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TWO YEAR MARSTER'S DEGREE COURSE

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SEMESTER - I

INDIAN POLITICAL SYSTEM

POLITICAL SCIENCE

Surya Kumar Bhuyan School of Social Sciences

KRISHNA KANTA HANDIQUI STATE OPEN UNIVERSITY

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MASTER OF ARTS
POLITICAL SCIENCE
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COURSE INTRODUCTION

This course of the First Semester of the MA programme in Political Science of KKHSOU is titled “Indian Political System”. It is designed to help the learners to have a deeper understanding of the theoretical and practical dimensions of Indian political system. As a learner of Master Degree in Political Science one must have deep and thorough understanding about the political system of the country where he/she resides. Knowledge of the political system of the country, to which the individuals belong, will definitely create awareness among people and will encourage people to participate at various levels of the political process of one’s own country. Accordingly, the course begins with a discussion of the philosophy of the Indian Constitution. The functioning of the Indian political system is based on a written Constitution, which is the basic and fundamental law of the land. The Constitution subscribes to the principles of popular sovereignty and democracy. The first unit of the course discusses the philosophy of the Indian Constitution which have laid foundation of the Indian political system. Some parts of the Indian Constitution are regarded as the basic structure of the Constitution. The parts which constituted the basic structure of the Constitution cannot be amended. On the issue of the basic structure of the Indian Constitution lots of debates and discussions have been made through various judicial verdicts. Accordingly the second unit of the course deals with the basic features and basic structure of the Indian Constitution. After independence India has adopted parliamentary democracy as a form of government. In the third unit the learners are made familiar with the fundamental aspects of functioning of parliamentary democracy in India. Various challenges to the functioning of parliamentary democracy as well as future prospects of parliamentary democracy in India have been discussed in detail in the third unit. One of the important philosophy of the Indian Constitution is the concept of secularism. The Constitution of India has established India as a secular state. But recently a number of factors have threatened the secular tradition in India. In this context the fourth unit focuses on the issue and challenges to the secular tradition of the Indian politics. A significant pre-requisite in a democratic polity is the existence of an independent judicial system to act as the guardian of the Constitution and the rights of the people. The Constitution of India too provides for an independent integrated judicial system, with the Supreme Court standing at the apex of the judicial structure, followed by the High Courts and the subordinate courts. Accordingly, the fifth unit discusses the judiciary in India with reference to the structure of the Indian judiciary and issues like judicial review, judicial activism and Public Interest Litigation. The Indian political system is federal in structure. However, the federal model in India has its own characteristics. The sixth unit discusses the nature of Indian federalism with special reference to the scheme of division powers between the Union and the States. The Constitution of India has put special emphasis on decentralisation of power and

participation of people at the various level of government through Panchayati Raj Institutions and Municipalities. Accordingly the Indian Parliament has passed 73rd and 74th Amendment Acts to the Constitution of India and has provided constitutional status to these institutions of local self government. The seventh unit deals with politics of decentralisation in India with special refernce to the 73rd and 74th Amendment Acts. The issue of regionalism has been one of the most debatable issues in Indian politics. A number of states in India have been experiencing various types of movements which reflect aspiration for regioanl autonmy of the people of these states. Accordingly, the eigth and ninth units deal with the Language Movement, the Assam Movement and the Dravidian Movement. All these movements reflect the aspiration of the people of those states to safeguard their distinct linguistic and cultural identities. In India the problem insurgency has been a seriuos issue, more particularly in North East India, which has threatened security, unity and integrity of India. Thus the tenth unit discusses the problem of insurgency in the north east region of India , particularly insurgency movements led by NSCN, ULFA, NDFB. The eleventh unit focuses on the party system in India, with special reference to its recent trends. In democracy election is the process by which a political system tries to legitimize its existence by bringing about a sense of involvement on the part of general people. In India, we have parliamentary system of government with periodic elections revolving around a multi-party system. There is a system of regular elections for Parliament, legislative assemblies of States and Union Territories, local government institutions and for the posts of President and Vice President. Accordingly the twelft unit deals with various aspects associated with electoral politics and voting behaviour in India. Another important concept in the study of political science is the concept of political economy. Political economy is concerned with the interaction of the political and economic processes within a society. The thirteenth unit highlights on the concept of political economy in Indian context. Presence of pressure groups is one of the important characteristics of any democratic society. In a democratic country these groups act as mediator between people and the government. Pressure groups are the interest groups which try to secure their interests by influencing the formulation and execution of public policy. These groups create awareness among people and thus make democracy more participatory. The fourteenth unit discusses various dimensions associated with the pressure groups in India.

UNIT 1: PHILOSOPHY OF THE INDIAN CONSTITUTION

UNIT STRUCTURE

1.1 Learning Objectives
1.2 Introduction
1.3 Philosophy of the Indian Constitution
1.4 Let Us Sum Up
1.5 Further Reading
1.6 Answers To Check Your Progress
1.7 Possible Questions

1.1 LEARNING OBJECTIVES

After going through this unit, you will be able to –

- discuss the philosophy of the Indian Constitution
- analyse how the philosophy of the Constitution has helped India to become a democratic country in the real sense of the term.

1.2 INTRODUCTION

Every constitution has a philosophy of its own. Likewise the Constitution of India has a philosophical basis upon which the provisions of the Constitution are further developed. To understand the philosophy of the Constitution of India, we must look back to the historic Objective Resolution of Pandit Nehru which was adopted by the Constituent Assembly on January 22, 1947, which inspired the shaping of the Constitution through all its subsequent stages. The ideals embodied in the Resolution are faithfully reflected in the Preamble to the Constitution which summarizes the aims and objectives of the Constitution.

1.3 PHILOSOPHY OF THE INDIAN CONSTITUTION

The Preamble to the Constitution of India outlines the following principles and ideals of the Constitution which lay down the philosophical basis of the Constitution.

- **Source of Authority- Popular Sovereignty :** The Preamble to the Constitution of India begins with the words 'We the People of India….' and ends with the words '…adopt, enact and give to ourselves this Constitution'. It thus declares the ultimate sovereignty of the people of India. The people of India are the source of all authority in India. All powers and authority of the country are derived from the people.
- **Sovereign State :** The Preamble to the Constitution declares India a Sovereign State. It means that the state enjoys independent authority and has the power to legislate on any subject. The power of the state is not subject to the control of any other State or external power. India is free to manage its own affairs (both internal and external)



LET US KNOW

The sovereign status of India has been questioned by many due to its decision to join with the British Commonwealth of Nations. But the fact is that India is voluntarily associated with the Commonwealth of Nations and that association will not affect her sovereignty to any extent and it would be open to India to cut off that association at any time she finds it not to be honourable or useful.

- **Socialism :** Socialism is one of the core ideals of the Indian polity. The Preamble also declares India as a Socialist State by the inclusion of the term through the 42nd Amendment of the Constitution in 1976. The Indian variety of socialism implies that the State will be committed to secure Socialistic goals i.e. socio-economic justice and an egalitarian society. For the fulfillment of this goal of Socialism, the Indian state adopted the ideal of Welfare State. The state is committed to provide basic minimum living standards to all, ensuring equality among all in social, economic and political spheres. To secure this goal the State favours distribution of the benefits of the resources of the country among all. It favours national planned economic development, nationalization of resources and limited freedom to

private business and industries. For the realization of the ideal of Socialism, in the Indian Constitution there are some directives to the Indian State in the Part-IV of the Indian Constitution known as the Directive Principles of State Policy. Through these directives the Constitution stresses for the establishment of the Socialistic pattern of society in India.

- **Secularism :** The word Secularism was also incorporated in the Preamble to the Constitution of India through the 42nd Amendment in 1976 which declares in clear terms that India is a Secular State. The State protects all religions equally and does not itself uphold any religion as the State religion. At the same time, the citizens of the country will enjoy freedom of religion as a fundamental right. The Indian Constitution reflects the positive concept of secularism, i.e., all religions in our country have the same status regardless of their strength.
- **Democratic State :** The Constitution of India adopts Democracy not only as a form of government but as a way of life. In other words, it envisages not only a democratic form of government but also a democratic society, infused with the spirit of 'justice, liberty, equality and fraternity'. As a form of Government, it envisages a representative democracy where people of India elect their representatives through a system of universal adult suffrage. In matters of public opportunities, there is equal opportunity to all irrespective of caste, creed and religion to avail these benefits.

Let Us Know: **Universal Adult Suffrage.**

Universal Adult Franchise refers to the right of all adult citizens in a country to vote in elections, regardless of their social status, race, gender, religion, or any other characteristic. It is a democratic ideal that assures all citizens have an equal say in electing their representatives and to participate in the political process.

- **Republic :** The Preamble declares in unequivocal terms that the State of India is a Republic. It means India has an elected President

as the head of the State for a definite period. A republic also signifies that political sovereignty is vested in the people rather than a single individual like a King, and there is no privileged class; therefore, all public offices including that of the President are open to all citizens (as per qualifications mentioned in the Constitution) without any discrimination.



CHECK YOUR PROGRESS

Q 1 : The term "socialist" was added to the Preamble by which Amendment?

.....

Q 2 : Explain briefly the philosophy of socialism as enshrined in the Preamble to the Indian Constitution.

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- **Justice:** The Preamble to the Constitution of India declares that the Indian state will strive to establish justice among its citizens in their political, social and economic life. To establish political justice, every person in the territory of India, without any discrimination, is allowed to take part in the political process of the country through the system of universal adult suffrage. The Constitution ensures complete equality before the law. To establish social justice, it seeks to establish a democratic society in India aimed at securing the welfare of all. For that, the Constitution of India provides certain directives to the state through the inclusion of the provision of Directive Principle of State Policy. To establish economic justice it has directed the Indian State to remove poverty by enhancement of the national wealth and resources and equitable distribution of the resources among all its citizens, and thereby to remove economic inequality from the Indian society.
- **Liberty:** Democracy, in any sense, cannot be established unless certain minimum rights, which are essential for a free and civilized existence, are assured to every citizen. The Preamble mentions

these essential rights as 'Liberty of thought, expression, belief, faith and worship' and these are guaranteed by the Part-III of the Constitution in the form of Fundamental Rights.

- **Equality:** Guaranteeing of certain rights to each individual would be meaningless unless inequality is removed from all the social structure and each individual is assured of equality of status and opportunity. The Constitution of India tries to secure this objective by making illegal all discriminations by the State on the basis of religion, sex, race, caste or place of birth, and by guaranteeing equality before the law and equal protection of law.
- **Unity and Integrity of the nation by assuring Fraternity and Dignity of the individual:** Unity among the citizens of this vast country was the first requisite for maintaining the independence of the country. For the fulfillment of the ideal of unity and to ensure the integration of the people, the spirit of fraternity or brotherhood must be infused amongst the heterogeneous populations of India belonging to different races, religions and cultures. This can be achieved only by abolishing all communal, sectional, local, or provincial anti-social feelings. Fraternity can be ensured by generating the feeling of oneness among all the sections of people composed of so many races, religions, languages and cultures. Further, fraternity cannot be assured unless the dignity of each citizen is maintained. Therefore to secure the dignity of each citizen of India, the Constitution of India guaranteed equal fundamental rights to every citizen of India, which can be enforced in a court of law.

  The ideal of fraternity which is professed in the Preamble is not confined within the bounds of national territory, rather it favours to extend that to foster the ideal of universal brotherhood. For this ideal India always pledge to promote international peace and security, maintain just and honourable relations between nations, foster respect for international law and treaty obligations and settlement of disputes by arbitrations among the nations. (Let us know to be added 1.1)

From the above, one can easily comprehend that the Constitution seeks to constitute India as a Sovereign Democratic Republic. The Constitution upholds the democratic principles of freedom of the individual, socio-economic equality and justice, and peace and brotherhood among all, with the people as the real sovereign. For the establishment of a just and democratic society the Constitution upholds the ideal of Secularism and Socialism. The Preamble to the Indian Constitution thus outlines the ideals, goals and the philosophical basis of the Constitution.



CHECK YOUR PROGRESS

Q 3 : Write a short note on the philosophy of justice as incorporated in the Constitution.

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Q 4 : How can we achieve unity and integrity within India? Explain.

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1.4 LET US SUM UP

- The philosophical and ideological basis of the Constitution is reflected in the Preamble to the Constitution of India itself. Popular sovereignty, socialism, secularism, democracy, justice, equality and fraternity are some of the essential ideals enshrined in the Preamble to the Indian Constitution.
- Popular sovereignty indicates that people are the ultimate source of all authority and power in India. The Government derives power from the people.

- The Constitution in its Preamble also declares India as a sovereign state. It indicates no other country or organization has the power or authority to exercise any control over India in its internal and external matters.
- The inclusion of the term 'socialist' reflects that one of the prime object of India is to secure social, economic and political justice among all its people by eradicating exploitation of all forms and ensuring equitable distribution of wealth and resources.
- India being a republic, the Head of the State in India, that is the President of India, is elected by its people through the representatives in the Parliament and State Legislatures.
- The Constitution of India seeks to ensure justice- social, economic and political to all its citizens.
- The Preamble of the Indian Constitution declares liberty of thought, expression, belief, faith and worship as the one of the main objective of the Constitution.
- The Preamble of the India Constitution ensures equality of status and opportunities to its entire people.
- The Preamble to the Indian Constitution declares fraternity one of its major objectives which is designed to secure dignity of the individual and unity and integrity of the nation.



1.5 FURTHER READING

1) Basu, Durga Das. (2015). *An Introduction to the Constitution of India.*

2) Basu, Durga Das. and Bakhi, P. M. (2013). *The Constitution of India.* New Delhi: *U*niversal Law Publishing Co.

3) Ghai, K.K. (2008). *Indian Government and Politics.* New Delhi: Kalyani Publishers.

