Persian and English have been the link languages of Ancient, Medieval and Modern periods, respectively. The appeals of such link languages, however, were limited to the elites in different fields. It hardly mattered for the common masses as to how the elite of a particular linguistic group conversed with the elite of other linguistic groups. Rather, no link language was allowed to become the language of the common masses, as mere adoption of a link language symbolised a special status and widened the opportunity of employment for those who knew it. Such limited interaction of the elite of different parts of India gave full scope to the regional languages to develop and flourish. In a multi-linguistic nation like India, the issue of language was associated, throughout, with the national movement. The problem was greatly accentuated after independence, because, apart from many other factors, language became a powerful source of politics. For instance, the politicians in Tamilnadu have been successful in propagating chauvinistic language sentiments among their people in order to grab power in state politics.

Language Issue and the National Movement In multi-linguistic India-- The issue of language played a very important role during the national movement. By the time the British got their stronghold in India, Persian continued to be the language of administration and courts. Around 1830 Urdu was substituted for Persian as the language of courts and administration in Bihar, North-Western and Central provinces. This was the time when English language got the upper hand as Lord Bentinck accepted Macaulay's minute in favour of English as medium of instruction in 1835. By the end of 1830, "English and Indian languages had already replaced Persian in the proceedings of the law courts. Thus, both education and law courts created two separate levels of social operation, the upper reserved for English, the lower for the vernaculars."

Language Issue in the Pre-Independence India-- During the fourth quarter of the 19th century, when the nationalist sentiments grew the question of national language became a matter of controversy throughout the nationalist movement. The place of Urdu was gradually taken by Hindi in Devanāgarī script in the Northern provinces long before the people of India started struggling for national independence. Many early nationalists considered Hindi to be a potent force which could bring the people of India together. The most dominating factor behind the assertion of Hindi as the national language was that it was spoken by the majority of people living in India. Moreover, the geographical location of Hindi speaking area brightened the prospects of Hindi to be a link language as these areas form the central part of India. It is interesting to note here that since the middle of the 19th century, the case of Hindi as national language has been pleaded by several associations, reformers and leaders of non-Hindi speaking areas. "Keshab Chandra Sen, a Bengali leader and Dayanand Saraswati, a Gujarati leader, while working in different regions of India considered Hindi to be a potential language of national communication."It is also interesting to note that the earliest Hindi newspapers were started in Bengal and Bhudeb Mukhopadhyaya, an eminent Bengali writer, was largely responsible for introduction of Hindi in the law courts and schools of Bihar. Within the supporters of Hindi, there were two dominant viewpoints regarding the structure of Hindi. The first viewpoint supported Sanskritised Hindi in Devanagari script. The Nagari Pracharini Sabha and the Hindi Sahitya Sammelana supported this viewpoint. It had its popular base in the North Indian Hindi belt. The second viewpoint advocated mainly by Gandhi, Nehru and others, believed in the "Hindustani" form of Hindi which was less Sanskritised and borrowed more words and concepts from Urdu. The Nagari Pracharini Sabha was established in Benaras in 1983. The Sabha pursued a conscious policy of purifying Hindi by borrowing all possible words from Sanskrit to do away with the Persian and

Arabic words. The supporters of Hindi felt that the separate identity of Hindi language could be preserved only through the promotion of Sanskritised Hindi. They argued that Sanskritised Hindi would be easier to understand for the non-Hindi speaking people as well because most of these languages had been influenced by the Sanskrit language and used plenty of original or deformed Sanskrit words. Later on, this deliberate attempt to purify Hindi was associated with communal sentiments in North India. Hindi Sahitya Sammelana had strong roots in the North Indian Hindi speaking area and there were many distinguished leaders like Madan Mohan Malaviya, P. D. Tandon and Swami Shraddhananda who were in favour of promoting 'pure' Hindi as against the 'mixed' Hindustani. The other attempt to make Hindi the national language was made by Gandhi. Initially he followed the line of B.G. Tilak on the question of national language. He believed that only Hindi with Devanagari script could be the national and link language of India. But he rejected both the Sanskritised Hindi and Persianised Urdu and described his conception of Hindi as 'Hindi-Hindustani' or simply 'Hindustani'. Gandhi considered that there was only one language spoken in North India which was written in two different scripts namely, Devanagari and Urdu. He never agreed with those who considered Hindi and Urdu as two different languages. He was in favour of the use of both the scripts for Hindi-Hindustani till the time "when there is absolutely no suspicion between Hindus and Muslims...when all causes for distrust between, the two have been removed." The case in favour of Hindustānī was also advocated by the followers of Gandhi, like Nehru, Rajendra Prasad and MaulanaAbulKalam Azad. Like Gandhi, they were also confident of the potentialities of Hindustānī to become the national language. For instance Nehru had written in 1938 that: "the dominant language of India is Hindustānī which is already spoken by a huge bloc of a hundred and twenty million people and is partly understood by scores of others. Already due to talkies and radio, the range of Hindustani is spreading fast. The writer of this article had occasion to address great mass audience all over India and almost always, except in the South, he has used Hindustani and been understood." Such a view was shared also by Rajendra Prasad who believed that there were no structural differences between these two languages. He states that: "structure which is the real framework of language is still common to both forms of languages known as Hindi and Urdu. The difference mainly is in respect of a portion of vocabulary only." But despite the efforts of Gandhi and his followers the case of popularization of the Hindustani form of Hindi was defeated in the Hindi speaking area itself. In the decade of 1940's owing to the increasing distance between the Hindus and Muslims, the distance between Hindi and Urdu had also widened. Despite numerous attempts made by Gandhi, "ultimately his hope of reconciling the Hindu and Muslim interests in one unified India was rudely shaken when India was

divided in 1947, and his dream of making Hindustani the national language of India was largely shattered when the Congress decided in the Constituent Assembly that Hindi would be the official language of the Federal Government of Independent India. In addition, no Hindi state within the Indian Union accepted Hindustani after independence. All of them chose Hindi as their official language."

Language Issue in the Post-Independence India-- Despite the acceptance of Hindi as the official language of the Republic by the Constituent Assembly of India and its further recognition by the Hindi speaking states, the language issue has remained unsettled. In post-independence India the language issue took a different turn. Now instead of the Hindi-Urdu conflict what emerged was a conflict between Hindi and English on the one hand and Hindi and regional languages on the other hand, particularly those spoken in the South India like Tamil and Telugu. Till 1960, the language issue mainly revolved round Hindi and English. So long as the memory of the freedom struggle and its commitments were fresh in the minds of leaders of different parts of India, there was no sharp public reaction or mass mobilisation against Hindi. The non-Hindi speaking people were taking interest in Hindi, especially in the Hindustani form of Hindi, even in the pre-independence period. The leaders from non-Hindi areas had been emotionally committed to replacing English by an Indian language. Moreover, after independence, for three successive elections the Congress party had won overwhelming majority in most of the states. Congress leadership convinced the anxious non-Hindi speaking people and their leadership that the promotion of Hindi would not take place at their cost. In Nehru's own words: "I do not wish to impose Hindi compulsorily on any state which does not want it." The death of Nehru, however, precipitated the language crisis. The Constituent Assembly had allowed English to continue as Associate Official Language of India alongwith Hindi for the next 15 years. It meant that in 1965, Hindi would become the sole official language of the Union. The Hindi leaders were growing impatient to give a farewell to English and establish Hindi as the lone official language of the Union. Several ministries of the Union government started preparing for the linguistic change-over the next year. Some of the Union government ministries were instructed to the effect that the Union government's correspondence with the States would be in Hindi, and in the case of non-Hindi speaking States, English translation would accompany this. Some other ministries notified that routine circulars after January 26, 1965, would be in Hindi. This was seen as linguistic chauvinism by the non-Hindi speaking people. The Jana Sangha and the Samyukta Socialist Party gave their organisational support to such chauvinistic sentiments. Although non-Hindi speaking people from different parts of India raised their voice against this, it was among the Tamilians that the

resentment was most intense. The then Congress government did not address the issue with seriousness as was required. Due to the failure of the Congress government to address the issue prudently and effectively, the 'Hindi Protest Movement' passed into the hands of non-Congress political forces. Thus, with the help of non-Congress leaders, the 'Madras State Anti-Hindi Conference' was organised on January 17, 1965. The participants of this conference were led by the D.M.K. and C. Rajagopalachari. It was decided by the Conference to treat January 26,1965, as the day of mourning. Two workers of D.M.K. burnt themselves to death publically. This incident of self-immolation raised anti-Hindi feelings even higher. To make a compromise between the supporters and the opponents of Hindi the 'Three Language Formula' was accepted as a middle path. However, the issue was finally settled by the Official Languages (Amendment) Act, 1967, and it was decided that English will continue to be the Associate Official Language of the Union for all the non-Hindi states till the time they themselves opt for Hindi. The provision made under the Official Languages (Amendment) Act, 1967, and the 'Three Language Formula' has reduced the possibility of conflict on the basis of language. The formation of states on linguistic basis already solved a major linguistic crisis which had strong historical roots. Only at times now is the issue of Hindi or national language raised. If, at all, any language problem is still unresolved, it is the problem of the minority language. Often demands are made for inclusion of a particular language in the 8th schedule. In a multi-linguistic country like India, the experience of 60 plus years of independence has given us the confidence to face the language issue and solve them through negotiations. Although there have been strains, tensions and some violent incidents off and on, the country has arrived at solutions through the working of accepted democratic norms.