4) Sikri, S. L. (2002). *Indian Government and Politics.* New Delhi : Kalyani Publishers.



1.6 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : 42nd Amendment of the Constitution.

Ans to Q. No. 2 : Socialism is one of the core ideals of the Indian polity. The Preamble also declares India as a Socialist State by the inclusion of the term through the 42nd Amendment of the Constitution in 1976. The Indian variety of socialism implies that the State will be committed to secure Socialistic goals i.e. socio-economic justice and an egalitarian society. For the fulfillment of this goal of Socialism, the Indian state adopted the ideal of Welfare State. The state is committed to provide basic minimum living standards to all, ensuring equality among all in social, economic and political spheres. To secure this goal the State favours distribution of the benefits of the resources of the country among all. It favours national planned economic development, nationalization of resources and limited freedom to private business and industries. For the realization of the ideal of Socialism, in the Indian Constitution there are some directives to the Indian State in the Part-IV of the Indian Constitution known as the Directive Principles of State Policy. Through these directives the Constitution stresses for the establishment of the Socialistic pattern of society in India.

Ans to Q. No. 3 : The Preamble to the Constitution of India declares that the Indian state will strive to establish justice among its citizens in their political, social and economic life. To establish political justice, every person in the territory of India, without any discrimination, is allowed to take part in the political process of the country through the system of universal adult suffrage. The Constitution ensures complete equality before the law. To establish social justice, it seeks to establish a democratic society in India aimed at securing the welfare of all. For that, the Constitution of India provides certain directives to the state through the inclusion of the provision of Directive Principle of State Policy. To establish economic justice it has directed the Indian State to remove poverty by enhancement of

the national wealth and resources and equitable distribution of the resources among all its citizens, and thereby to remove economic inequality from the Indian society.

Ans to Q. No. 4 : For the fulfillment of the ideal of unity and to ensure the integration of the people, the spirit of fraternity or brotherhood must be infused amongst the heterogeneous populations of India belonging to different races, religions and cultures. This can be achieved only by abolishing all communal, sectional, local, or provincial anti-social feelings. Fraternity can be ensured by generating the feeling of oneness among all the sections of people composed of so many races, religions, languages and cultures. Further, fraternity cannot be assured unless the dignity of each citizen is maintained. Therefore to secure the dignity of each citizen of India, the Constitution of India guaranteed equal fundamental rights to every citizen of India, which can be enforced in a court of law.



1.7 POSSIBLE QUESTIONS

Q 1 : According to the Constitution of India, who is the main source of authority in India?

Q 2 : What is meant by Uniiversal Adult Suffrage?

Q 3 : What is meant by fraternity?

Q 4 : What are the provisions included in the Indian Constitution to ensure equality among its citizens?

Q 5 : How does the Constitution of India try to ensure political democracy in India?

Q 6 : How does the Constitution of India try to ensure secularism among its citizens?

Q 7 : Discuss the philosophical foundations of the Indian Constitution.

Q 8 : Explain the philosophy of democracy of the Indian Constitution.

Q 9 : Explain the provisions enumerated in the Indian Constitution to ensure the philosophy of liberty.

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UNIT 2: BASIC FEATURES OF THE INDIAN CONSTITUTION

UNIT STRUCTURE

2.1 Learning Objectives

2.2 Introduction

2.3 Basic Features of the Constitution of India

2.4 Concept of the Basic Structure of the Constitution: Judicial Interpretation

2.5 Let Us Sum Up

2.6 Further Reading

2.7 Answers to Check Your Progress

2.8 Possible Questions

2.1 LEARNING OBJECTIVES

After going through this unit you will be able to -

- discuss the basic features of the Constitution of India
- analyse the concept of basic structure of the Constitution with special reference to the judicial interpretation in this context.

2.2 INTRODUCTION

Every constitution has some basic features that reflect its principles and philosophy. The basic features are the foundation of the Constitution. Keeping in mind the uniqueness of our country, the Constitution of India is framed on the basis of some strong philosophical foundations. In keeping with such a strong philosophical foundation, our Constitution incorporates certain salient features for which it has become one of the famous Constitutions of the World. In this Unit we shall discuss the features of the Indian Constitution. While discussing the features of the Constitution efforts will also be made to put light on the issue of basic structure of the Constitution.

2.3 BASIC FEATURES OF THE CONSTITUTION OF INDIA

In this section we shall discuss the basic features of the Indian Constitution.

- **Written and Detailed Constitution :** The Constitution of India is a wholly written document. At the time of adoption the Constitution consisted of 395 Articles divided into 22 Parts with 8 Schedules. As of now (2023) the Constitution of India has 448 Articles, 25 Parts and 12 Schedules.
- **Preamble of the Constitution :** The Constitution of India has a Preamble which states the philosophy of the constitution. It gives an introduction to the Constitution and declares its ideals.
- **Popular Sovereignty :** The Preamble of the Constitution of India is based on the idea of popular sovereignty. The people are the ultimate source of authority. The Government derives its powers from the people. The Constitution has its roots in the people.
- **Socialism :** Although, right from the beginning, the Indian Constitution epitomized the spirit of Socialism, it was only in 1976 through the 42nd Constitution Amendment that the term was inserted in the Constitution. The aim of socialism is to secure justice – social, economic and political to all people by ending all forms of exploitation and by securing equitable distribution of income, resources and wealth. This has to be done by peaceful, constitutional and democratic means. It signifies the commitment to socio-economic justice which is to be secured by the state through the democratic process and organized planning.
- **Secularism :** By the 42nd Amendment, the term 'Secular' was incorporated in the Preamble along with other features of Indian polity. As a state, India does not give special status to any religion. There is no such thing as a state religion of India. India adopts Secularism by guaranteeing equal freedom to all religions. The Constitution grants the right to religious freedom to all the citizens

without any discrimination. The state does not interfere with the religious freedom of the citizens and prohibits the levying of taxes for religious purposes.

- **Democratic State :** The Preamble of the Constitution declares India a Democratic State. The authority of the Government rests upon the sovereignty of the people. The people enjoy equal political rights. It is on the basis of these political rights that the people participate in the political process the country. For all its acts, the Government is responsible before the people. The Government in India enjoys limited tenure and defined, limited powers. No Government can remain in power which does not enjoy the confidence of the majority of the representatives of the people. The representative, responsible and accountable character of the government symbolizes the self-rule of the people.
- **Republic :** The Preamble declares India to be a Republic. This means that India is not ruled by a monarch or a nominated head of state. India has an elected head of state who wields power for a fixed term. India is a Sovereign Republic. Membership of the Commonwealth of Nations is a voluntary act. It is a courtesy arrangement whereby India has decided to maintain her traditional friendship and links with other members of the Commonwealth who happened to be ex-colonies of British Empire but which are now sovereign independent states.
- **Federal Structure and a Unitary Spirit :** While describing India as a Union of States, the Constitution provides for a federal structure with a unitary spirit. Scholars describe India as a 'Quasi Federation' (K.C. Wheare) or a federation with a unitary bias or even as a Unitarian federation. Like a federation, the Constitution of India provides for division of powers between the centre and the states, a written and rigid constitution, supremacy of the constitution, independent judiciary with the power of judicial review etc. but it also provides for a very strong Centre, single citizenship, emergency provisions, common All India Services etc. Hence, the Constitution

of India is neither federal nor unitary but a mixture of the two. It is partly federal and partly unitary.

- **Mixture of Rigidity and Flexibility :** The Constitution of India is a mixture of rigidity and flexibility. Some parts of it can be amended in a very simple way and the amendment of some other parts is very complex. Article 368 of the Constitution provides for two special methods of amendment- i) The Union Parliament can amend some provisions of the Constitution by passing the Amendment Bill and ii) for the amendment of some specified provisions, a rigid method has been provided in which the Union Parliament passes the Amendment Bill which should be ratified by the State Legislatures.
- **Fundamental Rights :** The Constitution of India grants and guarantees six Fundamental Rights to its citizens. Initially there were seven Fundamental Rights but the Right to Property [Art. 19(1) (6) and Art. 31] was deleted from the category of the Fundamental Rights by the 44th Constitution Amendment Act of 1978. These rights are justiciable rights, which means that a citizen can approach the courts for the enforcement of his/her Fundamental Rights in case of violation of such rights by any authority or individual. The privilege of enforcing of Fundamental Rights itself is a Fundamental Right (Right to Constitutional Remedy). The Fundamental Rights included in the Constitution of India are- Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights and Right to Constitutional Remedies.
- **Fundamental Duties :** Along with the Fundamental Rights the Constitution of India under its Part-IVA Article 51A incorporated 11 Fundamental Duties (by the 42nd Constitution Amendment, 1976) for the citizens of India. However, these duties are not enforceable in the court but form a part of constitutional morality.
- **Directive Principles of State Policy :** The Directive Principles of State Policy are one of the most striking features of the Indian Constitution. These are the instructions to the State for securing socio-economic developmental objectives through its policies and

thereby make India a welfare state. However, these directives have no legal binding on the state yet the Government is bound to implement it for its political sanctions. The Directive Principles of State Policy are included in Part IV of the Constitution from Article 36 to 51.

- **Parliamentary Form of Government :** The Constitution of India provides for a Parliamentary form of Government for both Centre as well as the States. Following the British pattern, the President of India is only the constitutional head of the State with nominal powers. The Union Council of Ministers headed by the Prime Minister constitutes the real executive. Ministers are essentially the members of the Parliament. The Council of Ministers is collectively responsible, for all its acts to the Parliament.
- **Bicameral Parliament :** The Constitution of India provides for a bicameral legislature: the Lok Sabha and the Rajya Sabha. The Lok Sabha is the lower house, whose members are directly elected by the people of the country. The Constitution of India allows for a maximum of 550 members in the Lok Sabha, with 530 members representing the States and 20 representing the Union Territories (source: www.india.gov.in). Normally the tenure of the Lok Sabha is five years but can be dissolved earlier by the President of India on the advice of the Prime Minister. The Rajya Sabha is the upper and indirectly elected House which represents the States. Its total membership is be 250. Out of these 238 are elected by all the State Legislative Assemblies through a system of proportional representation and 12 members are nominated by the President from amongst eminent persons from the fields of Arts, Science and Literature.

  The Lok Sabha is more powerful than the Rajya Sabha. It alone has financial powers and it alone can remove the union cabinet from office. The Council of Ministers is collectively responsible to the Lok Sabha.



LET US KNOW

(104 Amendment of the Constitution)

Two seats were reserved for members of the Anglo-Indian community in the Lok Sabha between 1952 and 2020. These two members were nominated by the President of India. In the year 2020, the Anglo-Indian reserved seats in the Parliament and State Legislatures of India were discontinued by the 104th Constitutional Amendment Act, 2019. This amendment also increased the limit for the expiration of the reservation of seats for SCs and STs in the Lok Sabha and State assemblies. (Source: egazatte.nic.in)

- **Universal Adult Suffrage:** Another notable feature of the Indian Constitution is the introduction of the universal adult suffrage. In this system, all the citizens enjoy equal right to vote without discrimination on any ground. Now the qualifying voting age stands at 18 years.
- **Single Citizenship:** Another notable feature of the Constitution of India is that all the citizens enjoy a common uniform citizenship which entitles them all to equal rights and freedoms and equal protection of the State.
- **Integrated Judiciary with the power of Judicial Review:** Though the Constitution provides for a federal structure, it establishes a single integrated judicial system common for the Union and the States. The Constitution provides the Supreme Court at the apex, High Courts at the State level and other subordinate courts under the High Courts. The Supreme Court is the highest court of the land. It controls and runs the judicial administration in India. The Constitution also provides the arrangements to make the judiciary independent from the control of other organs of the Government. The Supreme Court of India and the High Courts enjoy the power of Judicial Review. The Supreme Court acts as the protector and interpreter of the Constitution and the guardian of the Fundamental Rights. For this purpose, it exercises the power of judicial review. By it, the Supreme Court has the power to

determine the constitutional validity of the acts of the legislatures and the orders of the executive. It can strike down the acts of the legislature and the orders of the executive if it finds it as unconstitutional.

- **Emergency Provisions:** The Constitution of India vests in the President of India some emergency powers. The Constitution stipulates three types of emergency powers: national emergency, constitutional emergency in a state and financial emergency. During the emergencies, the powers of the President, actually of the Prime Minister and the Cabinet, increase tremendously. However, there are certain set rules for using this power as well as several limitations upon the exercise of the emergency powers.

From the above discussion of the basic features of the Indian Constitution, it can be said that the Constitution of India is detailed one. It contains in details all the areas of Government. It is the fundamental law of the land which is to be obeyed by all in the country. All the acts of the Government should be according to the provisions of the Constitution.



CHECK YOUR PROGRESS

Q 1 : Write about secularism as one of the important features of the Indian Constitution.

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Q 2 : Write about composition of the Indian Parliament.

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Q 3 : Write briefly about any two features of the Constitution of India.

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2.4 CONCEPT OF THE BASIC STRUCTURE OF THE CONSTITUTION : JUDICIAL INTERPRETATION

As mentioned above the Supreme Court of India acts as the protector and interpreter of the Constitution. In interpreting the Constitution, it has propounded the concept of a basic structure of the Constitution. Until the case of Golak Nath (Golak Nath vs State of Punjab, 1967), the Supreme Court of India had been holding that no part of our Constitution was unamendable, that Parliament can amend any provision of the Constitution under Article 368. It was held that the word 'Law' in Article 13(2) would not include an Amendment Act of the Constitution which was passed by the Parliament in its constituent capacity. (Under Article 13(2), the Law enacted by Parliament could not violate the provisions of the Constitution as such; such are subject to the power of Judicial Review of the Judiciary). But in the Golak Nath case a majority of six judges in a special Bench took the view that the Fundamental Rights of the Constitution cannot be subject to the process of amendment. Also they held that a Constitution Amendment Act was also a 'Law' within the purview of Article 13(2). After the Golak Nath case, the Parliament sought to supersede it by amending Article 368 itself by the Constitution (24th Amendment) Act, 1971, as a result of which, an amendment of the Constitution passed in accordance with Article 368 will not be 'Law' within the meaning of Article 13 and the validity of a Constitution Amendment Act shall not be open to question on the ground that it takes away or affects a fundamental right [Article 368(3)].