6.6 UNIT END QUESTIONS

1. Examine the role of caste in State Politics in India.
2. Discuss the role of language in State Politics.
3. Discuss the role of religion in State Politics.

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7

LOCAL GOVERNMENT AND POLITICS: PANCHAYATI RAJ AND NAGARPALIKA

Unit Structure

7.1 INTRODUCTION

Panchayat Raj:

In India panchayat system of governance has a long history and is recognised as an avenue to the realisation of the ideal of direct democracy. In India it can be compared to the ancient system of self governing in village communities which were basically characterised by agrarian economies. The village communities have a long history in india which dates back to ancient period. It can be said that the village bodies were linked to the higher authorities and were responsible to them. In course of time these village bodies took the form of Panchayats which looked after the affairs of the village. They had both police and judicial powers.

Panchayats have been the backbone of the Indian villages since the beginning of recorded history. Gandhiji, the father of the nation, in 1946 had aptly remarked that the Indian Independence must begin at the bottom and every village ought to be a Republic or Panchayat having powers. Gandhiji's dream has been translated into reality with the introduction of the three tier Panchayati Raj

system to ensure people's participation in rural reconstruction. "Panchayat" literally means assembly (yat) of five (panch) wise and respected elders chosen and accepted by the village community. Panchayat Or Panchayati Raj is a system of governance in which gram panchayats are the basic units of administration.

It has 3 levels: village, block and district. The term 'panchayat raj' is relatively new, having originated during the British administration. 'Raj' literally means governance or government. Mahatma Gandhi advocated Panchayati Raj, a decentralized form of Government where each village is responsible for its own affairs, as the foundation of India's political system. His term for such a vision was "Gram Swaraj" (Village Self governance). It was adopted by state governments during the 1950s and 60s as laws were passed to establish Panchayats in various states. In the history of Panchayati Raj in India, on 24 April 1993, the Constitutional (73rd Amendment) Act, 1992 came into force to provide constitutional status to the Panchayati Raj institutions.

This Act was extended to Panchayats in the tribal areas of eight States, namely Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan from 24 December 1996. Now Panchayati Raj System exists in all the states except Nagaland, Meghalaya and Mizoram. Also all the UTs except Delhi. The Act aims to provide 3-tier system of Panchayati Raj for all States having population of over 2 million, to hold Panchayat elections regularly every 5 years, to provide reservation of seats for Scheduled Castes, Scheduled Tribes and Women, to appoint State Finance Commission to make recommendations as regards the financial powers of the Panchayats and to constitute District Planning Committee to prepare draft development plan for the district.

7.2 HISTORY OF PANCHAYATI RAJ IN INDIA

7.2.1 Pre- Colonial period:

As discussed earlier the predecessors of panchayat system are the village communities. These village bodies took the form of panchayats which looked after the affairs of the village. They had both police and judicial powers. Custom and religion elevated them to a sacred position of authority. Besides the village panchayats, there were also caste panchayats, to ensure that person adhered to its caste code and social conduct. Sir Charles Metcalfe, the provisional governor general of India had called the Indian village communities as the little republics.

It is important to note that these democratic "republics" were not ideal institutions as it were marred with several defects like caste system and economic disparities. Given the caste ridden feudal structure of the village society of those days, they left much to be desired. B.R.Ambedkar did not think highly of these village communities and in fact his own experience had given him a negative view of the caste ridden villages and their panchayats. He even remarked that "these village republics have been the ruination of India and that they are a sink of localism, a den of ignorance, narrow-mindedness and communalism.

7.2.2 Colonial period:

The emergence of British rule witnessed a decline in the self contained village communities and their panchayats ceased to get sustenance. In course of time they were replaced by formally constituted institutions of village administration. It is a historical fact that local self government in India, in the sense of an accountable representative institution, was the creation of the British. It may be emphasised here that village panchayats were not the first priority of the british rulers.

The British came to India as traders, and before long established an inroad into the cultural nexuses of the land. The primary focus of the British Raj was much to do with trade and little to do with governance and development. The local governments were hardly their first priority. In fact till the advent of the British rule in India, the rural republic had flourished and thrived. With the emergence of the British Raj in India, panchayats ceased to play a role that it once played. But, local self government as a representative institution was the creation of the British.

7.2.3 Formation of municipal corporation:

In the initial days, the interest of the British was limited to the creation of local bodies with nominated members. These bodies were built around trading centers. Thus in the year 1687, a municipal corporation came to be formed in Madras. Set up on the British model of town council, this body was empowered to levy taxes for building guild halls and schools. As time passed, similar bodies were set up in other major towns and this model became prevalent, helping the British widen their taxation power. This model continued to comprise nominated members with no elected elements what so ever.

7.2.4 Emergence of the system of elected representatives:

It was Lord Mayo, the then viceroy of India (1869 to 1872), who felt the need to decentralize powers in order to bring about administrative efficiency and in the year 1870 introduced the

concept of elected representatives in the urban municipalities. The revolt of 1857 that had put the imperial finances under considerable strain and it was found necessary to finance local service out of local taxation. Therefore it was out of fiscal compulsion that Lord Mayo's resolution on decentralization came to be adopted.

7.2.5 Ripon Resolution (1882):

Lord Ripon made remarkable contribution to the development of Local Government. In 1882, he abandoned the existing system of local government by the officially nominated people. According to his local self government plan, the local boards were split into smaller units to achieve greater efficiency. In order to ensure popular participation, he introduced an election system for the local boards. The government resolution of 18th, May, 1882, stands as a landmark in the structural evolution of local governments. It provided for local boards consisting of a large majority of elected non-official members and presided over by a non-official chairperson. This is considered to be the Magna Carta of local democracy in India. This resolution proposed the establishment of rural local boards where 2/3rd of whose membership was composed of elected representatives. 104 He brought in the concept of self-government in urban municipalities. He is treated as the founding father of urban local government. Ripon's resolutions followed a series of Committees, Commissions and Acts in this line. The Royal Commission on Decentralization in 1909 elaborated further the principles of Ripon resolution. But this remained merely on paper. Ripon's scheme did not make much progress in the development of local self government institutions.

7.2.6 Montagu-Chelmsford Reforms of 1919:

In this backdrop, Montagu Chelmsford reforms were passed in the year 1919. This reform transferred the subject of local government to the domain of provinces. The reform also recommended that as far as possible there should be a complete popular control in local bodies and the largest possible independence for them, of outside control. By 1925, eight provinces had passed village panchayat acts. However, these panchayats covered only a limited number of villages with limited functions. 105 But this reform could not get much result as far as democratization of panchayats was concerned and lead to a lot of organizational and fiscal constraints.

7.2.7 Government of India Act (1935):

This is considered as another important stage in the evolution of panchayats in British India. With popularly elected government in the provinces, almost all provincial administrations felt duty bound to enact legislations for further democratization of

local self government institutions, including village panchayats. Although the popular government in the provinces governed by the Congress vacated office following the declaration of Second World War in 1939, the position as regards local government institutions remained unchanged till August 1947, when the country attained independence.

Even though the British government did not have interest in the village autonomy, they were forced to do so, in order to continue their rule in India and moreover to meet financial necessities. The Indian rural republic had flourished till the advent of British. It received a set back during the British rule. Self contained village communities and their panchayats ceased to get substance. They were replaced by formally constituted institutions of village administration. In the highly centralized system of British rule, village autonomy seems to have lost.

7.2.8 Panchayati Raj in Independent India:

The task of strengthening panchayati raj system fell on the Indian government formed after independence. It was clear that India a country of villages had to strengthen village panchayats to strengthen democracy. Mahatma Gandhi who strongly believed in Ggrama Swaraj pleaded for the transfer of power to the rural masses. According to him the villages should govern themselves through elected panchayats to become self sufficient. But surprisingly, the draft Constitution prepared in 1948 had no place for Panchayati Raj Institutions. Gandhi severely criticized this and called for immediate attention. It is thus, that panchayat finds a place in the Directive Principles of the State Policy. Article 40 of the Directive Principles of the State Policy states that 'the states shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them function as units of self governments'. 106 The most important aspect to strengthen grass root democracy was neglected by the Constitution makers as Directive Principle of State Policy is not legally binding on the governments.

The first organized effort to tackle the problem of rural India was made through Community Development Programme in 1952 and National Extension Service in 1953. The programme was based on an integrated approach to the various aspects of rural development. The objectives were to promote self help and self reliance among the rural people, to generate a process of integrated social, economic and cultural change with the aim of transforming social and political life of the villagers. Community Development Programme was launched in 55 selected blocks. The programme was based on an integrated approach to the various aspects of rural development. The programme made provisions for

appointing Block Development Officers [BDO] and Village Level Workers [V.L.W]. This programme was intended to bring socio economic development of the rural masses on democratic lines, but failed to take off along the expected lines due to the absence of an effective instrument for people's participation.

7.3 BALWANTRAI MEHTA COMMITTEE

Government of India appointed The Balwant Rai Mehta Committee in 1957 to examine the working of the Community Development Programme(1952) and the National Extension Service(1953) and to suggest measures for their better working. The Chairman of this committee was Balwantrai G Mehta. The committee submitted its report in November 1957 and recommended the establishment of the scheme of 'democratic decentralisation' which finally came to be known as Panchayati Raj. The main aim of Panchayat raj system is to settle the local problems locally and to make the people politically conscious Recommendations of Balwantrai Mehta Committee

7.3.1 Establishment of a 3-tier Panchayati Raj system-Gram Panchayat at the village level, Panchayat Samiti at the block level, and Zila Parishad at the district level. These tiers should be organically linked through a device of indirect elections.The main purpose of this division is to simplify and to decrease the work load of the state and central government [MSD].

7.3.2 The village Panchayat should be constituted with directly elected representatives, whereas the Panchayat Samiti and Zila Parishad should be constituted with indirectly elected members.This is because Panchyat is similar to that of state assembly where there is place for politics where as Samiti and Zilla Parishad should members should be more educated and knowledgble and may not need the majority support.

7.3.3 All planning and developmental activities should be entrusted to these bodies.

7.3.4 The Panchayat Samiti should be the executive body while the Zila Parishad should be the advisory, coordinating and supervisory body.

7.3.5 The District Collector should be the Chairman of the Zila Parishad.

7.3.6 There should be a genuine transfer of power and responsibility to these democratic bodies.

7.3.7 Sufficient resources should be transferred to these bodies to enable them to discharge their functions and fulfil their responsibilities.

7.3.8 A system should be evolved to effect further devolution of authority in future.

These recommendations were accepted by the National Development Council in January 1958.

For the first, time the Committee made recommendations for co-opting of two women who are interested to work for women and children. However, like the rest of the male members, women were not to be elected but were to be co-opted. The recommendations of the Balwantrai Mehta Committee came into effect on 1st April 1958. Rajasthan was the first state to implement it on 2nd October 1959. By mid 1960s, panchayat had reached all parts of the country. More than 2,17,300 village panchayats covering over 96% of the 5,79,000 inhabited villages and 92% of rural population had been established.

There was enthusiasm in rural India and people felt that they had a say in the affairs affecting their daily life. These were considered as the promising days of Panchayati Raj Institutions in India. The report of the Ministry of Community Development had stated in 1964-65 that younger and better leadership was emerging through Panchayati Raj Institutions and there was a fairly high degree of satisfaction among the people with the working of the panchayats

7.4 ASHOK MEHTA COMMITTEE

The appointment of the Ashok Mehta committee marked a turning point in the concept and practice of panchayati raj. In December 1977, the Janata Government appointed a committee on Panchayati Raj institutions under the chairmanship of Ashoka Mehta. The committee submitted its report in August 1978 and made 132 recommendations to revive and strengthen the declining Panchayati Raj system in the country. As a result of this report, the Indian states ofKarnataka, Andhra Pradesh, and West Bengal passed new legislation. However, the flow of politics at the state level did not allow the institutions to develop their own political dynamics.

The main recommendations of the committee are:

7.4.1   The 3-tier system of Panchayati Raj should be replaced by the 2-tier system: Zilla Parishad at the district level, and below it,theMandal Panchayat consisting of a group of villages covering a population of 15000 to 20000.

7.4.2   A district should be the first point for decentralisation under popular supervision below the state level.

7.4.3   Zila Parishad should be the executive body and made responsible for planning at the district level.

7.4.4   There should be an official participation of political parties at all levels of Panchayat elections.

7.4.5   The Panchayat Raj institutions should have compulsory powers of taxation to mobilise their own financial resources.

7.4.6   There should be a regular social audit by a district level agency and by a committee of legislators to check whether the funds allotted for the vulnerable social and economic groups are actually spent on them.

7.4.7   The state government should not supersede the Panchayat Raj institutions. In case of an imperative supersession, election should be held within 6 months from the date of supersession.

7.4.8   The Nyaya Panchayats should be kept as separate bodies from that of development Panchayats. They should be presided over by a qualified judge.

7.4.9   The Chief Electoral Officer of the state in consultaton with the Chief Election Commissioner should organise and conduct the Panchayati Raj elections.

7.4.10   Development functions should be transferred to the Zila Parishad and all development staff should work under its control and supervision.

7.4.11   The voluntary agencies should play an important role in mobilising the support of the people for Panchayati Raj.

7.4.12   A minister for Panchayati Raj should be appointed in the state council of ministers to look after the affairs of the Panchayati Raj institutions.

7.4.13   Seats for SCs and Sts should be reserved on the basis of their population.

        Due to the fall of the Janata government, the Ashok Mehta Committee recommendations were not implemented. Few states including Karnataka formulated new legislation on the basis of the recommendations of this Committee. Both the Committees

overlooked the importance of panchayats as units of self government.

Conventional wisdom states that to ensure realisation of democratic principles at practical level one needs a pragmatic legislative. Without a pragmatic and prudent law it is impossible to envisage social change in a given system. After taking a stock of history of panchayat raj system in India one can argue this is true of democratic decentralisation in India. There was not constitutional support for self government below the state level till 1993. Although state governments were not compelled to establish full fledged panchayati raj without constitutional mandate, some states had gone ahed in the devolution of powers to the panchayats.

It may be recalled that the Ashok Mehta committee made the first official recommendation for including panchayati raj in the constitution in keeping with its approach that panchayats should be regarded as political rather than mere developmental institutions. This committee also favoured participation of political parties in panchayats elections with their symbols.

7.5. 73RD AND 74TH AMENDMENT ACT, 1992

During nineties almost all parties directly and indirectly supported a desire for a constitutional amendment for strengthening Panchayats and a local government. Following these circumstances, Rajiv Gandhi the then Prime Minister of India, introduced the 64th Amendment bill on local government on the 15th May, 1989 in the Parliament, but it failed to get the required support. A second attempt was made in September 1990 to pass the bill in the Parliament. The bill however was not even taken up for consideration. In September 1991, two fresh constitutional amendment bills on local government were introduced by the Congress government under P. V Narasimha Rao, the then Prime Minister. 72nd (Panchayats) and 73rd (Naparpalikas) were refered to a Joint Select Committee of the Parliament. The Lok Sabha passed the two bills on 22nd December 1992 while the Rajya Sabha passed them the next day.

By the time the parliament passed the two bills, their sequence changed to 73rd and 74th respectively. They came into force as the Constitution (Seventy–third Amendment) Act 1992 on 24th April 1993 and Constitution Seventy fourth Amendment Act 1992 on 1st June 1993.

As already said 1992 was the most significant year in the history of Panchayats in India. The 73rd amendment of the Constitution (amendment of Article 243) was passed by the Indian

Parliament that declared Panchayats as the institutions of self government. (The 74th amendment done at the same time relate to urban local bodies). The major features of the 73rd amendment can be enumerated as under:

▪ There should be three tiers of Panchayats (District Panchayats, Block Panchayats i.e. intermediary Panchayats and Village or *Gram Panchayats*) in states with over 25 lakh of population. States with less than this population will have only two tiers omitting the intermediary tier.

▪ Panchayats declared as institutions of self governments (signifying that the status of Panchayats is same in their respective areas, as that of the Union Government at the national and State Governments at the state level).

▪ States were mandated to devolve functions relating to 29 subjects (including agriculture, land reforms, minor irrigation, fisheries, cottage and small scale industries, rural communication, drinking water, poverty alleviation programmes etc.) to the Panchayats.

▪ Panchayats were mandated to prepare plan(s) for economic development and social justice and implement them.

▪ States were asked to constitute a *State Finance Commission* every five years to determine the Panchayats' share of state's financial resources as a matter of entitlement (just as the Central Finance Commission determines how resources of the Central government should be shared between the union and state governments).

▪ Panchayat bodies must have proportionate representation of Scheduled Caste, Scheduled Tribes and women. Such reservation should also apply in the cases of Chairpersons and Deputy Chairpersons of these bodies.

▪ There shall be State Election Commission in each state which shall conduct elections to the local bodies in every five years.

7.6 THE CONSTITUTION (74TH AMENDMENT) ACT, 1992 BACKGROUND

Towns and cities contribute substantially to the economic development of the country. These urban centres also play an important support role in the development of rural hinterland. To keep this economic transformation in line with needs and realities at the grassroots level, it is necessary that the people and their representatives are fully involved in the planning and implementation of the programmes at local level. If democracy in Parliament and State Legislatures is to remain strong and stable, its roots must reach towns and villages and the cities where the people live.

The Constitution of India has made detailed provisions for ensuring protection of democracy in Parliament and in State Legislatures. Hence, democracy in these institutions has survived and flourished. However, the Constitution did not make Local Self Government in urban areas a clear-cut Constitutional obligation. While the Directive Principles of State Policy refer to Village Panchayats, there is no specific reference to municipalities except implicitly in Entry-5 of the State List, which places the subject t of Local Self Government as a responsibility of the State. Entry-5 reads as under:-

"Local Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-Government or village administration."