Further the Parliament by 25th Amendment Act, 1971 of the Constitution inserted Article 31(C) which deprive the courts of their power to determine the validity of the Amendment Act on the ground that it contravened some provisions of the Constitution.

The 24th Amendment Act of the Constitution was challenged in case Keshavananda Bharati vs State of Kerala which was heard by a full bench of 13 Judges. In that case the Court held that the Fundamental Rights in India can be amended by an Act passed under Article 368, the validity of a Constitution Amendment Act cannot be questioned on the ground that that Act invades or encroaches upon any Fundamental Right.

In the same judgement the court affirmed another proposition that there are certain Basic Structures of the Constitution of India, which cannot be altered in exercise of the power to amend it under Article 368. If a constitution amendment act seeks to alter the Basic Structure or framework of the Constitution, the Court would be entitled to annul it on the ground of ultra vires, because the word "amend", in Article 368, means only changes other than altering the very structure of the Constitution, which would be tantamount to making a new constitution.

Applying this doctrine that Judicial Review is a basic feature of the Constitution of India, as such the Constitution (25th Amendment) Act, 1971, relating to Article 31(C) is invalid.

The debate did not end here. The Government of India (under the Prime Ministership of Indira Gandhi) by the 42nd Constitution Amendment in 1976, inserted Clause (4) and (5) in Article 368. Clause (5) declares that "there shall be no limitation on the constituent power of Parliament to amend" the provisions of this constitution. Clause (4) declares that, "the validity of no Constitution Amendment Act shall be called in question in any court on any ground".

But this attempt of the Parliament to limit the Judicial Review of Constitution Amendment Act was nullified by the Supreme Court, by striking down Clause 4 & 5 in the Article 368 inserted by 42nd Amendment Act, by its decision in the Minarva Mills case on the ground that Judicial Review is a 'Basic Feature' of the Indian Constitution which cannot be taken away even by amending the Constitution.

So far, the Supreme Court of India has been following the decision of the Keshavananda Bharati case in its subsequent cases and thereby

has introduced the doctrine of 'Basic Structure' to the Constitution of India. However, the Supreme Court has not yet foreclosed the list of 'Basic Structure'. From the various decisions so far, the following list may be drawn up:-

- Supremacy of the Constitution
- Rule of Law
- The principle of Separation of powers
- The objectives specified in the Preamble to the Constitution
- Judicial Review, Article 32
- Federalism
- Secularism
- The Sovereign, Democratic, Republican Structure
- Freedom and Dignity of the individual
- Unity and Integrity of the Nation
- The Principle of Equality, not every feature of equality but the quintessence of equal justice
- The 'essence' of other Fundamental Rights in Part-III
- The concept of social and economic justice to build a welfare State; Part-IV in toto
- The balance between Fundamental Rights and Directive Principles
- The Parliamentary system of Government
- The principle of free and fair elections
- Limitations upon the amending power conferred by Article 368
- Independence of Judiciary
- Effective access to Justice
- Powers of the Supreme Court under Article 32, 136, 141 and 142



CHECK YOUR PROGRESS

Q 4 : Verdict of which case provided that the Fundamental Rights can be amended?

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Q 5 : Mention any six provisions which are considered to be the basic structure of the Constitution of India.

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2.5 LET US SUM UP

- The features of the Constitution of India reflect its ideals and philosophical foundation. Some of the basic features of the Constitution of India are- It is a written and detailed Constitution and has a Preamble.
- Some other important features of the Constitution of India are- idea of popular sovereignty, socialism, secularism, democratic state, republic state, system of federalism with a unitary spirit, incorporation of Fundamental Rights, Fundamental Duties and Directive Principles of State Policy, parliamentary form of government, bicameral legislature, universal adult suffrage, single citizenship, integrated judiciary with the power of judicial review, emergency provisions of the Constitution etc.
- The concept of basic structure implies that some basic provisions of the Constitution can not be amended. The issue of basic structure of the Constitution has been one of the most debated one. Some of the important cases related to this issue are the case of Golak Nath (Golak Nath vs State of Punjab, 1967), Keshavananda Bharati vs State of Kerala.
- After a long debate and discussion some important provisions are considered as the basic structure of the Constitution. Some of these are- supremacy of the Constitution, rule of law, the principle of separation of powers, the objectives specified in the Preamble to the Constitution, judicial review, federalism, secularism, the

'essence' of other Fundamental Rights in Part-III, the concept of social and economic justice to build a welfare State; Part-IV in toto etc.



2.6 FURTHER READING

1) Basu, Durga Das. (2015). *An Introduction to the Constitution of India.*

2) Basu, Durga Das. and Bakhi, P. M. (2013). *The Constitution of India.* New Delhi: *U*niversal Law Publishing Co.

3) Ghai, K.K. (2008). *Indian Government and Politics.* New Delhi: Kalyani Publishers.

4) Sikri, S. L. (2002). *Indian Government and Politics.* New Delhi: Kalyani Publishers.



2.7 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : By the 42nd Amendment, the term 'Secular' was incorporated in the Preamble along with other features of Indian polity. As a state, India does not give special status to any religion. There is no such thing as a state religion of India. India adopts Secularism by guaranteeing equal freedom to all religions. The Constitution grants the right to religious freedom to all the citizens without any discrimination. The state does not interfere with the religious freedom of the citizens and prohibits the levying of taxes for religious purposes.

Ans to Q. No. 2 : The Constitution of India provides for a bicameral legislature: the Lok Sabha and the Rajya Sabha. The Lok Sabha is the lower house, whose members are directly elected by the people of the country. The Constitution of India allows for a maximum of 550 members in the Lok Sabha, with 530 members representing the States and 20 representing the Union Territories.

Normally the tenure of the Lok Sabha is five years but can be dissolved earlier by the President of India on the advice of the Prime Minister. The Rajya Sabha is the upper and indirectly elected House which represents the States. Its total membership is 250. Out of these 238 are elected by all the State Legislative Assemblies through a system of proportional representation and 12 members are nominated by the President from amongst eminent persons from the fields of Arts, Science and Literature.

Ans to Q. No. 3 : (i) Federal Structure and a Unitary Spirit: While describing India as a Union of States, the Constitution provides for a federal structure with a unitary spirit. Scholars describe India as a 'Quasi Federation' (K.C. Wheare) or a federation with a unitary bias or even as a Unitarian federation. Like a federation, the Constitution of India provides for division of powers between the centre and the states, a written and rigid constitution, supremacy of the constitution, independent judiciary with the power of judicial review etc. but it also provides for a very strong centre, single citizenship, emergency provisions, common All India Services etc. Hence, the constitution of India is neither federal nor unitary but a mixture of the two. It is partly federal and partly unitary.

(ii) Mixture of Rigidity and Flexibility : The Constitution of India is a mixture of rigidity and flexibility. Some parts of it can be amended in a very simple way and the amendment of some other parts is very complex. Article 368 of the Constitution provides for two special methods of amendment- i) The Union Parliament can amend some provisions of the Constitution by passing the Amendment Bill and ii) for the amendment of some specified provisions, a rigid method has been provided in which the Union Parliament passes the Amendment Bill which should be ratified by the State Legislatures.

Ans to Q. No. 4 : Keshavananda Bharati vs State of Kerala

Ans to Q. No. 5 : Supremacy of the Constitution, Rule of Law, the principle of Separation of powers, the objectives specified in the Preamble to the Constitution, Judicial Review, Federalism.



2.8 POSSIBLE QUESTIONS

Q 1 : How many parts are there in the Constitution of India?

Q 2 : When the word socialism was inserted in the Constitution of India?

Q 3 : Who said India as a quasi federal State?

Q 4 : In which case the Supreme Court of India have declared that the Judicial Review is one of the provisions which constitute basic structure of the Indian Constitution?

Q 5 : Examine the concept of secularism as one of the important features of the Constitution of India.

Q 6 : India is considered as a Quasi Federal state. Why?

Q 7 : Discuss the basic features of the Constitution of India.

Q 8 : Explain the features of the Indian Constitution which seeks to establish India as a Socialist State.

Q 9 : Explain how the concept of Basic Structure to the Constitution of India has come up.

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UNIT 3: PARLIAMENTARY DEMOCRACY- STRUCTURE AND RECENT TRENDS

UNIT STRUCTURE

3.1 Learning Objectives

3.2 Introduction

3.3 Structure of the Indian Parliament

3.4 Law Making Procedure of the Indian Parliament

3.5 Decline of the Parliament

3.6 Functioning of Parliamentary Democracy in India-Challenges and Prospects

3.7 Let Us Sum Up

3.8 Further Reading

3.9 Answers to Check Your Progress

3.10 Possible Questions

3.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- discuss the structure of the Indian Parliament
- examine the law making procedure of the Indian Parliament
- analyse the issue of decline of the Parliament in recent times.
- examine various challenges in functioning of parliamentary democracy in India.

3.2 INTRODUCTION

The Constitution of India has provided for a Parliamentary system of government both at the Centre and the States. Accordingly there are provisions for central legislature as well as legislature for the state. The central legislature of India is known as Parliament consisting of two Houses. The central government remains responsible to the lower house of the

Parliament and the state government to the state legislature as the case may be and continues in power as long as it enjoys the confidence of the legislature. Thus, there is a close relationship between the executive and the legislature in India as can be found in a typical parliamentary form of government. Although the parliamentary form of government that we have in India is largely based on the British model, yet the framers of the Constitution of India did not copy the model in its entirety. They made certain modifications in it to suit our own political conditions and historical legacies.

3.3 STRUCTURE OF THE INDIAN PARLIAMENT

The Indian political system is Parliamentary in nature having a bi-cameral legislative body that consists of two Houses namely Lok Sabha (maximum 550 seats) and Rajya Sabha (250 seats).

- **LOK SABHA (HOUSE OF THE PEOPLE)**

  The members of the Lok Sabha are directly elected by the people of India on the basis of Universal Adult Suffrage for a period of 5 years. The President can with the advice of the Prime Minister summon, prorogue, and dissolve the House. For smooth running of day-to-day business of the House, the Constitution provides for a Speaker. The Speaker has the authority to decide about the admissibility of questions, resolutions and motions, and his/her authority in the Proceedings of the House is final.

- **Powers and Functions of the Lok Sabha**

  Any Bill can be introduced in Lok Sabha including Money Bills. It can also legislate on all the subjects of Central and Concurrent list and it also enjoys residuary powers. The Council of Ministers can remain in power as long as it enjoys the confidence of the majority of the House as it is individually and collectively responsible to the Lok Sabha. The Lok Sabha can control the executive by asking Questions to the Ministers and criticizing the government; it also has the power to move the Non-Confidence Motion. The Lok Sabha has the power to amend the Constitution. It decides about the taxes

which would be levied, reduced or abolished. The House along with Rajya Sabha elects the President and Vice-President of India.

- **RAJYA SABHA (THE COUNCIL OF STATES)**

  Rajya Sabha represents the units of the Indian Federation. The House is a permanent chamber; each member is elected for a term of six years. The Vice-President of India is the ex-offico Chairperson of the Rajya Sabha; among its members the Rajya Sabha elects one Deputy Speaker to carry on regular business in the absence of the Vice President.

- **Powers and Functions of the Rajya Sabha**

  Compared to the Lok Sabha, the Rajya Sabha does not enjoy equal powers at par with the former House. No Money Bill can be introduced in the Rajya Sabha. The government is not accountable to the Upper House as the ministers are not accountable to the House. However, in some cases, it has equal powers with the lower House in matter such as election and removal of the President and the Vice President, the removal of judges of Supreme and High Courts, and the amendment of the Constitution.

  The Constitution provides certain exclusive rights to the Rajya Sabha like- suggestion of transfer of a particular subject under State List either to the Central List/Concurrent List and creation of new All India Service in the national interest. Although the government is not accountable to the House, it is found that over the years the Rajya Sabha has served as the most suitable place for political education. Because of the wide range of discussions on almost all types of issues in the House that influence people it make us more conscious and responsible about day-to-day politics of the nation. Again, it serves as an organ of information as the members can ask for almost all sorts of information from the respective ministers. The House can act as an investigation agency through its various committees. As a platform of discussion, the House can raise and discuss the issues affecting people and can act as grievances redressal agency.

3.4 LAW MAKING PROCEDURE OF THE INDIAN PARLIAMENT

Law making is the prime duty of the Parliament; both the Houses apply same procedure. Firstly, a proposal introduced in the Parliament is called as Bill. The Bill is of two types- Government Bill and Private Bill. Again there are two types of Government Bill - Money Bill and Non-Money Bill.

Any Bill to be converted into Act has to go through the following stages:-

First Stage (First Reading):- Bill is introduced in the House, later on it is published in the "Gazette of India".

Second Stage (Second Reading):- In this stage, the Bill is discussed in details. In this stage the Bill may be referred to a Select Committee/ Joint Select Committee.

Third Stage (Committee Stage):- In this stage, the Committee examines the Bill thoroughly.

Fourth Stage (Report Stage):- Here the Committee may amend the Bill and after that it is placed for further discussion and suggestion.

Fifth Stage (Third Reading):- Here little discussion takes place. The bill is placed for voting; if it is passed then the bill is considered to be passed by the House and sent to the other House.

The Bill in the Other House and Presidential assent:- In the other House the Bill has to undergo all the above stages and procedures. However, in case of a disagreement between the two Houses, it has to be settled in a Joint Sitting. Lastly, the Bill goes to the President for her/his assent. After his/her consent the bill becomes a law.

The Budget

Each year the Finance Minister presents the Union Budget on the first day of February. After the budget presentation there is a general discussion on that in the Parliament. Then comes the next stage, namely

that of the "Voting on Demands". At this stage, demands of each ministry are debated; at this stage the opposition may put forward a motion (Cut Motion). Next, the "Appropriation Bill" is presented in the House. At this stage, no amendment is moved as it has already been discussed as demands. After it has been approved by the Lok Sabha, it is sent to the Rajya Sabha; which can discuss the Budget for maximum period of 14 days and thereafter it is sent to the President, with the assent of the President the Government is empowered to draw money from the treasury.

A part of the budget deals with taxation proposals of the year. This is presented to the Houses in the form of "Finance Bill". Finance Bill also has to pass through the same stages, as the Appropriation Bill. The Finance Bill empowers the Government to collect taxes proposed in the Budget.



LET US KNOW

Before 2017, the budget was presented every year at the end of February. But this tradition was changed in the year 2017. The then Finance Minister Arun Jaitley presented the budget for the first time on February 1, 2017. Since then, the tradition of presenting the budget on 1st February has been continued. Besides this, currently there is no separate railway budget.

Amendment of Constitution

Article 368 of the Constitution deals with the amendment procedure of the Constitution. The amendment bill can originate in either House of Parliament; however Parliament has no power to amend the basic principles of the Constitution. State legislatures cannot initiate any proposal for amendment of the Constitution; it is the exclusive domain of the Parliament of India.

There are three methods by with the Constitution can be amended, like : by a simple majority of the Parliament; by 2/3 majority of both Houses of the Parliament; and by 2/3 majority of both Houses of the Parliament and ratification by half of the state legislature.

Committee System

Parliament has established a series of committees with necessary powers to scrutinise the working of the different departments of the government.

The Committees provide an ideal context for discussing controversial and sensitive matters in a non-partisan manner, away from public attention. Thus it plays a predominant role in running the business in the House.

The following are the important committees:-

- Business Advisory Committee
- The Rules Committee
- The Committee on Petitions
- Committee on Privileges
- Committee on Sub-ordinate Legislation
- Committee on Public Undertakings
- Committee on Government Assurances

Some other important Committees are -

- The Select Committee:- The strength of the Select Committee varies from one or another. The life of the committee also depends on the nature of the Bill. The function of the Committee is to examine the Bills referred to it and suggests amendments, if any to the House.

- Estimates Committee:- The Estimates Committee includes 30 members who are elected by the House. This committee examines the methods of public expenditure and analysis whether public money is being properly used or not.

- Public Accounts Committee:- The total strength of the Public Accounts Committee is 22 members. 15 members are from Lok Sabha and 7 from Rajya Sabha. The members of the Rajya Sabha are associated with the committee because they have no voting rights. Members are elected for a period of one year but by a convention they are also elected for the next year also. The prime duty of the committee is to examine the report of the Comptroller and Auditor General and to make suggestion for the improvements of economy in expenditure. It summarizes the Appropriation Accounts of the Government and other reports placed before it.



CHECK YOUR PROGRSS

Q 1: Write briefly about the powers and functions of the Lok Sabha.

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Q 2: State any one exclusive power of the Rajya Sabha.

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Q 3: Mention any two important Committees of the Parliament.

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3.5 DECLINE OF THE PARLIAMENT

Today the Parliament is losing its effectiveness. A lot of factors are responsible for the decline of the Parliament and erosion of its powers; some of these are as follows: -

In a parliamentary system the Parliament acts as a law–making body. However, the initiative has now been taken by the Ministers. Today it is the Ministers who control everything regarding initiation of new bills described as “official bills”; besides with the advice of Cabinet the President issues ordinances when Parliament is not in session.

The Speaker and Minister of Parliamentary Affairs determine the weekly business; discussions on the public/governmental policies are initiated by concerned ministers.

The President of India summons and prorogues the sessions of the Parliament. In his/her ‘Inaugural Address’ the President speaks about the plans and policies of the government. Again President can dissolve House of People. A Bill enacted by the Parliament can become a law only when it receives the President’s assent. President can return any bill for reconsideration or refuse assent. All the powers exercised by the President in actual practice are exercised by the Council of Ministers headed by Prime Minister. Today the Parliament has become a “post-facto approval giving body”.

Since independence India has been ruled either by a single party or coalitions of parties. In coalition government too, one party dominance is seen. Hence the decisions and policies are decided on the party forum and only formal sanction is accorded by the Parliament. Thus the real centre of power is the High Command and the Parliament has to play secondary role. It happens because the leaderships of the dominant parties always insist on observance of the party directives by the members of the Parliamentary party. Members of Parliament are required to account and vote as per the instructions of the party leadership.

Today what we see is that very few members of the Parliament have interest for legislative work. Most of the time members of Parliament are just present in the working of the Parliament having little study and homework, in Rajya Sabha a large number of members are seen to be absent. Hence the Parliament is losing its effectiveness. As we know the nature of government business is complex and technical which needs thorough study and that is clearly missing for a large number of members. Because of that they have to rely heavily on permanent civil servants.

Weak opposition is another issue which leads to decline of the Parliament. Because of being few in numbers, absence of charismatic leaders' and disunity among opposition parties, frequent walkouts, absence of quorum and so on, today the government is run by a single and uniform policy which seeks little discussion and dialogue.

In conclusion, one can say that the Indian Parliament is not sovereign or supreme in the sense the British Parliament is; on the other hand, in India the Constitution is supreme. It is the Constitution which defines and limits and powers of the Parliament. Again, we have division of powers between the Union and the states. Hence, the Parliament alone cannot enact laws on subject in the state list; again on some issues it cannot amend the Constitution because of the doctrine of "Basic Structure" of the Constitution. Moreover, the Parliament cannot enact all sorts of law; any law enacted by the Parliament is liable to be declared as 'ultra vires' by the Supreme Court if it goes against the Constitution.

3.6 FUNCTIONING OF PARLIAMENTARY DEMOCRACY IN INDIA- CHALLENGES AND PROSPECTS

- **Challenges**

Certain factors have stood in the way of effective functioning of parliamentary system in India:

- **Vote Bank Politics:** India is a land of diversity with different groups of people residing in different regions of the country. Accordingly, there are different castes, class, religious and linguistic groups living in different electoral constituencies of the country. The political parties at the time of parliamentary and assembly elections try to appease and mobilise the people along caste, class, religious and linguistic lines for narrow political gains. Such political mobilisation often threatens to pit one group against the other. This, in turn, weakens the unity of the people and endangers democratic values.
- **Absence of Collective Responsibility:** The principle of collective responsibility constituting a key component of parliamentary democracy has not been observed in the Indian context. There have been instances where for major failures at the policy level, individual ministers rather than the whole cabinet was made to tender resignation. For example, in the Sino-Indian war of 1962, where India suffered serious reverses, it was only the Defence Minister, V.K.Krishna Menon who tendered his resignation rather than the entire Cabinet. There have been other instances too where individual ministers were singled out and the Cabinet as a whole declined to share responsibility for collective failures. This practice is actually a deviation from the principle of collective responsibility of the Cabinet.
- **Flouting of Parliamentary Norms**: Very often parliamentary norms and traditions are seen to be violated by the elected representatives in the Parliament and state legislatures. Many members use methods of agitation and protests in the Parliament and state legislatures. Such members often resort to shouting and other

unparliamentary behaviour like rushing to the well of the house, etc. to register their protests instead of participating in healthy debates and deliberations. Such unruly behaviour disrupts the proceedings of the house and stalls the progress of the nation due to stalemate in carrying out legislative business. Accordingly, the elected representatives must be conscious of the dignity of legislative institutions and desist from indulging in such conduct for the smooth functioning of the parliamentary institutions of the country.

- **Lack of Effective Opposition:** For democracy to survive, it is essential that there exists a healthy opposition to keep any authoritarian tendency of the government under check. The opposition must be able to offer an alternative to replace the government in case the latter is found to have made any severe lapses. However, since the opposition is composed of different political parties with differing ideologies, the opposition often remains divided, lacking the ability to effectively curtail the arbitrary exercise of power by the government when necessary.
- **Frequent resort to Ordinance Making Powers:** It is often noticed that the executive tends to use the power to make ordinances very frequently. The Constitution makers originally vested the power to issue ordinances in the President of India to make necessary laws for the country when the Parliament is not in session. However, in actual practice it is noticed that very often ordinances have been issued on the eve of the session of the Parliament or even when the Parliament is in session. For instance in 1974, the government suspended the right of the persons detained under Maintenance of Internal Security Act (MISA) to approach the court seeking enforcement of their fundamental rights through an Ordinance even though the Parliament was in session. This action of the government was severely criticized by the Speaker of the Lok Sabha. However, inspite of such criticism, such frequent use of the ordinance making power to serve narrow political interests at times has continued both at the national and state levels , thereby undermining the authority of parliamentary institutions.

- **Lack of effective control over Delegated Legislation :** As in most other democracies, the Parliament and state legislatures pass only the broad framework of any piece of legislation. The details in terms of the necessary rules and regulations are left to the executive to frame. However, these rules and regulations framed by the executive are not always placed before the Parliament or the state legislature as the case may be which undermines the position of the legislative institutions and enhances the power of the executive.
- **Issue of Defections :** The problem of defection has also posed a threat to the smooth functioning of parliamentary system. At one stage, growing defections had resulted in increasing political instability. The Parliament therefore passed the 52nd Amendment Act in 1985 to check the menace of political defections. The Anti-Defection Law provided that if a member of a legislative party voluntarily leaves his or her party or votes against the whip of the party, he or she will lose the membership of the Parliament or of the state legislature as the case may be. However, the Anti-Defection law allowed an exception in the sense that if one-third of the members of a party leave the party, it will constitute a split and will not come under the purview of the Anti-Defection law. This left the scope for political maneuvering whereby members defected to form political parties of their own. For instance, the V.P. Singh Government fell after Chandra Shekhar along with his supporters defected from it and formed a separate party. Thus, political defections have also hampered the smooth functioning of the parliamentary system.
- **Election of undeserving candidates:** Traditional loyalties based on caste, religion, class, language, region, etc. sometimes tend to influence certain sections of the voters in our country who tend to cast their votes along these lines. This often results in certain undeserving persons with doubtful credentials being elected to the legislative bodies. Such elected representatives may not have faith in the high ethics of public life and time-honoured conventions of parliamentary government.

- **Prospects of Parliamentary Democracy in India:**

  Let us look at some of the factors which have contributed towards the success of Parliamentary Democracy in India and which offer hope for the future:

- **Faith in democratic values:** The people of India have deep faith in the democratic values. Periodic elections have been held in the country since the first general elections in 1951-1952 except for a short period between1975-1977 when emergency was imposed in the country. The Indian electorate has from time to time shown immense maturity in ensuring that the government remains accountable to the people and stands committed to democratic values and traditions of parliamentary governance. For instance, in 1977, the people of India voted the Congress party out of power due to its arbitrary imposition of the emergency. Thus, the people of India have taken utmost care to ensure that governance of the country always remains in the hands of a constitutional government which remains ever mindful to the needs and interests of the people in general.

- **Free and Fair elections:** Free and fair elections constitute the bedrock of the parliamentary system. The Election Commission of India is an independent constitutional body empowered to conduct different elections across the country. The Election Commission has so far conducted seventeenth general elections in a most free and fair manner. This has enabled the voters to cast their votes in favour of the candidate of their own choice without any fear. Such free and fair conduct of elections has strengthened the foundation of Indian democracy and raised the political consciousness of the people in general.

- **Independent judiciary:** The Constitution of India has established an independent judiciary in the country. The judiciary adjudicates all constitutional cases and protects the fundamental rights of the citizens. The judiciary has guaranteed the functioning of a constitutional government in the country. The Supreme Court of India in the Indira Nehru Gandhi v. Raj Naraian and also in the Minerva

Mills case defined the Parliamentary form of Government as a basic feature of the Constitution. In the Kesavananda Bharati v. State of Kerala of 1973, the Supreme Court, while laying out the "basic structure" of the Constitution held that the democratic character of the polity was an essential component of the "basic structure".

- **Political Decentralisation:** The 73rd and 74th Amendment Acts of the Constitution have put in place a decentralized political structure in India in the form of Panchayati Raj Institutions in rural areas and municipalities and town committees in the urban areas. These decentralised rural and urban local self-government bodies have enabled the people to participate and play a more active role in the management of local affairs. The Gram Panchayats serve as parliaments at the village level. Thus, political decentralisation has helped the people to get necessary administrative training at a local level. Democratic participation at the grass roots has contributed towards strengthening the foundation of parliamentary democracy in India.
- **Freedom of Press:** Freedom of press is a cornerstone of Indian democracy. The existence of a free media, whether print or electronic, has played a very important role in the successful working of democracy in India. The press has from time to time voiced the genuine concerns and demands of the people and communicated the same to the government. The government remains conscious of the news and views aired by the media and very often, important issues, reported by the media are raised by the elected representatives of the people on the floor of the Parliament and state legislatures.
- **Multi-party system:** The Indian political system is characterised by the existence of a multi-party system. The presence of a large number of parties, whether national or regional, has contributed to the functioning of a healthy parliamentary system of government in the country. Any lapses of the government and the ruling party are pointed out by the different political parties who provide an alternative to the people at the time of elections to the Parliament and state legislatures.