As a consequence of inadequate Constitutional provision for Local Self Government, democracy in municipal governance was not stable. Though the respective municipal acts of the States provided for regular elections to municipal bodies, they were frequently suspended and superseded for indefinite period's oftime. Frequent and indefinite suspensions or super sessions eroded the very basis of local self-government and had a negative effect on democracy at the grass root level. The general position with regard to financial resources of the municipal bodies was also not satisfactory.

Over the years, there was a steady encroachment on the assigned functions and revenues of Urban Local Bodies by specialized agencies of the State Governments. As a result, many urban local bodies became weak and were not able to perform effectively. The weakened status of Urban Local Bodies crystallized public opinion in favour of need for a Constitutional guarantee to safeguard the interests of urban local bodies in order to provide for

- Regular and fair conduct of elections to these bodies
- Holding of elections within a specified time limit in case of supersession
- Adequate representation of SC/ST and women in the elected bodies
- Placing on firm footing the relationship between the State Governments and the urban local bodies with respect to: – functions and taxation powers of the urban local bodies– arrangement for revenue sharing between the State Government and the urban local bodies.
- Involvement of elected representatives at grassroot level in planning at the district and metropolitan levels.

The Constitution (Seventy Forth Amendment) Act, 1992 has introduced a new part namely, Part IXA in the Constitution, which deals with the issues relating to municipalities. The main provisions introduced by the above Act are as under:-

7.6.1 Constitution of Municipalities:

It provides for constitution of 3 types of municipalities depending upon the size and area namely (i) Nagar Panchayat for an area in transition from rural to urban area; (ii) Municipal Council for smaller urban area; and (iii) Municipal Corporation for larger urban area. Demographic and other conditions, which are determining factors for constituting a particular type of municipality differ a great deal from one State to another. It has, therefore, been left to the State Legislatures to decide which specific type of municipality will be constituted for particular urban area.

7.6.2 Composition of Municipalities:

The seats shall be filled by direct elections. Besides the seats filled by direct elections, some seats may be filled by nomination of persons having special knowledge and experience in municipal administration. Persons so nominated shall not have the right to vote in the meetings of the municipality. The Legislature of a State may, by law, also provide for the representation in a municipality of members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly the Municipal area and also the Members of the Council of States and the members of the Legislative Council of the State registered as electors within the municipal area. The manner of election of Chairpersons of municipalities has been left to be specified by the State Legislature.

7.6.3 Constitution of Wards Committees:

This provides for constitution of Ward Committees in all municipalities with a population of 3 lakhs or more.

7.6.4 Reservation of seats:

In order to provide for adequate representation of SC/ST and of women in the municipal bodies, provisions have been madefor reservation of seats. The proportion of seats to be reserved for SC/ST to the total number of seats shall be same as the proportion of the population of SC/ST in the municipal area. The reservation would be made in respect of seats to be filled by direct elections only. Not less than one-third of the total number of seats reserved for SC/ST shall be reserved for women belonging to SC/ST. This is a mandatory provision. In respect of women, the

seats shall be reserved to the extent of not less than one-third of the total number of seats. This includes seats reserved for women belonging to SC/ST. These reservations will apply for direct elections only. This is also a mandatory provision. There will be no bar on State Legislatures from making provisions for reservation of seats in any municipality or office of Chairperson in the municipalities in favour of backward class of citizens. This is an optional provision.

7.6.5 Duration of Municipalities:

The municipality has a fixed term of 5 years from the date appointed for its first meeting. Elections to constitute a municipality are required to be completed before the expiration of the duration of the municipality. If the municipality is dissolved before the expiry of 5 years, the elections for constituting a new municipality are required to be completed within a period of 6 months from the date of its dissolution.

7.6.6 Powers and Functions of the Municipalities:

All municipalities would be empowered with such powers and responsibilities as may be necessary to enable them to function as effective institutions of self-government. The State Legislature may, by law, specify what powers and responsibilities would be given to the municipalities in respect of preparation of plans for economic development and social justice and for implementation of schemes as may be entrusted to them. An illustrative list of functions that may be entrusted to the municipalities has been incorporated as the Twelfth Schedule of the Constitution.

7.6.7 Finances of Municipalities:

It has been left to the Legislature of a State to specify by law matters relating to imposition of taxes. Such law may specify:

- Taxes, duties, fees, etc. which could be levied and collected by the Municipalities, as per the procedure to be laid down in the State law

- Taxes, duties, fees, etc. which would be levied and collected by the State Government and a share passed on to the Municipalities

- Grant-in-aid that would be given to the Municipalities from the State

- Constitution of funds for crediting and withdrawal of moneys by the Municipality.

7.6.8 Finance Commission:

The Finance Commission constituted under Article 243-I to review the financial positions of Panchayati Raj Institutions shall also review the financial position of the municipalities and will make recommendations to the Governor.

The recommendations of the Finance Commission will cover the following:

- Distribution between the State Government and Municipalities of the net proceeds of the taxes, duties, tolls and fees leviable by the State
- Allocation of share of such proceeds between the Municipalities at all levels in the State
- Determination of taxes, duties, tolls and fees to be assigned or appropriated by the Municipalities
- Grants-in-aid to Municipalities from the Consolidated Fund of the State
- Measures needed to improve the financial position of the Municipalities.

7.6.9 Elections to Municipalities:

The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to the panchayats and municipalities shall be vested in the State Election

7.6.10 Audit and Accounts:

The maintenance of the accounts of the municipalities and other audit shall be done in accordance with the provisions in the State law. The State Legislatures will be free to make appropriate provisions in this regard depending upon the local needs and institutional framework available for this purpose.

7.6.11 Committee for District Planning:

Planning and allocation of resources at the district level for the Panchayati Raj institutions are normally to be done by the Zilla Parishad. With regard to urban areas, municipal bodies discharge these functions within their respective jurisdictions. However, some important questions may arise, which would concern the urban-rural interface, and it may be necessary to take an overall view with regard to development of the district as a whole and decide on allocation of investments between the rural and urban institutions. Provision has, therefore, been made for the constitution of a Planning Committee at the district level with a view to consolidating

the plans prepared by the Panchayats and the Municipalities and preparing a development plan for the district as a whole. The District Planning Committee in preparing the Draft Development Plan shall have regard to:

- Matter of common interest between the Panchayats and the Municipalities including spatial planning
- Sharing of water and other physical and natural resources
- Integrated development of infrastructure and environment conservation
- Extent and type of available resources, whether financial or otherwise.

The Draft District Development Plan so prepared and recommended by the District Planning Committee shall be forwarded by the Chairperson of the Committee to the State Government.

7.6.12 Metropolitan Planning Committees:

It is provided in the Act that in every Metropolitan area (with a population of 10 lakhs or more), a Metropolitan Planning Committee shall be constituted for preparing a draft development plan for the metropolitan area as a whole. The Metropolitan Planning Committee shall take into account the following for preparation of the Draft Development Plan:

- Plan prepared by the Municipalities and the Panchayats in the metropolitan area
- Matter of common interest between the Municipalities and Panchayats including coordinated spatial plans of the area
- Sharing of water and other physical and natural resources
- Integrated development of infrastructure and environmental conservation
- Overall objectives and priorities set by the Government of India and the State Government
- Extent and nature of investments likely to be made in the metropolitan area by agencies of the Government
- Other available resources, financial and otherwise.

In terms of Article 243ZC of the Constitution, nothing in Part IXA shall apply to scheduled areas and Tribal areas as referred to in Article 244 of the Constitution. However, Parliament may by law, extend the provisions of Part IXA to these areas subject to such exceptions and modifications as may be specified in that law.

7.6.13 Implementation of Part IXA:

In order to provide time to allow changes to be made in the then existing laws which were inconsistent with the provisions of the Constitution (74th Amendment) Act, a transition period of one year was provided for. Immediately after the Constitution (74th Amendment) Act came into force on 1st June, 1993, the Ministry of Urban Development took necessary steps to ensure that the provisions of the State Municipal Laws are brought in conformity with the provisions of the above Act. As a result of various steps taken up by the Ministry of Urban Development through correspondence and also organising meetings of the State level Secretaries, the State Governments brought in place the conformity legislations by target date i.e. 31st May, 1994.

The amended State municipal laws provide for detailed provisions for constitution and composition of municipalities, reservation of seats for SC/ST and women, fixed term of 5 years and re-election of municipalities within a period of 6 months in case of dissolution, functions and financial powers of municipalities, setting up of State Finance Commission etc.

7.7 DOES PANCHAYATI RAJ ENSURES THE SUBORDINATION TO HIGHER POLITICAL ECHELONS RATHER THAN TO BUREAUCRACY

As also hinted earlier, one of the significant postulates of democracy is the subordination of bureaucracy to the democratically elected representatives of the people. This is because bureaucracy is a good servant but a bad master. This is as much applicable at the grassroots as at the centre and the state levels. Ironically, however, the enactments of the different states have given upper hand to the bureaucracy vis a vis the representatives of the people at the local level.