CHECK YOUR PROGRSS

Q 4 : Write briefly about any two factors which are responsible for the decline of Parliament in India.

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Q 5 : Write about any two obstacles in the way of effective functioning of parliamentary system in India.

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Q 6 : Explain any two factors which have contributed towards the success of Parliamentary Democracy in India.

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3.7 LET US SUM UP

- The Constitution of India has provided for a Parliamentary system of government both at the Centre and the States. Accordingly there are provisions for central legislature as well as legislature for the state. The central legislature of India is known as Parliament consisting of two Houses- Lok Sabha and Rajya Sabha.
- While discussing powers and functions of the both Houses of the Parliament, we can see that Lok Sabha is more powerful than the Rajya Sabha.

- Law making is the prime duty of the Parliament. A Bill has to go through a numbers of stages and at the end the Bill becomes an Act after receiving assent of the President.
- Parliament has established a series of committees with necessary powers to scrutinise the working of the different departments of the government.
- The Committees provide an ideal context for discussing controversial and sensitive matters in a non-partisan manner, away from public attention.
- Certain factors have stood in the way of effective functioning of parliamentary system in India such as : Vote Bank Politics, Absence of Collective Responsibility, Flouting of Parliamentary Norms, Lack of Effective Opposition, Frequent resort to Ordinance Making Powers, Lack of effective control over Delegated Legislation, Issue of Defections, and Election of undeserving candidates.
- There some factors which have contributed towards the success of Parliamentary Democracy in India such as : Faith in democratic values, Free and Fair elections, Independent judiciary, Political Decentralisation, Freedom of Press and Multi-party system.
- Today the Parliament is losing its effectiveness. A lot of factors are responsible for the decline of Parliament and erosion of its powers.
- The position of the Indian Parliament may be described as the middle point between the Parliamentary sovereignty of Britain and the supremacy of the constitution of USA. For example, Indian Judiciary is empowered to declare a law as unconstitutional if it is not in tune with the Constitution; however the judiciary cannot ascertain wisdom of legislative policy.
- Indeed, to be a genuine democracy we must have a truly representative, efficient and effective Parliament. It is the legislature that helps people in holding the executive accountable to the legislature through sustained debate and discussion. This is the very basis of representative democracy. To make the Parliament a

true forum for public discussion and representation it needs adequate time and interest on the part of the members. The Parliament of India is like a garden representing different regions of the country with diverse faiths, cultures, and ideologies with members of different castes, classes, and religious backgrounds. Despite all its limitations, the Parliament is still maintaining a high position of dignity and responsibility.



3.8 FURTHER READING

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3) Ghai, K.K. (2007). Indian Government And Politics. New Delhi: Kalyani Publishers.
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3.9 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No.1 : Any Bill can be introduced in Lok Sabha including Money Bills. It can also legislate on all the subjects of Central and Concurrent list and it also enjoys residuary powers. The Council of Ministers can remain in power as long as it enjoys the confidence of the majority of the House as it is individually and collectively responsible to the Lok Sabha. The Lok Sabha can control the executive by asking Questions to the Ministers and criticizing the government; it also has the power to move the

Non-Confidence Motion. The Lok Sabha has the power to amend the Constitution. It decides about the taxes which would be levied, reduced or abolished. The House along with Rajya Sabha elects the President and Vice-President of India.

Ans to Q. No. 2 : Creation of new All India Service in the national interest.

Ans to Q. No. 3 : Business Advisory Committee, the Rules Committee

Ans to Q. No. 4 : (i) Since independence India has been ruled either by a single party or coalitions of parties. In coalition government too, one party dominance is seen. Hence the decisions and policies are decided on the party forum and only formal sanction is accorded by the Parliament. Thus the real centre of power is the High Command and the Parliament has to play secondary role. It happens because the leaderships of the dominant parties always insist on observance of the party directives by the members of the Parliamentary party. Members of the Parliament are required to account and vote as per the instructions of the party leadership.

(ii) Weak opposition is another issue which leads to decline of the Parliament. Because of being few in numbers, absence of charismatic leaders' and disunity among opposition parties, frequent walkouts, absence of quorum and so on, today the government is run by a single and uniform policy which seeks little discussion and dialogue.

Ans to Q. No. 5 : (i) Vote Bank Politics: India is a land of diversity with different groups of people residing in different regions of the country. Accordingly, there are different castes, class, religious and linguistic groups living in different electoral constituencies of the country. The political parties at the time of parliamentary and assembly elections try to appease and mobilise the people along caste, class, religious and linguistic lines for narrow political gains. Such political mobilisation often threatens to pit one group against the other. This, in turn, weakens the unity of the people and endangers democratic values.

(ii) Flouting of Parliamentary Norms: Very often parliamentary norms and traditions are seen to be violated by the elected representatives in the Parliament and state legislatures. Many members use methods of agitation and protests in the Parliament and state legislatures. Such members often resort to shouting and other unparliamentary behaviour like rushing to the well of the house, etc. to register their protests instead of participating in healthy debates and deliberations.

Ans to Q. No. 6 : (i) Free and Fair elections: Free and fair elections constitute the bedrock of the parliamentary system. The Election Commission of India is an independent constitutional body empowered to conduct different elections across the country. The Election Commission has so far conducted sixteen general elections in a most free and fair manner. This has enabled the voters to cast their votes in favour of the candidate of their own choice without any fear. Such free and fair conduct of elections has strengthened the foundation of Indian democracy and raised the political consciousness of the people in general.

(ii) Independent judiciary: The Constitution of India has established an independent judiciary in the country. The judiciary adjudicates all constitutional cases and protects the fundamental rights of the citizens. The judiciary has guaranteed the functioning of a constitutional government in the country. The Supreme Court of India in the Indira Nehru Gandhi v. Raj Naraian and also in the Minerva Mills case defined the Parliamentary form of Government as a basic feature of the Constitution. In the Kesavananda Bharati v. State of Kerala of 1973, the Supreme Court, while laying out the “basic structure” of the Constitution held that the democratic character of the polity was an essential component of the “basic structure”.



3.10 POSSIBLE QUESTIONS

Q 1 : Write briefly about the amendment procedure of the Constitution of India.

Q 2 : Mention names of any four important Committees of the Parliament of India.

Q 3 : Write briefly about Public Accounts Committee.

Q 4 : Explain powers and functions of the Lok Sabha and Rajya Sabha.

Q 5 : Explain law making procedure of the Indian Parliament.

Q 6 : Write a short note on the Committee system of the Indian Parliament.

Q 7 : Today the Parliament is losing in its effectiveness. Discuss.

Q 8 : Discuss the factors have stood in the way of effective functioning of parliamentary system in India.

Q 9 : Explain the factors that have contributed towards the success of Parliamentary Democracy in India.

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UNIT 4 : SECULAR TRADITION IN INDIAN POLITICS - ISSUES AND CHALLENGES

UNIT STRUCTURE

4.1 Learning Objectives

4.2 Introduction

4.3 Meaning of Secularism

4.4 Secularism in India

4.4.1 Tenant of Indian Secularism

4.4.2 Distinctive Character of Indian Secularism

4.4.3 Secular Features of the Indian Constitution

4.5 Views of Gandhi and Nehru on Secularism

4.6 Challenges to Secularism in India

4.7 Secularism in Contemporary India

4.8 Let Us Sum Up

4.9 Further Reading

4.10 Answers To Check Your Progress

4.11 Possible Questions

4.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- explain the meaning of secularism
- discuss various theoretical aspects associated with the concept of secularism in India
- examine Gandhi's and Nehru's views on secularism
- analyse the challenges to secularism in India.

4.2 INTRODUCTION

Secularism is one of such concepts which has provided the philosophical foundation of the Constitution of India. The Constitution of India has firmly established India as a secular state. But secular tradition in

India, ever since independence, has been facing a number of challenges. In this unit we shall discuss the issue of secularism in India in details.

4.3 MEANING OF SECULARISM

In political terms, secularism is a movement towards the separation of religion and government (often termed the separation of church and the state). This can refer to reducing ties between a government and a state religion, replacing laws based on scripture with civil laws, and eliminating discrimination on the basis of religion. This is said to add to democracy by protecting the rights of religious minorities.

Secular principles concentrate on realizing aims of liberty, justice, freedom and equality for the good of human being. It permits no privilege to any group. Duty and right are simultaneously observed. Secularism primarily agrees with the equal share of all people on the basis of labour, justice and the legitimacy of 'live and let live'. Secularism secures its identity by its own people. In the midst of plurality of religions in the society, secularism keeps up a balance by the pursuance of agnostic toleration, In studies of religion, modern democracies are generally recognized as secular. This is due to the near complete freedom of religion (beliefs on religion generally are not subject to legal or social sanctions), and the lack of authority of religious leaders over political decisions. Nevertheless religious beliefs are widely considered by many people to be a relevant part of the political discourse in many of these countries. This contrasts with other developed nations such as U.K, France and China where religious references are generally considered out of place in mainstream politics. The aspirations if a secular society could characterize a society as one which -

- Refuses to commit itself as a whole to any supernatural views of the nature of the universe, or the role of mankind in it.
- Is not homogenous, but is pluralistic.
- Is very tolerant of religious diversity. It widens the sphere of private decision making.

- While every society must have some common aims which implies there must be agreed upon methods of problem solving, and a common framework of law, in a secular society these are as limited as possible.
- Problem solving is approached rationally, through examination of the facts. While secular society does not set any overall aim, it helps its members realize their shared aims.

Positive ideas behind a secular society.

- Respect for individuals and the small groups of which they are a part.
- Equality of all people.
- Each person should be free to realize their particular excellence.
- Breaking down on the barrier of caste and class.

4.4 SECULARISM IN INDIA

4.4.1 Tenant of Indian Secularism

- Secularism in India means equal treatment of all religions by the state, unlike the western concept of secularism which envision separation of religion from the state.
- Secularism is divisive politically charged topic in India.
- 7th schedule of Indian Constitution places religious institutions, charities and trust in to so call concurrent list which means both central government and various state governments can make their own laws about religious institutions charities and trusts. If the conflict occurs the previous one prevails over the latter.

Indian secularism is fundamentally different from western secularism. It does not focus only on Church- State separation. The idea of inter-religious equality is crucial to the Indian conception.

There was already a culture of inter-religious 'tolerance' in India. Tolerance is compatible with religious domination. It may allow some space to everyone but such freedom is usually limited.

4.4.2 Distinctive Character of Indian Secularism

The advent of western modernity brought to the notice, neglected and marginalized notions of equality in Indian thought. It sharpened these ideas and helped us to focus on equality within the community. It also ushered ideas of inter-community equality to replace the notion of hierarchy. Its operation is done through three factors- Scientific and rational education, Legislation and Social reforms, Urbanization and Industrialization.

So, Indian secularism took on a distinct form as a result of an interaction between what already existed in a society that had religious diversity and the ideas that came from the west. It resulted in equal focus on intra-religious and inter-religious domination.

Some distinctive characteristics of Indian secularism are -

- Indian Secularism not only opposes to the oppression of dalits and women within Hinduism, it also opposes the discrimination against women within Indian Islam or Christianity and the possible threats that a majority community might pose to the rights of the minority religious communities.
- Indian Secularism deals not only with religious freedom of individuals but also with religious freedom of minority communities i.e. individual have the right to profess religion of his /her choice. Likewise, religious minority also have a right to exist and to maintain their own culture and educational institutions.
- Indian Secularism has made room for and is compatible with the idea of state- supported religious reform. For example- Indian Constitution bans untouchability under Article 17. There is also abolition of child marriage and lifting the taboo on inter-caste marriage sanctioned by Hinduism.

The Indian state may engage with religion negatively to oppose religious tyranny. It may also choose a positive mode of engagement. Thus, the Indian Constitution grants all religious minorities, the rights to establish and maintain their own educational institutions, which may receive assistance from the state.

4.4.3 Secular Features of the Indian Constitution

The Constitution of India begins with the following words :

"WE THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN, SOCIALIST, **SECULAR** DEMOCRATIC REPUBLIC and to secure to its citizen……."

Though the term 'secular' was not initially mentioned in the original Constitution, it was later incorporated by the 42nd Amendment, yet the Indian Constitution always maintained a secular nature. So, in India, it is not mutual exclusion, rather it is a complex idea that allows state to be distant from all religions so that it can promote liberty, equality and social justice**.**

The Constitution reinforces and reinvents forms of liberal individualism through Article- 19, 26, 28. The Constitution also upholds the principle of social justice without compromising on individual liberties. The constitutional commitment to caste based affirmative action program, shows how much ahead India was compared to the other nations (as in US it began after 1964 civil rights movements).

Against the background of inter-communal strife, the Constitution upholds its commitment to group rights i.e. the right to cultural expressions. Hence, the framers of the Constitution were more than willing to face the challenges of what is to be known as multiculturalism.

The question of secularism is not one of sentiments, but one of law. The secular objective of the state was articulated through the insertion of the word 'Secular' in the Preamble by the 42nd Constitutional Amendment Act, 1976. Through the Fundamental Rights incorporated from Article 12 to 35, secularism has been given a constitutional status. Right to equality,

right to freedom, right against exploitation, right to freedom of religion, cultural and educational rights, and right to constitutional remedies are such six fundamental rights through which efforts have been made to promote secular principles of the country.