The higher bureaucracy under the Acts of various states has been given the powers to suspend and even supersede these institutions. In most of the states, it is the district level functionaries who regulate and control the working of these institutions. For instance, Section 47(1) of the Harayana Panchayati Raj Act, 1994 empowers the District Development and Panchayat Officer or the Sub Divisional Officer (Civil) to suspend the execution of any resolution or order of the Gram Panchayat or prohibit the doing of any act. In this connection, the observations of Gangarde are also worth mentioning   :

"The Karnataka Panchayati Raj Act vests the power of adjudging the performance of the panchayats with the bureaucracy.

Under the Bihar Panchayati Raj Act, 1993, officials are also the controlling authority. Panchayat leaders have to tender their resignations to bureaucrats. The Harayana Panchayati Raj Act also confers most of the powers on the bureaucracy or the government, leaving little room for panchayat to work independently. In several cases the order of the Director, Panchayat, is not only final but also cannot be questioned in any court of law. The government can cancel any resolution of the Panchayat under the pretext of it being against the public interest.

The Kerala Panchayat Act is also an effort towards establishing of Officer's Raj in place of people's Raj. The Himachal Pradesh Panchyati Raj Act has not given administrative and financial autonomy to panchyats for discharging their responsibilities effectively. The Punjab Panchayti Raj Act empowers the Director, Panchayt to remove any Sarpanch. The U.P. Assembly ratified the Action such a hurry that the opposition was not given a chance even to discuss it. The Andhra Pradesh Panchayat Act, too is no exception where control over the Panchayat by the Bureaucracy is concerned.

7.8 ASSIGNING PROFESSIONALLY TRAINED MANPOWER

Planning is a specialized activity requiring technical skill, information and database, which the people's representatives in a democracy cannot be expected to posses. Moreover, they are elected to the offices for a short period. On the other hand, bureaucracy, being permanent, has wide field experience and knowledge. Further, most of the information lies in the official records, which remain in the custody of the bureaucracy.

7.9 FUNCTIONING OF LOCAL GOVERNANCE AFTER 73RD AND 74TH AMENDMENT: AN ASSESSMENT

After assessing the functioning of the Panchayat Raj Institutions (PRI) it is evident that even after the 73rd and 74th Constitutional Amendments there remains a great dearth in terms of its implementation and efficiency. It has been observed that there is a wide gap between theory and practice in implementation.

Assets have been created under the various rural development programmes. But assets were not being utilised properly. Primary schools have been built but children are not going to schools and in some cases there are no staffs. Community scheme is a total failure because the people want that each and Sarpanch should do everything.

It was found that beneficiaries for rural development programmes are not selected in proper manner. It is supposed to be selected in according to Base Line Survey (BLS). This BLS contains the names of those families are not included in the record available at Block and DRDA office. The list contains tax payees, as beneficiaries are the sufferers. With regards to loans and subsidy it was found that the total amount of loan is never given to beneficiary.

So far as the meetings of PR bodies are concerned it is found regular. But meeting of Gram Sabha in all the three districts are not held regularly and even if they are held the adult members of the village do not attend them.

According to the provisions of the new Act, 29 items have been given to the Panchayats. But it has been noted that very few of these subjects have been transferred to the Panchayats and are neither substantial nor meaningful. They are only supervisory in nature.   .

It was also found that the ex-Sarpanchas with the help of the MLAs of the area, try to intervene in the working and functioning of the DPC, it was found that the women Sarpanch.   .

With regard to the functioning of DPC, it was found that the most of the beneficiaries, people's representatives and even some of the officials are not aware of the constitution, composition and structure of the DPC.   .

It was found that still MPs and MLAs are still controlling the PRIs. They get development work done in their area and as such the needy and the remote village get neglected and remain underdeveloped their dominance are also seen with regard to giving grants to Panchayats. They are giving grants to only those panchayats, which are dear to them.   .

It was observed that due to the dominance of the MLAs and MPs and BDO cum Panchayat Raj Officer and their subordinate staffs virtually dominates over even upon.

7.10 SUMMARY

Thus the journey from the "local self-government" idea of Lord Rippon to the "institutions of self-government "concept in the 73rd and 74th Constitutional Amendment took more than a century to come into reality. This evolution in the federal polity of the country must be specially underlined.

In a nutshell, it may be said that illiteracy, lack of training and prevalence of old traditionally dominant systems are the basic

reasons for their non-performance. But this should not be taken as a sign of total surrender. We must realize that due to the new system gradually consciousness is coming among such sections of the rural community and they have raised their voice against exploitation and excess. In this connection, regular election to PRIs will prove to be a milestone towards enlightment and social political consciousness of the weaker sections. Now they are coming up and quite vocal. In the coming years they teach lesson to the dominant sections of the society.

Local Government in India has not been a great success. A part of the fault lies in the system, a part in the immediate social environment but a large part is to attribute to the controlling state government itself. There are some areas of concern in local bodies. The first area of concern is the wide gap between the aspirations of the people and the performance by the grassroots institutions. The second area of concern is the mismatch between the financial resources of the local bodies and the functions allotted to them or between expenditure responsibilities and their own resources available. The third area relates to weaknesses in the working of Gram Sabhas. The fourth area of concern is to redefine and re-look at the picture of local bodies in the light of challenges, which they are facing. The fifth area is most important is the type of political culture that has been evolving in India. Let the local bodies guard themselves, let the local bodies change their attitude, policies, technology and systems and get empowered for better governance.

The ethos of democracy can find real nourishment only when power reaches the grassroots level. For the ordinary citizen, it is local democracy, which can have real meaning and significance. In a vast country where large masses are still unlettered, village panchayats and participative democracy can do wonders. If the aim is to establish a democratic society, where change is brought about by voluntary consent and willing cooperation and not by the force of arms, there may be no alternative to Panchayati Raj or Local Self Government Institutions. In that sense, the most revolutionary measures in recent decades have been the 73rd and 74th Constitutional Amendments. It is hoping that with this Indian democracy could become a unique model for the rest of the world.

7.11 UNIT END QUESTIONS

1. Discuss how Panchayat Raj System ensures democratic decentralisation in India.

2. Trace the evolution of Panchayat Raj System-Since the British period in India.

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8

IMPACT OF UNEVEN DEVELOPMENT IN STATES ON THE FEDERAL POLITY- STATE FINANCES AND THE ISSUE OF AUTONOMY

Unit Structure

8.0   Objectives

8.1   Introduction

8.2   What is Fiscal Decentralisation

8.3   Fiscal Federalism in India

8.4   Fiscal federalism: constitutional provision

8.5.   Constitutional provisions regarding distribution of financial powers between the state and the centre

8.6.   Centre- state financial relations: An overview

8.7.   Problem of states' Finances in India

8.7.   Demand for fiscal autonomy by the states

8.8.   Conclusion

8.0   OBJECTIVES

The Chapter will help us understand distribution of financial powers between States and the Centre. Further it will shed light on the Centre-State financial relations in India. Lastly, it will discuss problems of Finances in India.

8.1 INTRODUCTION

India has a federal form of government, and hence a federal finance system. The essence of federal form of government is that the Centre and the State Governments should be independent of each other in their respective, constitutionally demarcated spheres of Action. Once the fundamentals of the government are spelt out, it becomes equally important that each of the government should be provided with sources of raising adequate revenues to discharge the functions entrusted to it. For the successful operation of the federal form of government financial independence and adequacy is the most important requirement. The issue of state finances and demand of autonomy has become very complicated   in nature. To

grapple with the details of this problem it is important to discuss what fiscal decentralization is.

8.2   WHAT IS FISCAL DECENTRALISATION

In recent years, the subject of fiscal decentralization has received enthusiastic attention from academic analysts and policy makers. Most analysts find coherent merit in the subject of decentralization, because it is considered to be a component of human wellbeing and therefore, an end in itself. In decentralization, the policy makers see a panacea for many ills afflicting the society. The policy of decentralization is expected to achieve many things such as enable efficient allocation of resources, improve governance, accelerate economic growth, reduce poverty, achieve a gender balance and empower weaker sections of society. This enthusiasm is seen in countries with federal constitutions as with unitary systems. Decentralization has spanned across countries with different ideological spectrum and varying level of development.

It is important to define the concept because decentralization itself is variously defined and differently understood. This is also because the philosophy and experiences of decentralization are country specific and contextual. Fiscal decentralization may be defined as "fiscal empowerment of the lower tiers of government which involves the taxing and spending powers along with the arrangements for rectifying mismatches in own-resources and responsibilities assigned".

8.3 FISCAL FEDERALISM IN INDIA

The federal character of public finance in India has its origin as far as the seventies of the last century. Although at that time the country had a unitary form of government, some division of functions and financial powers between the Center and the state was found administratively desirable. Ever since then the arrangements have been revised and improved from time to time. Fiscal federalism entails the division of responsibilities in respect of taxation and public expenditure among the different layers of the government, namely the Center, the states and the local bodies. Fiscal federalism helps governmental organization to realize cost efficiency by economies of scale in providing public services, which correspond most closely to the preference of the people. From the point of view of economy, it creates a unified common market, which promotes greater economic activity.