Secular attitude or attitude of impartiality towards all religions is secured by the Constitution through Article 25 to 28. These articles states that :

Firstly, there shall be no 'state religion' in India. The state will neither establish a religion nor confer any special patronage upon any particular religion. It follows from this, that-

1. The state will not compel any citizen to pay taxes for the promotion or maintenance of any particular religion or religious institution, mentioned under Article-27 of the Fundamental Rights.
2. No religious instruction shall be provided in any educational institution wholly provided by state funds.
3. Even though religious instruction is totally banned in state-owned educational institutions, in other denominational institutions(as recognized by or receiving aid from the state) it is not fully prohibited but it must not be imposed upon people of other religions without their consent (Article 28)

Secondly, every person is guaranteed the freedom of conscience and the freedom to profess, practice and propagated his own religion, subject only-

1. To restrictions imposed by the state in the interests of public order, morality and health, so that the freedom of religion may not be abused to commit crimes or anti-social acts. For example- to commit the practice of infanticide, etc.
2. To regulations or restrictions made by the state relating to any economic, financial, political or other secular activity which may be associated with religious practise, but do not really concerned to the freedom of conscience.

3. To measure for social reform and for throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Subject to above limitations, a person in India shall have the right not only to entertain any religious but also to practice the observances dedicated by such belief and to preach his / her views to others (Article 25).

Thirdly, not only there is the freedom of the individual to profess, practice and propagate his or her religion, there is also the right guaranteed to every religious group or domination –

1. To establish and maintain institution for religious and charitable purposes;
2. To manage its own affairs in matters of religion;
3. To own and acquire movable and immoveable property; and
4. To administer such property in accordance with the law (Article 26)

It is to be noted that this guarantee is available not only to the citizens of India but to all persons including aliens.

4.5 VIEWS OF GANDHI AND NEHRU ON SECULARISM

- **Gandhi on Secularism**

Gandhi's reverence of Hinduism does not mean that he was a staunch Hindu and had hatred for other religions. In fact Gandhi believed in the inherent goodness of all religions. He was opposed to the idea of a partisan attitude of the state towards a particular religion. He was not in favor of the state coercing people to follow a particular creed or embrace a particular faith. He pleaded for, 'leaving every individual to follow that form of religion which best appealed to him without any interference from the state'.

He did not advocates "State Religion", he stated that he did not believe in state religion even though the whole community had one religion. The state interference would probably always be unwelcome. Religion was purely a personal matter. He was opposed to state aid partly or wholly to religious

institutions. He was against the inculcation of denominational and sectarian religious teachings in state institution. He wanted religious education to be the exclusive concern of the religious associations. He regarded religion as a matter of private judgment. He did not like the organized agencies of the State to meddle with the religious considerations of the people .Gandhi's religious-mindedness did not detract a bit from his concept of secularism. Gandhi's interpretation of religion and non advocacy of state religion became the cornerstone of the Indian Constitution. Right to Freedom of Religion and Cultural and Educational Right – the two fundamental rights embody Gandhi's ideas, widely appreciated by the Indian leaders and the architects of the Indian Constitution. Gandhi stood for communal amity and unity. Hence he exhorted the Congress to adopt ideal of secular state. Even the worst communal riots did not deter Gandhi from holding faith in secularism and humanity. Gandhi always reminded Indians that they constituted one nation with different religions. Hence they must have mutual understanding and mutual tolerance-the base of a secular state.

- **Nehru on Secularism**

Secularism according to Nehru was not only a political doctrine but a social one, of revolutionary character, embracing all religions and communities in India. Secularism did not mean irreligion or only material well-being. It contained spiritual elements as well.

Nehru made India a Secular State. In fact, Nehru did not discriminate against any religion. He emphasized the unity of the country for which secularism was indispensable.

Nehru's concept of secularism contains the following four aspects–

(a) **Religious Freedom-** It means granting equal status to all religions in India. No religion should be granted any special privileges. No community should be deprived of its legitimate rights on the bass of religion. He also emphasized the need of elimination of all social inequalities. According to him, a caste ridden society cannot be secular. Though he was opposed to interference with anybody's personal belief yet if these beliefs became petrified in caste divisions, they affected the social structure of the state. Hence society is to be rid of such beliefs.

(b) **Neutrality of the State in Religious matters**- Secular state means a state not tied to any religion. Nehru always deprecated the talk of Hindu Raj or Muslim Raj. He stood for people's Raj. He wanted state to follow policy of co-existence of religion. The state should not try to infringe upon religious freedom. Nehru condemned the decision of the Pakistan Constituent Assembly declaring Pakistan as Islamic Republic. Such a policy was opposed to democracy as it created "two classes of citizens –one having more opportunities, the other less."

© **Secularism in Social life-** Nehru regarded secularism as the indispensable feature of a modern democratic society. Modern India was not supposed to adopt a theocratic concept of state because every state in a modern world with the exception of two or three was secular. He recognized that Hinduism and Islam had deeply penetrated into Indian social life. They lay down codes and rules and expect every adherent to follow them because of their religious sanctity and authority. He realized that existence of different set of laws governing different religious communities was inconsistent with the ideal of a secular society. Hence, he tried to devise a uniform Civil Code for the entire Indian Community without discrimination on the basis of caste and religion. Though he took religion as a purely personal affair and did not wish to interfere with any person's belief, yet he objected strongly to intervention of religion in social and political life. He thus, worked for the establishment of a State which "protects all religions but does not favor one at the expense of others and does not itself adopt any religion as the state religion."

(d) **An attitude of mind Secularism** - According to Nehru, secularism meant a certain mental attitude on the part of various communities .India being an abode of many religions is in dire necessity of such an attitude which can bring about harmony and develop a feeling of fraternity among these religions. He did not like any religion to interfere with the other or challenge the basic conception of the state. Nehru was quite clear in his mind that the realization of the secular ideal depended largely upon the attitude of the majority community towards minorities. He strongly believed that narrow and

aggressive attitude on the part of the majority community was apt to create apprehension in the minds of any minority group in India. He expected minorities also to be tolerant. He, therefore, exhorted both to cultivate broad outlook and not to adopt attitudes which are wring and detrimental to the integrity of India and unity of the Indian nation.

It looks like Nehru's secularism was a practical necessity in India. It was the panacea of problems of religious diversities and mutual bickering and animosities which were the consequences of such diversities. Abolition of separate electorates and substitution of joint electorates was the first attempt in this direction.

Certain fundamental rights, viz right to religion, cultural and educational rights and right to equality and certain objectives incorporated in the Directive Principles constituted another attempt to develop India into a secular state.



CHECK YOUR PROGRESS

Q 1 : Mention any two positive ideas behind a secular state.

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Q 2 : State any two tenants of Indian secularism.

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Q 3 : Write briefly about any two provisions incorporated in the Constitution of India to ensure secular principle.

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Q 4 : Write briefly about any two aspects of Nehru's concept of secularism.

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4.6 CHALLENGES TO SECULARISM IN INDIA

India is well known for its cultural heterogeneity with respect to language and religion. Hindus constitute the majority while Muslims constitute the largest minority. The animosity between the Hindus and the Muslims was largely the creation of the British rulers. In order to keep themselves in power, they adopted a policy of 'divide and rule' and tried to promote feelings of hostility among the members of these two communities. After a long history of independence, at present too, the lack of proper adjustment between them has often resulted in violent outburst and communal riots, which unfortunately becomes a serious challenge to the secular identity of our country. On the other hand very often the political parties, including the national parties, too sometimes do not allow secularism to take precedence over their political interests. The electorate in India, guided by tradition, tends to be responsive to appeals based on caste, religion, and language. By announcing various schemes favoring a particular community, political parties, openly violate the idea of secularism they claim to stand for. While distributing tickets during elections, nearly all political parties take religion of a candidate into consideration. Such a practice in India poses the greatest threat to secularism.

- **Problem of Uniform Civil Code:**

A uniform civil code is essential in the direction of bringing about national identity and the integration of members of all religious communities into one bond of common citizenship. Following independence, it was hoped

that this step would be taken to usher in secular society. But unfortunately till now no progress has been made in the evolution of a uniform Civil Code and today its adoption appears to be more problematic than it was at the time when the Constitution was framed.

Thus, the Muslim minority compelled the Government, in 1986, to enact legislation concerning maintenance of divorced women which it felt was closer to its Personal Law and, therefore, religiously more acceptable. Modern secular considerations, and the opinion of those Muslims who took a secular position, were given no cognizance by the Government.

Similarly, other minorities like Christians and Sikhs, too, have given some indications that would render the formulation and enforcement of a uniform Civil Code an impossibility. Such limitations indicate that the path leading to a truly secular society in India is strewn with numerous hurdles.

- **Politics and Religion:**

The political parties in India have tended to use religion and caste factors for the promotion of their political interests and thus greatly undermined the secular values.

The growing communalism has also greatly hampered the growth of genuine secularism in India. Despite abandonment of communal electorates and a ban on the use of religion for soliciting votes, the various political parties and groups have frequently made use of communal factors to get into power. In this regard both the minorities as well as the majority communities are equally to blame. Unless this feeling of communalism is shunned, secularism cannot take firm roots in the Indian soil.

The responsibility of undermining India's limited secularism falls upon the shoulders of the leaders of the post-Nehru era, many of whom are not intellectually liberated, because of their traditional background, to understand arid appreciate genuine secularism. Due to their neo-traditional orientation, these leaders are lacking in true commitment to the secularisation of Indian society, not only in terms of developing non-religious outlook but also in terms of developing a rational and scientific temper. This failure of the leadership has thwarted the progressive separation of religion and politics in India.

- **Failure of the Government in evolving a Just Economic Order:**

The failure of the government to evolve a just economic order and eliminate poverty also gave a serious set-back to secularism. The common masses suffering from deprivation and grinding poverty could not develop any faith in the polity which failed to provide them basic necessities and consequently did not attach much importance to secular values.

- **Minority Group Perceptions:**

Apart from education and jobs, prejudice and discrimination are perceived as operating in the matter of intergroup violence and conflict. There is now ample evidence to show that at times the administrative machinery of the State does not operate impartially at the time of communal riots; those responsible for ensuring law and order act in a non-secular way and tend to victimise members of minority groups.

The minorities are in fear of the giant majority, which has the brute strength to overpower them and divests them of their distinctive characteristics. Furthermore, loyalties continue to be particularistic rather than universalistic.

- **Defective Educational System:**

The defective educational system which has encouraged the people to think in terms of groups and communities, has also failed to inculcate secular ideas in the minds of young students and promote feeling of mutual give and take.

- **Distortion of the Constitutional and Democratic Institutions:**

Distortion of the Constitutional and democratic institutions has also greatly contributed to the weakening of the secularism in India. The Constitution and the political institutions have not worked the way they were envisaged by the framers of the Constitution. For example, though use of religion is not permitted for soliciting votes, yet certain political parties have made free use of factors like religion, caste etc. to secure votes. All this has hampered the growth of a true secular polity in the country.

4.7 SECULARISM IN CONTEMPORARY INDIA

In spite of that fact that Secularism is one of the essential elements in the basic structure of our Constitution, religious feelings not only govern our mode of thinking, but get reflected in our politics and public administration, participation in religious functions and asking for votes in the name of religion.

All political parties use religion to come to power. While professing secularism, vote banks are systematically built on the basis of religion and caste. Every political party claims that it is the only secular party in India, pointing out that it takes care of the minorities better than the others. To prove their point, such parties try to implement different laws to different people resulting in a crisis where groups gravitate to their own communities and create dissatisfaction among others. This is obviously an untenable situation. Such a scenario would be ripe for fragmentation.

What is required is some unifying system that everyone can agree on so that a large community of people can be effectively controlled and ruled over. There has to be a system of law that is fair to all sections of the people without showing any bias.

A secular state in India as conceived by the Constitution was not an exclusively political – intellectual construct, but it reflected the social and cultural reality of Indian Society. Being alive to the social reality, Mahatma Gandhi and Nehru attached great importance to communal harmony for the survival of secularism in India. For secularism to survive, there must be a common principle to tolerance, and this demands a secular polity. Politics means solving people's problems through a government. Under a properly functioning secular government, people can have their problems of food, comfort or security solved easily. But interference of religious belief and spiritual considerations with the functions of a government spoils the purpose.



CHECK YOUR PROGRESS

Q 5 : Write briefly about any two challenges of secularism in India.

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4.8 LET US SUM UP

- Secularism is not just a word; it is an idea; that was espoused by the founding fathers of independent India and the architects of India's Constitution. It refers to a number of norms and values regarding the way a plural society and its state should be organized. The basic idea is that the state and its laws should not mingle with the realm of religion. Instead, each religion should offer useful anchorage to the government's secular attempts to turn out Indians into good and honest citizens.
- For India, secularism is not a simple point of view; it is a question of survival; a safeguard of peace, order and sanity in the society. Secularism in India means equal treatment of all religion by the state.
- A number of provisions have been incorporated in the Constitution of India to upheld secular tradition.
- Gandhiji opined that religion was purely a personal matter. He was opposed to state aid partly or wholly to religious institutions. He was against the inculcation of denominational and sectarian religious teachings in state institution. He wanted religious education to be the exclusive concern of the religious associations. Gandhiji was of the view that there must be mutual understanding and tolerance among all religions.
- Secularism according to Nehru was not only a political doctrine but a social one, of revolutionary character, embracing all religions and communities in India. Nehru's views on secularism contain four aspects, such as - religious freedom, neutrality of the state in religious matters, secularism in social life, an attitude of mind secularism.

- There are some challenges to secularism in India, such as - problem of uniform civil code, politicization of religion, failure of the government to evolve a just economic order, minority group perceptions, defective educational system, distortion of the Constitutional and democratic institutions.



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4.10 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : (i) Respect for individuals and the small groups of which they are a part.

ii) Equality of all people.

Ans to Q. No. 2 : (i) Secularism in India means equal treatment of all religion by the state, unlike the western concept of secularism which envision separation of religion from the state.

(ii) The concept of secularism envisions acceptance of religious laws as binding on the state and equal participation of state in different religions.

Ans to Q. No. 3 : (i) The state will not compel any citizen to pay taxes for the promotion or maintenance of any particular religion or religious institution, mentioned under Article-27 of the Fundamental rights.

(ii) No religious instruction shall be provided in any educational institution wholly provided by state funds.

Ans to Q. No. 4 : (a) Religious Freedom- It means granting equal status to all religions in India. No religion should be granted any special privileges. No community should be deprived of its legitimate rights on the bass of religion. He also emphasized the need of elimination of all social inequalities. According to him, a caste ridden society cannot be secular. Though he was opposed to interference with anybody's personal belief yet if these beliefs became petrified in caste divisions, they affected the social structure of the state. Hence society is to be rid of such beliefs.

(b) Neutrality of the State in Religious matters- A secular state means state not tied to any religion. Nehru always deprecated the talk of Hindu Raj or Muslim Raj. He stood for people's Raj. He wanted state to follow policy of co-existence of religion. The state should not try to infringe upon religious freedom. Nehru condemned the decision of the Pakistan Constituent Assembly declaring Pakistan as Islamic Republic. Such a policy was opposed to democracy as it created "two classes of citizens –one having more opportunities, the other less."

Ans to Q. No. 5 : (i) Defective Educational System: The defective educational system which has encouraged the people to think in terms of groups and communities, has also failed to inculcate secular ideas in the minds of young students and promote feeling of mutual give and take.

(ii) Distortion of the Constitutional and Democratic Institutions: The distortion of the Constitutional and democratic institutions has also greatly contributed to the weakening of the secularism in India. The Constitution and the political institutions have not worked the way they were envisaged by the framers of the Constitution. For example, though use of religion is not permitted for soliciting votes, yet certain political parties have made free use of factors like religion, caste etc. to secure votes. All this has hampered the growth of a true secular polity in the country.



4.11 POSSIBLE QUESTIONS

Q 1 : State any two distinctive character of Indian secularism.

Q 2 : What is meant by politicisation of religion?

Q 3 : State any two ideas behind a secular society.

Q 4 : Write the meaning the meaning of secularism.

Q 5 : Write a short note on Gandhi's views on secularism.

Q 6 : Examine Nehru's views on secularism.

Q 7 : Explain the provisions incorporated in the Constitution of India to ensure secular principle.

Q 8 : Discuss the challenges to secularism in India.

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UNIT 5: INDIAN JUDICIARY

UNIT STRUCTURE

5.1 Learning Objectives

5.2 Introduction

5.3 The Supreme Court

5.4 The High Court

5.4.1 Subordinate Courts

5.5 Judicial Review

5.6 Public Interest Litigation

5.7 Judicial Activism

5.8 Let Us Sum Up

5.9 Further Reading

5.10 Answer to Check Your Progress

5.11 Possible Questions

5.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- discuss the judicial system in India
- explain the process of judicial review
- analyse the new developments of the Indian judicial system, such as public interest litigation and judicial activism.

5.2 INTRODUCTION

India has established an integrated judicial system. At the top of this system stands the Supreme Court, followed by the High Courts and other lower courts. One important feature of the Indian judicial system is the provision of judicial review which enables the courts to examine the constitutionality of the laws made by the legislature and the executive actions. In the process of working, some new features have emerged in

the Indian judicial system, such as Public Interest Litigation and Judicial Activism. We are going to discuss all these in the following

5.3 THE SUPREME COURT

India has established a federal form of government. The existence of a supreme judiciary is an important feature of a federal form of government. So, in India, the Supreme Court stands at the top of the judicial system. It is the highest court of appeal in India.

- **Composition**

The Constitution has provided that the Supreme Court shall consist of the Chief Justice and other judges. As of 01/05/2023, it has a total of 34 judges with the Chief Justice (source: doj.gov.in) .

The Chief Justice and the judges of the Supreme Court are appointed by the President of India. The President can also appoint some *ad hoc* judges for speedy and effective delivery of judgments, at the request of the Chief Justice, and on the advice of the Union Council of Ministers.

A judge of the Supreme Court retires at the age of 65 years. He or she may also resign from his or her office at any time. A judge can be removed from his or her office by the President on the ground of 'proved misbehaviour' or 'incapacity' if such a resolution is passed in the Parliament.

To be a judge of the Supreme Court, one must have the following qualifications-

1. be a citizen of India,
2. have been a judge of a high court at least for five years, or
3. have been an advocate of a high court for at least for ten years, or
4. a distinguished jurist in the opinion of the President of India.

- **Jurisdiction**

The Supreme Court has its original jurisdiction. It exercises its power in its original jurisdiction in settling disputes in the following matters:

A) Disputes between the centre and one or more states;

B) Disputes between the centre and any state or states on the one side and one or more other states on the other;

C) Disputes between two or more states.

Under the appellate jurisdiction, the Supreme Court can hear the following cases:-

A) Constitutional cases – an appeal can be made to the Supreme Court if a case is related to the interpretation of the Constitution.

B) Civil cases – an appeal can be made in the Supreme Court against a decision of the High Court in civil cases. Here, the High Court must certify that the case involves a question of law as to the interpretation of the Constitution and the question needs to be decided by the Supreme Court of India.

C) Criminal cases – an appeal can be made in the Supreme Court against any judgement, final order or sentence of a High Court. Ordinarily, the High courts are the final courts of appeal in criminal cases. But the Supreme Court can hear an appeal against the decisions of the High Courts with the special power given to it by the Parliament.

The Supreme exercises some advisory powers also. It can provide its opinion to the President of India on a question of law or on a fact involving the interpretation of the Constitution when it is asked for. However, the opinion of the Supreme Court is not binding.

The Supreme Court also acts as guardian of the Constitution and the protector of the Fundamental Rights of the citizens. It has been given the power of judicial review in order to protect the Constitution from any law passed by the legislature or a decision taken by the executive. The interpretation of the Constitution made by the Supreme Court has great significance. It can issue directions, orders and writs to protect the Fundamental Rights. The Supreme Court can issue writs like habeas corpus, mandamus, prohibition, quo warranto and certiorari.

Keeping the records of its orders and proceedings is one of the functions of the Supreme Court. The judgements, orders, directions which it passes from time to time are to be kept for future references. They are authoritative and have great evidentiary value. They are followed by the subordinate courts.

The Supreme Court also has the power of contempt of court. According to this power, it can punish anyone for criticizing the judgements of the court, criticizing the judges and the court, passing derogatory remarks against the court, refusing to abide by the decisions of the court, etc.



LET US KNOW

A writ is a formal order given by a court. The writ of Habeas Corpus is issued to protect a person from wrongful detention. The writ of Mandamus is issued to give an order to some subordinate authority to perform an act which falls within its jurisdiction. The writ of Prohibition is issued by a superior court to a subordinate court to prevent it from dealing with a matter over which it has no jurisdiction. The writ, which is issued in order to prevent a person from acting in a public office to which he is not entitled, is known as Quo-warranto. Another writ, which is issued by a superior court to a subordinate court for submitting the record of a case for its proper consideration, is called Certiorari.

5.4 THE HIGH COURT

The Constitution of India has provided for a High Court in every state in the country. But sometimes there may be one High Court for two or more states. As there is an integrated judicial system in India, so High Courts stand after the Supreme Court in the hierarchy. Articles 214 to 231 (Part VI) of the Indian Constitution deal with the organisation, independence, jurisdiction, powers and procedures of the High Courts.

- **Composition**

The President appoints the Chief Justice and other judges of a High Court. There is no fixed rule so far as the number of judges of the High Courts is concerned. The President may increase the number of judges when he or she finds it necessary. The President may also appoint some additional judges.

A judge of the High Court retires at the age of 62. He or she may also resign before the expiry of his or her term. A Judge can be removed from his or her office by the President for "proved misbehavior" or "incapacity".

A judge of a High Court cannot plead or act in any court or before any authority except the Supreme Court and other High Courts.

To be a judge of a High Court, one should – i) be a citizen of India, ii) have held a judicial office in the territory of India at least for 10 years, or, iii) have been an advocate of a High Court or more such courts at least for 10 years.



LET US KNOW: Collegium System

In the Indian judicial system, the collegium system refers to the process of appointment of judges to the Supreme Court and High Courts. The Collegium system was replaced by the 99th Constitutional Amendment Act of 2014 and the National Judicial Appointments Commission (NJAC) Act of 2014. But the Supreme Court has declared both the 99th Constitutional Amendment Act and NJAC Act as unconstitutional and void in 2015. Consequently, the earlier collegium system became operative again.

- **Jurisdiction**

The High Courts have original jurisdiction to issue directions and orders including writs to any person, authority or any government for violation of the Fundamental Rights of the citizens. The High Courts have been given limited jurisdiction in cases related to admiralty, will, divorce, marriage, company laws and contempt of court.

The appellate jurisdiction of the High Courts extends to the hearing of appeals against the decisions of the lower courts in both civil and criminal cases. The High Courts must confirm the death sentences passed by the lower courts.

The High Courts have administrative jurisdiction also. They supervise the working of all lower courts. They can call for returns from the subordinate courts and can issue general rules to regulate their proceedings.

Like the Supreme Court, the High Courts can issue the five writs to protect the Fundamental Rights of the Indian citizens (Article 226 of the Indian Constitution).

5.4.1 Subordinate Courts

The subordinate courts which work under the High Courts are – the Court of the District Judge, the Court of the Assistant Judges, the Court of the Sub-Judges, the Courts of Munsifs and the Court of small causes.

The Court of the District Judge is the highest court in a district. The District Judge is appointed by the Governor in consultation with the High Court of the state. He or she is called the District Judge while dealing with the civil cases and Sessions Judge while dealing with the criminal cases.

The High Courts have been given the power to exercise control over the District Court and other subordinate courts.



CHECK YOUR PROGRESS

Q 1 : Write briefly about any two jurisdictions of the Supreme Court of India.

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Q 2 : Write about the composition of the High Courts.

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Q 3 : Explain why the Supreme Court is regarded as the guardian of the Constitution and the protector of the Fundamental Rights.

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ACTIVITY 5.1

Find out the names of the states the Gauhati High Court serves.

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5.5 JUDICIAL REVIEW

The Constitution of India has provided for a special power, i.e. judicial review, to the Supreme Court and the High Courts. According to this power the courts can examine whether a law passed by the legislature and an action taken by the executive are in consonance to the provisions of the Constitution or not. If the courts find that they are against the provisions of the Constitution or violate the Constitution, then they declare them as unconstitutional or invalid. This power has made the Supreme Court and the High Courts the guardian of the Indian Constitution.

This power of the judiciary has helped to impose certain amount of responsibility upon the legislature and the executive. The legislature while formulating laws must always keep in mind that the laws do not go against the Constitution. Likewise the executive should also take its actions as per the provisions of the Constitution.

The power of judicial review of the Indian judiciary is limited. The Supreme Court and the High Courts can exercise this power only on two grounds. They are – i) to see whether the law or the executive action which has come under scrutiny falls within the competence of the authority that has framed it, and ii) to examine whether it is consistent with Part III of the Constitution which deals with the Fundamental Rights of the citizens.

The Indian judiciary does not have unlimited power of judicial review. It has to exercise its power by following the principle of "procedure established by law". Article 21 of the Constitution mentions that "no person shall be deprived of his or her life and personal liberty except according to procedure established by law". The term "law", which is mentioned here, does not refer to natural law, rather it refers to "state-made law". This means that the courts while scrutinizing the laws can only question the procedure and if the procedure is not followed, only then the court can declare any law made by the legislature as unconstitutional. At the same time, the court can declare any law as unconstitutional when it finds violation of the provisions of the Constitution. In spite of the limitations, the Supreme Court and the High Courts have been exercising the power of judicial review successfully and have been working as the guardian of the Constitution and the protector of the Fundamental Rights of the citizens.

5.6 PUBLIC INTEREST LITIGATION

Public Interest Litigation (PIL) has emerged as a new device in the Indian judicial system for providing speedy and affordable judicial service to the people. The PIL which is also described as the "New Legal Horizon" has been designed to achieve four main objectives, such as, to make judicial system active, efficient, less costly and simple.

This device emerged when the seven-judge Constitution bench of the Supreme Court in its historic judgement in the Judges Transfer case held that any member of the public even if not directly involved but having "sufficient interest" can approach the High Court under Article 226 or in case of violation of the Fundamental Rights the Supreme Court can be

approached under Article 32. The Courts can be approached for redress of grievances of the persons who cannot move the courts because of "poverty, helplessness or disability or socially or economically disadvantaged positions".

PIL is a system which avoids the formal approach to the judicial system. It can be initiated without making formal petition in a prescribed format and manner as is required in a normal case. The persons who seek justice may write even a postcard to the court and the court may consider the case for action if found to be fit. This is called the epistolary jurisdiction of the higher courts.

PIL can be misused for vested interest by some unscrupulous persons. The critics are also of the view that as there are no proper guidelines for admission and disposal of PIL cases, so the courts have the chances for going beyond their limits. Then the lack of follow up actions may make the PIL system ineffective even after the courts provide relief to the aggrieved. At the same time, public consciousness is also not so strong in India for proper working of such a progressive device.

5.7 JUDICIAL ACTIVISM

Judicial activism has emerged to be an important feature of the Indian judicial system in recent years. The Supreme Court and the High Courts have been given the responsibility to protect the Constitution and the Fundamental Rights of the citizens in India. To perform this responsibility, they are empowered with the power of judicial review and in that capacity they have become very active for protecting public interest which is described as judicial activism. The courts have started to intervene in and question the activities of the executive and the legislature while reminding them of their duties and responsibility towards the public.

The Supreme Court and the High Courts have been delivering judgements, decisions and directives against the apathetic and irresponsive attitude of the executive and the legislature on the matters of common public interest. They have also become active against corrupt practices of the public servants and others.