India has a federal form of government, and hence a federal finance system. The essence of federal form of government is that

the Centre and the State Governments should be independent of each provided with sources of raising adequate revenues to discharge the functions entrusted to it. For the successful operation of the federal form of government financial independence and adequacy form the backbone

8.4   FISCAL FEDERALISM: CONSTITUTIONAL PROVISION

8.4.1 The Seventh Schedule (Article 246) delineates 'the subject matter of laws made by the Parliament and by the Legislatures of the states' and indicates the Union List (List I), states List (List II) and the Concurrent List (List III). List I invests the union with all functions of national importance such as defense, external affairs, communications, constitution, organization of the Supreme Court and the high courts, elections etc, List II invests the states with a number of important functions touching on the life and welfare of the people such as public order, police, local government, public health, agriculture, land etc. List III is a concurrent List, which includes administration of justice, economic and social planning, trade and commerce, etc.

8.4.2 According to Article 246, Seventh Schedule, Parliament has exclusive powers to make laws regarding matters enumerated in List I, notwithstanding the provisions of the other clauses of this Article. On the other hand, the Legislature of any state has exclusive power to make laws for the state regarding any of the matters enumerated in List II, subject to other clauses. With regard to List III, both the Parliament and a State Legislature can make laws but the law listed in I or III, vests with the Union. Thus, the Union has supremacy over a wide range of the legislative field.

8.4.3 The union list includes the powers of taxation also. The union List includes among others, taxes on income other than agricultural income, excise duties, customs and corporation tax. The State list includes land revenue, excise on Alcoholic liquors, tax on agricultural incomes, estate duty, taxes on sale or purchase of goods, taxes on vehicles, on professions, on luxuries, on entertainment, on stamp duties, etc. the concurrent list does not include any important taxes.

8.4.4 It is important to note that there are both mandatory and enabling provisions in the Constitution for facilitating a wide-ranging transfer of resources, arranged in a systematic manner, through:

1) Levy of duties by the Center but collected and retained by the States.
2) Taxes and duties levied and collected by the Center but assigned in whole to the states
3) Mandatory sharing of the proceeds of income tax
4) Permissible participation in the proceeds of the Union excise duties
5) Statutory grants –in-aid of the revenues of states
6) Grants for any public purpose (Art 282)
7) Grants of loans for any public purpose (Art 293)

8.4.5 Thus, having provided for a certain division of powers of taxation between the union and the states, the Constitution gives the States a share in the resources available to the Center. Any amendment of the lists from the Union and the States derive their power of taxation is covered by the Provision to Article 368. This requires ratification by the Legislatures of not less than one half of the States. On the other hand, if any provisions of the Part XII are to be amended, this can be done under Article 368(2), which requires the approval of only half of the members of each house of the Parliament. This means that the share of the Union resources that the states are entitled to, can be altered by Parliament by its power of amendment.

8.4.6 Though considerations of national policy and administrative convenience require that some of the more elastic taxes should be assigned to the Union Governments, these considerations themselves require that some of the most expansive expenditure heads apart from defense should be undertaken by the States. Consequently, a salient characteristic of federal government is legislative autonomy with financial dependence. This feature is accentuated in a developing economy where the functions of the States develop by leaps and bound with no corresponding increase in the sources of revenue.

8.5. CONSTITUTIONAL PROVISIONS REGARDING DISTRIBUTION OF FINANCIAL POWERS BETWEEN THE STATE AND THE CENTRE

Financial relations are the most important aspect of Centre-State relations. No system of federation can be successful unless both the Union and the States have at their disposal adequate financial resources to enable them to discharge their respective responsibilities under the Constitution.

Due to Vertical and Horizontal imbalances in States, the Finance Commissions have started a Vertical & Horizontal transfer of resources. When states have expenditures disproportionate to

their assigned sources of revenue, they face a vertical imbalance. Horizontal imbalances across states are on account of facts that include Historical back grounds, differential endowment of Resources, and Capacity to raise resources.

To achieve this object, Indian Constitution has made elaborate provisions, relating to the distribution of the taxes as well as non-tax revenues and the power of borrowing, supplemented by provisions for grants-in-aid by the Union to the States. It is to be noted that Indian Constitution makes a distinction between the legislative power to levy a tax and power to appropriate the proceeds of a tax so levied.

The legislative power to make a law for imposing a tax is divided as between the Union and States by means of specific Entries in the Union and State Legislative Lists in Schedule VIII.

Thus, while the State's Legislative has the power to levy an estate duty in respect of agricultural lands, the power to levy an estate duty in respect of non-agricultural land belongs to Parliament.

Similarly, it is the State Legislature which is competent to levy a tax on agricultural income, while Parliament has the power to levy income-tax on all incomes other than agricultural income.

The distribution of the tax-revenue between the Union and the States stands as follows.

8.5.(1) Taxes belonging to the Union exclusively:
Customs, Corporation Tax, Taxes on capital value of assets of individuals and companies, Surcharge on Income Tax, Fees in respects of matters in the Union List.

8.5.(2) Taxes belonging to the States Exclusively:
Land Revenue, Stamp duty except in documents included in the Union List, Succession duty, Estate duty, and Income tax on agricultural land, taxes on passengers and goods carried on inland waterways taxes on lands and buildings, mineral rights.

Taxes on animals and boats, on road vehicles, on advertisements, on consumption of electricity, on luxuries and amusements, etc. (This is being supplemented by a new system of Value Added Tax i.e. VAT).

8.5.(3) Duties Levied by the Union but Collected and Appropriated by the States:
Stamp duties on bills of Exchange, etc., and Excise duties on medical and toilet preparations containing alcohol. (Article 268)

8.5.(4) Taxes Levied as Well as Collected by the Union, but Assigned to the States within which they are Levi able:

Duties on succession to property other than agricultural land. Estate duty in respect of property other than agricultural land terminal taxes on goods or passengers carried by railway, air or sea taxes on railway fares and freights and so on.

8.5.(5) Taxes Levied and Collected by the Union and Distributed between Union and the States: Certain taxes shall be levied as well as collected by the Union, but their proceeds shall be divided between the Union and the States in a certain proportion, in order to effect on equitable division of the financial resources.

These are:
Taxes on income other than on agricultural income (Art 270)

Duties of excise as are included in the Union List, excepting medicinal and toilet preparations may also be distributed, if Parliament by law so provides (Art 272)

8.5.6.Non-Tax Revenue

Important sources of Non-Tax revenues of the Union are the receipts from Railways, Posts and Telegraphs; Broadcasting; Opium; Currency and Mint; Industrial Commercial Undertakings of the Central Government relating to the subjects over which the union has the jurisdiction.

Similarly for the States are: Forests, Irrigation and Commercial Enterprises and Industrial Undertakings such as soap, sandalwood, iron and steel in Karnataka, Paper in M.P. milk supply in Mumbai, deep sea fishing and silk in West Bengal.

8.5.7.Grants-in-Aid

The above mentioned sources are not adequate for the States to carry out the development programmes and the Constitution provides that grants-in-aid shall be made in each year by the Union to such States as Parliament may determine to be in need of assistance; particularly for the promotion of welfare of tribal areas, including special grants to Assam (Art 275).

Articles 270, 273, 275 and 280 provide for the constitution of a Finance Commission to recommend to the President certain measures relating to the distribution of financial resources between the Union and the States, - for instance, the percentage of the net proceeds of income-tax which should be assigned by the Union to the States and the manner in which the share to be assigned shall be distributed among the States (Art 280).

By the way of safeguarding the interests of the States in the Union, taxes which are divisible according to the foregoing provisions, it is provided by the Constitution (Art. 274) that no bill or amendment which varies the rate of any tax or duty in which the States are interested or affects the principles on which moneys are distributable according to the foregoing provision of the Constitution or imposes any surcharge on any such tax or duty for the purposes of the Union shall be introduced or moved in Parliament except on the recommendations of the President.

As in the case of legislative and administrative spheres, so in financial matters, the normal relation between the Union and the States (under Arts. 268-279) is liable to be modified in different kinds of emergencies.

(1) While a Proclamation of Emergency (Art. 352(1)) is in operation, the President may by order direct that, for a period not extending beyond the expiration of the financial year in which the Proclamation ceases to operate, all or any of the provisions relating to the divisions of the taxes between the Union and the States and grants-in-aid shall be suspended (Art 354).

In the result, if the President makes any such order, the States will be left to their narrow resources from the revenues under the State List, without any augmentation by contributions from the Union.

(2) In case of Financial Emergency (Art. 360(1)) is made by the President, it shall be competent for the Union to give directions to the States

(a) To observe such cannons of financial propriety and other safeguards as may be specified in the directions;

(b) To reduce the salaries and allowances of all persons serving in connections with the affairs of the States, including High Court Judges;

(c) To reserve for the consideration of the President alt money and financial bills, after they are passed by the Legislature of the State (Art 360)

A major problem, faced in a system with multiple fiscal authorities, is integration of financial policies, which is an objective in a planned economy. Another problem arises due to the imbalance of financial resources between the Centre and the States.

8.6. CENTRE- STATE FINANCIAL RELATIONS: AN OVERVIEW

One of the most controversial and sensitive issue between the Centre and the States in a federal system is that of financial relations and the Indian federal system is no exception to this. The demand of the states for greater fiscal autonomy has now become one of the most debated issues of the Indian federation. The tension between the Centre and States with regard to fiscal relations arises because of comparative powers of taxation, statutory versus discretionary grants and economic planning.

8.6.1. Taxation powers :

Sources of revenue of the Centre are relatively elastic and expansive as against those of the states. The Centre also controls vast recourses generated through deficit financing, loans from organized money markets in the country as well as huge funds of foreign aid etc. the residuary powers of taxation are also vested with the Centre the Central government. In addition to this, constitution also authorizes the Centre to collect surcharges on taxes to raise additional fund in times of emergency. In practice surcharge has become a permanent feature of income tax structure.

8.6.2 Good and Service Tax :

GST is a proposed system of indirect taxation in India that aims to merge most of the existing taxes into single system of taxation. It hopes to create uniformity of tax notes and structures across the country. It will make indirect taxes easy to administer for Central and State levels. GST is also expected to decrease the cost of collection of tax revenues of the Government and will therefore lead to higher revenue efficiency. It may also possibly lead to reduction in prices of commodities. The important factors about GST is that it requires all states to implement it and that too at same rates. The GST thus requires great deal of coordination between Centre and states.

8.6.3 Planning Commission and Five year plan: - It has been the practice of the Planning Commission to get Five Year Plans including the Approach papers approved by the National Development Council with a view to ensuring involvement of the States in the planning process. Besides, discussions are held by the Planning Commission every year with the States individually, to decide the size of their Annual Plans and to accord approval. Now the planning Commission has been replaced with Niti Ayog. Do you think that the current practice is satisfactory or are any changes called for in the interest of better economic relations between the Centre and the States? In implementing the strategy of planning

adopted by India after Independence, the Centre had assumed the lead role in formulating five-year plans with controls and licensing to implement them, and the States were required to play a supporting part. After economic liberalization many of the controls and licenses have been largely done away with and the States have regained much of their economic policy making space. Do you think the shift has been adequate and beneficial? Can you also highlight the specific areas in which further reforms may be required at the State level which can improve governance in general and the implementation of schemes and programmes of the Government?

8.6.4 Roles of the states: - Although the States are now expected to play an active role in promoting economic growth and poverty alleviation by providing infrastructure, delivering basic services efficiently and maintaining law and order, it is alleged, that most States have not kept pace with the reform process. On the other hand it is said that the discretion and priorities of the States, are affected by the imposition of the Centre's priorities, inter alia, through Centrally Sponsored Schemes. What are your views in this regard?

8.6.5 The National Development Council and the Inter-State Council (NDC & ISC): - NDC & ISC are among the forums available for facilitating the coordination of economic policy making and its implementation. CM's of each states area member. However it important to note that only limited use   has been made of these institutions for the purpose of coordinating the economic policies between the States and the Centre. Coordination is achieved more through interaction between the Central Ministries and the States. Do you think the present practice is adequate for ensuring harmonious economic relations?

8.6.6.System of Inter-Governmental Transfers :- To all appearances and also from the Constituent Assembly debates it seems the Finance Commission was envisaged by the Constitution to be the principal channel for transfer of funds from the Centre to the States including those which were meant for development purposes. However, substantial transfers now take place through other channels such as, the Planning Commission and Central Ministries so much so that it is now said that such transfers have significantly impacted on fiscal federalism and the devolution of financial resources. Do you think that the present system of transfer of funds is working satisfactorily? Is there a need to restore the centrality of the role of the Finance Commission on devolution of funds from the Centre to the States?

8.6.7. Transfer of funds: Transfer of funds from the Centre to the States through revenue sharing and grants with the mediation of a statutory body viz., the Finance Commission, was envisaged by the

Constitution makers to redress the imbalances in the finances of the States resulting from an asymmetric assignment of financial powers and functions to the States – the vertical imbalance. The disparities in the capacity of the State Governments to provide basic public services at a comparable level - horizontal imbalance - it was believed would also be alleviated through such transfers. There have been fourteen Finance Commissions so far. By and large the institution of the Finance Commission has come to be regarded as a pillar of India's federal system.

There is widespread criticism that the funds provided by the Centre are not properly utilized by the States and there are reports of substantial leakages. In order to provide incentives to the States for better fiscal management and efficient service delivery there is a suggestion that all transfers to the States should be subjected to conditionality's and also tied to 'outcomes'. States on the other hand argue that in their experience the funds are not released by the Central Government in a timely manner.

8.7. PROBLEM OF STATES' FINANCES IN INDIA

8.8.1. A downturn in the state finances: - Due to agonizing increase in fiscal deficit, increase in state indebtedness and decline in capital expenditures there has been a fierce deterioration in the state finances during the last few decades. Moreover increase in contingent liabilities and maintenance expenditures have been a matter of serious concern to policy-makers in India so far. Low buoyancy of central transfers and spill over of central pay revisions has had the most adverse impact on state finances. However, the states' own fiscal performance has also seen sharp deterioration.

8.8.2. Deterioration in revenue deficit:- Over the years the revenue, of the states in India have shown a sharp deterioration in revenue deficit and financial deficit in various states in India. Interestingly, the deterioration in revenue deficit started right from the mid- 1980s. Though in early 1980s, states collectively had a marginal revenue surplus, by 1987-88, the surplus had vanished. The fiscal adjustment during the early 1990s helped reduce the deficit from about 1 per cent in 1990-91 to 0.4 per cent in 1993-94. In subsequent years there was gradual increase in the deficit, and after pay revisions the deficit increased sharply to 2.5 per cent in 1998-99 and is expected to be close to 3 per cent in 2000-01.due to this the financial condition of the states further slumped to an enormous level. This resulted in overdependence of the states on the centre for the want of financial assistance.

8.8.3. Disparity in the system of taxation: - A dominant reason for the differences in fiscal capacities between the Union Government and the State governments, or even among State governments, is the disparity in the taxation capacity and expenditure responsibilities of the respective governments. Given this system of taxation and expenditure assignment, the States are unable to match their expenditures to their revenues. This is generally known as the vertical fiscal imbalance. Due to such a mismatch, the Centre is required to allocate funds in order to overcome this inadequacy. Despite the increase in revenue at the State level, dependence has risen even further. This is because while revenue has been experiencing a steady increase, it has been unable to keep up with the fast rising expenditure.

8.8.4. The conundrum of quasi federal structure and fiscal problem: - Due to the existing imbalances of a quasi-federal structure of government, the country practices transfer of funds through four channels. Allocations primarily take place through two commissions –the Finance Commission and the Planning Commission. The third channel is through Centrally Sponsored Schemes. These funds are generally provided for some specific purpose. Such schemes are conducted through a cost-sharing mechanism between the Centre and the State. Lastly, the States have the option of borrowing from the market.

8.8.5. Absence of allocation autonomy for States on funds: - The currently used practice of allocation of certain funds to any State is in the form of schemes, which themselves carry guidelines on usage of said funds. Often named after political leaders, these funds are given for specific purposes and issues that the Centre believes are vital for the State, often circumventing what may be actually required in such States. The purpose of State governments is to represent the needs and demands of the local population and by this virtue, in most cases; they are a better judge of the importance/relevance of an issue. It is thus the argument of States that without autonomy to decide on the usage of such funds, large amounts of resources are often invested in activities that are beneficial neither to the local population nor, in the long run, to the Centre itself.

8.8.6. Allocation as a Political Tool: - The strongest criticism of central-State fiscal linkage is that many times this relationship is dependent on the political relationship the State has with the central government. It is often seen that if a State is governed by a party not in an alliance or relationship with the central political party, it is given less

priority or favoured less than those States that are politically inclined toward the Centre. While the equation used to allocate funds and the mandate of the Finance Commission is non-partisan, political favoritism is still a regular occurrence. A State ruled by the opposition is less likely to receive special status or special funds than a State that is ruled by the central governing party.

Moreover, special status and special funds are given to States to buy their political alliances. While some examples such as the North-East States, where economic activity is low due to terrain, climate and their proximity to foreign borders, are justifiable for special status, bestowing it on States like Bihar, Odisha and Uttar Pradesh was more a political decision than anything else.

8.8.7. Problem of State Finances : An Assessment

The difference in levels of economic development leads to imbalance between different States in terms of income and wealth disparities. This inter-State imbalance also creates perennial source of tension with the Centre.

- The most important problem for all the state governments is the shortage of financial sources within the present structure of Centre-State relations. On the one hand, the financial requirements of the states are vastly increasing, and on the other hand, the Centre has been gradually encroaching on financial powers and cornering for itself a major share of the total national resources.

- Another tendency noticed has been the increasing indebtedness of the States to the Centre for various developmental purposes. The states are finding themselves unable to repay the installments or interests on the debts without further central assistance.

- The Seventh Schedule of the Constitution vests the taxing powers both in the Union List and the State List but there is a contradiction between the elastic sources of revenue earmarked for the Centre' and the expansive developmental expenditure of the States.

- Provision of grants-in-aid have been made in the Constitution whereby the Union as a guardian may extend financial help to various units in times of need and for their all round development.

- The scheme of financial relations between the Union and the States is flexible and adaptable to varying needs according

to different situations. Resources and needs are reviewed periodically by a Finance Commission, which recommends the requisite changes, derived on the basis of experience and resources, to be made in the distribution of finances between the Union and the States.

- This is a unique feature of the Indian Constitution. In fact, by providing for the establishment of the Finance Commission for the purpose of allocating and re-adjusting the receipts from certain sources, the Constitution has made an original contribution in this extremely complicated aspect of federal relationship.

- The Union and States 'are mutually dependent' and this coordinate nature has given stability to the working of the Indian federation.

- Our Constitution had adopted the desirability of the Finance Commission which by all accounts can provide the most logical and fair institution method as successive Finance Commissions have made valuable contributions to our federal system. Every State wants more resources, and a larger share of the divisible pool.

- The Finance Commission is to do justice between the Centre and the States, and between a State and a State. Its purpose is to assure the States that they will have a fair deal. After the constitution of the Planning Commission, the Finance Commission's role in allocation of resources to States has been devalued to a great extent.

- So far, the total dispensation of fiscal transfers through the Finance Commission and plan allocations through the Planning Commission have increased rather than narrowed down regional imbalances, and if this trend is to be arrested, radical change in the pattern of financial assistance to States is called for.

- The State governments generally prefer allocation of fiscal resources through the Finance Commission, as it is a constitutionally mandated body, whereas the Planning Commission is a creation of the Union government through an ordinary executive order.

8.9. DEMAND FOR FISCAL AUTONOMY BY THE STATES

The scheme of division of financial resources adopted in India is certainly very complicated. It also has the effect of making

the states financially dependent on the centre. Such a scheme is certainly corrosive of autonomy of the states. It can be said that Indian states should be given more financial autonomy than is given now to make their political autonomy real. They are now demanding more fiscal autonomy. In wake of rising clamor from states for a new approach towards the center -state relation in which the states would enjoy greater autonomy with regard to policy matters and regulations, some of the demands raised by states for greater autonomy are summarized below:

A. **Demand in central's pool of taxes :-** with regard to tax collection and share in tax proceeds ,states have demanded greater share in the central divisible pool of taxes to attain financial independence from center; concern over the new uniform tax policy GST , states have demanded appropriate compensations in case of their decline in revenues in initial years .

B. **More autonomy for States in allocation of funds: -** The currently used practice of allocation of certain funds to any State is in the form of schemes, which themselves carry guidelines on usage of said funds. Often named after political leaders, these funds are given for specific purposes and issues that the Centre believes are vital for the State, often circumventing what may be actually required in such States. The purpose of State governments is to represent the needs and demands of the local population and by this virtue, in most cases; they are a better judge of the importance/relevance of an issue. It is thus the argument of States that without autonomy to decide on the usage of such funds, large amounts of resources are often invested in activities that are beneficial neither to the local population nor, in the long run, to the Centre itself.

Hence, many State governments opine that autonomy must be allowed in the allocation of central funds. This will allow the local government body to decide and choose the more pressing issues and resources needed for activities rather than these being forced upon them from someone outside the local system. Without autonomy, funds will continue to go to schemes and programmes that may or may not be beneficial for the intended segment of population or the State, effectively wasting precious resources and even increasing changes of corruption, bribery and misuse.

C. **Greater say in centrally sponsored schemes:** - with regard to Centrally sponsored schemes and flagship programmes, call for greater say in framing, implementation and allocation of funds to centrally sponsored schemes (CSSs) based on states' individual and local needs rather than being uniformly forced upon by the center; scrapping the traditional 'one size fits all' policy and adoption of 'bottom to top' approach.

D. Need for redistribution of revenues: - States have diverse revenues and spending requirements. Thus, there is a need for redistribution to attain parity. Broadway and Flatter provide an excellent definition of this phenomenon. They State that to maintain parity, two equally well-off individuals, residing in different provinces, should be equally well-off post taxation and the provision of public goods. In short, their residing in two different provinces should not affect their well-being. Thus, disparities among States should not affect the well-being of two similar individuals, each staying in two different States. This is in some way addressing the issue of horizontal disparity.

E. Greater grants during calamities :- With regard to central grants and other central assistance, compensations in wake of natural and manmade calamity like floods, unseasonal or deficient rainfall, decline in food productivity and farm loans. Most importantly states also demand cooperation from the centre on issues of national concern like health, education, terrorism and riots.

F. The scope of shared and sharable taxes should be increased,
- By including corporation tax and surcharges on income tax in divisible pool with 60 percent of the receipts accruing to the States, and
- By increasing the share of States in excise duties from 40 percent to 60 percent.

G. An equitable fiscal devolution formula: - The devolution formula should be evolved in such a manner that the transfer of resources helps not only the backward States but provides advanced States also with adequate resources so that their progress is not impeded.

H. Statutory transfer of resources: - The bulk of resources should be transferred on a statutory basis rather than on a discretionary manner and the criteria of distribution of the discretionary resources should be decided by a proposed Council of Chief Ministers of all the States.

I. Need of a single statutory agency: - There should be one single statutory agency covering the entire gamut of financial relations between the Centre and the States and this function is to be given to the Financial Commission which should be made permanent. At present the Centre transfers resources to the States through multiple agencies on the highly questionable assumption that all plan outlays are developmental and that all non-plan expenditure is non-developmental.

J. More royalty to the states: - The Centre should make available, through banking channels and, without having to get its (Centre's) approval, the required credit for market support activity and procurement of agricultural products, by States and Corporations. The power to periodically revise the rates of royalties on minerals should be delegated to the States as it could become an important source of revenue to certain States. The revision of royalty on minerals by the Centre, in the State's view, had neither been regular nor in proportion to the prosperity in market conditions.

K. Separate relief fund: - There should be a separate relief fund for each State to ameliorate distress arising out of natural calamities. At present the resources made available to the States on such occasions are adjusted against annual plan allocations. The States must also be accorded more powers for imposing taxes on their own, and to determine the limits of public borrowing in their respective areas.

L. Response from the centre: - Some of the measures taken by the union government in recent time to fulfill the demand of greater autonomy form states are as follows:-

a) acceptance of the 14th Finance Commission recommendation to increase the states share in the divisible pool from 32% to 42% for the period 2015-20- this move would give boost to cooperative federalism apart from helping states in attaining financial independence.

b) Reduction in the number of CSSs from 188 to 66 currently in a move to restructure these schemes on the demands of states. A further restructuring of CSSs to bring their number to at most 25, has been proposed by states in a recent meeting of CMs.

c) Center has been negotiating with states for building consensus by sorting out differences with states and addressing their concern regarding the possible decline in tax revenues of states in the aftermath of GST adoption.

M. State right to rascal autonomy upheld by supreme Court : - A recent nine-judge bench of the Supreme Court, in the context of entry tax, has upheld states' right to financial autonomy when it comes to designing their fiscal legislation[1]. The judgment among other things held that Article 301 of the Constitution does not apply to taxes. (Free trade between states ensured in Article 301). Therefore, imposition of entry tax cannot be said to be restriction on freedom of trade and commerce. The court has also overruled the concept of 'compensatory taxes' (developed

in earlier decisions) holding that the concept of 'compensatory taxes' does not have any juristic basis.

8.10. CONCLUSION

The essence of federal form of government is that the Centre and the State Governments should be independent of each other in their respective, constitutionally demarcated spheres of Action. Once the fundamentals of the government are spelt out, it becomes equally important that each of the government should be provided with sources of raising adequate revenues to discharge the functions entrusted to it. For the successful operation of the federal form of government financial independence and adequacy form the backbone. The Finance Commission is envisaged in the Constitution as the key institution responsible for dealing with fiscal imbalances between the center and states, as well as among the states

An autonomous Finance Commission is appointed every five years to make recommendations regarding the quantum of tax-sharing and fiscal-need grants. In spite of huge Central aid being given to the States every year by way of grants and loans, they hardly find themselves in a position of being able to meet their social commitments. To some extent, such a situation arises because of the fact that the States are not utilizing fully the taxing powers available to them under the Constitution. Although the Constitution devises an elaborate and flexible scheme of Centre-State financial relationship, the fact remains that the demands of States for greater financial allocations by the Centre to the States, seem to be justified.

The scheme of separation of Centre-State tax resources has also, as discussed above, created problems of imbalance between resources and functions at the State level. Most of the expansive functions, under the Constitution, have been allotted to the States, such as agriculture, education, roads and irrigation, while the taxes allotted to the States are not very expansive and are not sufficient by themselves to enable the States to discharge their growing social welfare obligations. Despite of these measure the state have been deprived of an independent financial source by which it could manage its own affairs.

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[8] (*Murli Manohar and Co.* v. *State of Haryana* (1991) 1 SCC 377). In this case, it was observed that they cannot conceive fourth category of sale.

[9] If sale or purchase to Marketing Agency is in same State, it will be an Intra-State sale even if goods are despatched outside the State as per instructions of the marketing agency. - *ACC* v. *CST* - AIR 1991 SC 1122

[10] Item 92A of List I - Union List: 'Taxes on the sale and purchase of goods other than newspapers, where such sale or purchase takes place in the course of Inter-state trade or commerce'

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