While showing its activism, the Supreme Court has issued directions to control pollution, to check the evil of child prostitution, to revive a sick company to protect the livelihood of 10,000 employees, to look into the dangers in building a dam, to protect the Taj Mahal from environmental pollution and many others.

The process of judicial activism can be said to have actually started in India in 1985. The then Chief Justice of India, Justice P.N. Bhagwati accepted a letter written to him on a post card by an aggrieved citizen for consideration of judicial decision. Thus, the process of judicial activism began in India. It became more and more pronounced in the 1990s.

It has been cautioned that while becoming active the judiciary should not cross its limits set by the Constitution. It must observe restraint in its activities. It must remember its jurisdiction and respect the authority of the executive and the legislature.



LET US KNOW

Lok Adalat is an important device provided in the Indian judicial system for speedy and efficient settlement of disputes. They have been organized outside the formal judicial proceedings. Lok Adalat consists of a judicial officer and other members who are usually nominated from among social workers, members of women organizations, retired civil servants, doctors, teachers, etc. The judicial officer and the members of the Lok Adalat while deciding cases always try to find a settlement mutually arrived at by the disputing parties.



CHECK YOUR PROGRESS

Q 4 : What is meant by Judicial Review?

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Q 5 : What is Public Interest Litigation?

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Q 6 : State the meaning Judicial Activism.

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5.8 LET US SUM UP

- India has an integrated judicial system, with the Supreme Court at the top, followed by the High Courts and other lower courts.
- The Constitution has provided that the Supreme Court shall consist of the Chief Justice and other judges. At present, it has a total of 34 judges with the Chief Justice at the head. The Chief Justice and the judges of the Supreme Court are appointed by the President of India. To become a judge of the Supreme Court a person must have certain qualifications.
- The Supreme Court of India has original jurisdiction and appellate jurisdictions. It also exercises some advisory powers. The Supreme Court also acts as guardian of the Constitution and the protector of the Fundamental Rights of the citizens. Keeping the records of its orders and proceedings is one of the functions of the Supreme Court.
- The Constitution of India has provided for a High Court in every state or for two or more states. The President of India appoints the Chief Justice and other judges of a High Court. To become a judge of the High Court a person must have certain qualifications.
- The High Courts have original and appellate jurisdictions. The High Courts have administrative jurisdiction also. They supervise the working of all lower court. The High Courts can issue five writs to protect the Fundamental Rights of the Indian citizens.
- The subordinate courts work under the High Courts. The Subordinate Courts are – the Court of the District Judge, the Court of the Assistant Judges, the Court of the Sub-Judges, the Courts of Munsifs.

- The Constitution of India has provided for a special power, i.e. judicial review, to the Supreme Court and the High Courts, through which the courts can examine whether a law passed by the legislature and an action taken by the executive are in consonance to the provisions of the Constitution or not. If the courts find that they are against the provisions of the Constitution or violate the Constitution, then they declare them as unconstitutional or invalid.
- Public Interest Litigation (PIL) has emerged as a new device in the Indian judicial system for providing speedy and affordable judicial service to the people. PIL is a system which avoids the formal approach to the judicial system. It can be initiated without making formal petition in a prescribed format and manner as is required in a normal case. The persons who seek justice may write even a postcard to the court and the court may consider the case for action if found to be fit.
- The Supreme Court and the High Courts have been given the responsibility to protect the Constitution and the Fundamental Rights of the citizens in India. To perform this responsibility, they are empowered with the power of judicial review and in that capacity they have become very active for protecting public interest which is described as judicial activism. The courts have started to intervene in and question the activities of the executive and the legislature while reminding them of their duties and responsibility towards the public.



5.9 FURTHER READING

1) Abbas, H.; Kumar, R. & Alam, M.A. (2011). *Indian Government and Politics*. New Delhi: Pearson.

2) Jha, Rajesh. (ed) (2012). *Fundamental of Indian Political System*. New Delhi: Pearson.

3) Narula, Sanjay. (2007). *The Indian Political System*. New Delhi: Murari Lal & Sons.

4) Sikri, S. L. (2002). *Indian Government and Politics.* New Delhi: Kalyani Publishers.



5.10 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : (i) The Supreme Court has its original jurisdiction. It exercises its power in its original jurisdiction in settling disputes in the following matters:

a) Disputes between the centre and one or more states;

b) Disputes between the centre and any state or states on the one side and one or more other states on the other;

c) Disputes between two or more states.

(ii) Under the appellate jurisdiction, the Supreme Court can hear the following cases:

a) Constitutional cases – an appeal can be made to the Supreme Court if a case is related to the interpretation of the Constitution.

b) Civil cases – an appeal can be made in the Supreme Court against a decision of the High Court in civil cases. Here, the High Court must certify that the case involves a question of law as to the interpretation of the Constitution.

c) Criminal cases – an appeal can be made in the Supreme Court against any judgement, final order or sentence of a High Court. Ordinarily, the High courts are the final courts of appeal in criminal cases. But the Supreme Court can hear an appeal against the decisions of the High Courts with the special power given to it by the Parliament.

Ans to Q. No. 2 : The President appoints the Chief Justice and other judges of a High Court. There is no fixed rule so far as the number of

judges of the High Courts is concerned. The President may increase the number of judges when he or she finds it necessary. He or she may also appoint some additional judges.

Ans to Q. No. 3 : The Supreme Court acts as the guardian of the Constitution and the protector of the Fundamental Rights of the citizens. It has been given the power of judicial review in order to protect the Constitution from any law passed by the legislature or a decision taken by the executive. The interpretation of the Constitution made by the Supreme Court has great significance. It can issue directions, orders and writs to protect the Fundamental Rights. The Supreme Court can issue writs like habeas corpus, mandamus, prohibition, quo warranto and certiorari.

Ans to Q. No. 4 : Judicial Review is a special power given to the Supreme Court and the High Courts by the Constitution of India. According to this power the courts can examine whether a law passed by the legislature and an action taken by the executive are in consonance to the provisions of the Constitution or not. If the courts find that they are against the provisions of the Constitution or violate the Constitution, then they declare them as unconstitutional or invalid. This power has made the Supreme Court and the High Courts the guardian of the Indian Constitution.

Ans to Q. No. 5 : Public Interest Litigation is a system which avoids the formal approach to the judicial system. It can be initiated without making formal petition in a prescribed format and manner as is required in a normal case. The persons who seek justice may write even a postcard to the court and the court may consider the case for action if found to be fit. Public Interest Litigation has been designed to achieve four main objectives, such as, to make judicial system active, efficient, less costly and simple.

Ans to Q. No. 6 : Judicial activism has emerged to be an important feature of the Indian judicial system in recent years. The Supreme Court and the High Courts have been given the responsibility to protect

the Constitution and the Fundamental Rights of the citizens in India. To perform this responsibility, they are empowered with the power of judicial review and in that capacity they have become very active for protecting public interest which is described as judicial activism. The courts have started to intervene in and question the activities of the executive and the legislature while reminding them of their duties and responsibilities towards the public.



5.11 POSSIBLE QUESTIONS

Q 1 : What are the qualifications to be a judge of the Supreme Court?

Q 2 : How the judges of the Supreme Court and the High Courts can be removed from office?

Q 3 : What are the subordinate courts in India?

Q 4 : How the process of judicial activism started in India?

Q 5 : How the PIL system works in India?

Q 6 : Write a short note on judicial review.

Q 7 : Discuss composition and powers and functions of the Supreme Court of India.

Q.8: Discuss composition and powers and functions of the High Courts of India.

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UNIT 6: FEDERAL STRUCTURE AND ITS DYNAMICS - ISSUES IN CENTRE-STATE RELATIONS

UNIT STRUCTURE

6.1 Learning Objectives

6.2 Introduction

6.3 Nature of Indian Federalism

6.3.1 Federal Features

6.3.2 Non-federal Features

6.4 Division of Power between the Centre and the States

6.4.1 Relation Between the Centre and the States

6.5 An Estimate of Indian Federalism

6.6 Let Us Sum Up

6.7 Further Reading

6.8 Answers to Check Your Progress

6.9 Possible Questions

6.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- discuss the federal structure of the Indian Constitution
- analyse the distribution of power between the centre and the states
- make an estimate of Indian federalism.

6.2 INTRODUCTION

The Constitution of India has described India as a “Union of States”, in the very first Article of it. Nowhere in the Constitution has India been described as a federation. The Constitution of India has certain federal features as well as some non-federal features. So, India cannot be said to be a true federal state. It has been described as a “Union of States” because the Indian

federation is not the result of an agreement of the constituting units and these units do not have the right to break away from the union like that of a true federal state. In the following, we will discuss the Indian federalism in detail.

6.3 NATURE OF INDIAN FEDERALISM

When we discuss the nature of Indian federalism, we must say that it is unique in itself. The Constitution makers in India envisaged a federal form of government with a strong unitary basis. There is a centralizing tendency in the Indian federation. The Central Government has been made more resourceful and strong. The Constitution makers have provided for such type of a federal structure for various reasons. For example, India is a vast country with a diverse population. So, to maintain the unity and integrity of the country, a strong centre was deemed necessary. Again, to perform the vast responsibilities of a modern welfare state and for the economic development of a newly independent state, a strong centre equipped with sufficient resources and power was important. At the same time, to establish India at the international forums, the Central Government should be powerful enough to exercise a dominant voice.

The Constitution has made the Central Government more powerful than the states. Though we have two sets of government and power is divided between them constitutionally, that division is not equitable. The Central Government exercises more power than the states in legislative, administrative as well as in financial matters.

The Indian Constitution has certain federal features as well as certain non-federal features. They can be discussed in the following way.

6.3.1 Federal Features

- The Indian Constitution is a written constitution. It has been drafted by the Constituent Assembly and adopted by it on 26 November 1949 and came into force on 26 January 1950. The provisions of the Constitution have been discussed clearly and in detail. It is one of the longest constitutions of the world.

- One of the important federal features of the Indian Constitution is that it has provided for two sets of government in the country. The Central Government works at the national level and the state governments work at the state level. They have their own spheres of activity specified by the Constitution itself.

- The powers of the two sets of government have clearly been divided in the Constitution. The powers between the two governments have been divided in legislative, administrative and financial spheres. The Seventh Schedule contains three lists of subjects which specify the powers of the two governments.

- Another federal feature of the Indian Constitution is the existence of a supreme judiciary for the country. The Supreme Court of India stands at the apex of the Indian judicial system. It is the highest court of justice, followed by the High Court and other subordinate courts. It is regarded as the custodian of the Constitution and the protector of the fundamental rights of the citizens.

- In India, there is the supremacy of the Constitution. The Constitution is above all. It is the supreme law of the land. There cannot be any law or executive action which goes against the provisions of the Constitution.

- Bi-cameral legislature is another federal feature of the Indian Constitution. The Indian Parliament consists of two Houses – the Lok Sabha and the Rajya Sabha. The Lok Sabha, which is also known as the House of People, represents the people in general. It is the lower House of the Indian Parliament. The Rajya Sabha, which represents the states of the Indian Union, is also called the Council of the States. It is the upper House.

- Besides the above mentioned features, the amendment procedure for amending the federal provisions of the Constitution is rigid. This is a feature of a federal government and it is found in India.

After discussing the federal features, now we are proceeding to discuss the non-federal or unitary features of the Indian Constitution.

6.3.2 Non-federal Features

- As India has adopted a federal form of government, so, it has two sets of government. The Constitution has divided powers between them. But that division is not equitable. The Central Government has been given more power than the state governments. This is a non-federal feature of the Indian Constitution.
- The states, which are the constituting parts of the Indian federation, do not have their permanent existence. Some new states can be created out of the existing states at any time by the Central Government and the names can also be changed.
- Though there are certain rigid procedures for the amendment of the Constitution, yet in essence the Constitution is not rigid. Most of the provisions can be amended by simple methods. The Parliament of India can amend many parts of the Constitution unilaterally without the participation of the state legislatures.
- In a true federal state, there exist two constitutions - one for the federation as a whole and the other for the individual states. But in India, we have only one Constitution and that Constitution is for the states also. The states in India have no constitution of their own. Though the state of Jammu and Kashmir has a separate constitution, it works as per the provisions of the Indian Constitution.
- Another non-federal feature of the Indian Constitution is the existence of a unified and integrated judicial system for the whole country. The Supreme Court stands at the apex of this judicial system and it is followed by High Courts and other subordinate courts in the states. There is no separate judicial system for the states in India.
- In India, we have only one type of citizenship. That is the citizenship of India. We do not have the citizenship for our respective states. However, in a true federal state, the citizens have two types of citizenship – one for the whole country and the other for their states.

- The Central Government can give directions to the state governments regarding the administration of the states. The state governments must follow these directives and carry out administration accordingly. Article 365 of the Constitution mentions that if any state fail to follow the directives of the Centre, it will amount to the failure of the constitutional machinery in the state. Then the President of India is empowered to impose President's rule in the state under Article 356. This is another non-federal feature of the Indian Constitution.

- The Governors who are the constitutional heads of the states in India are appointed by the President of India. The Governors can be said to be the agents of the centre in the states because they send reports to the President from time to time regarding the administration of the states. In a true federation, the head of the states are not appointed by the central government.

- Further, the Rajya Sabha, the Upper House of the Indian Parliament, which represents the states, does not represent the states on the basis of equality. The states get representation on the basis of their population. The states with big population send more representatives to the House than the states with less population.

Thus, we can say that India is not a true federation. There are some federal features in the Indian Constitution. But there are many non-federal or unitary features too. So, India can be described as a federation with unitary spirit. The constitution makers wanted a unique federal system for India which Dr K.C. Wheare described as "quasi-federal" meaning that India is a semi federal state.



LET US KNOW

The term 'federation' has come from the Latin word 'foedus' which means a treaty or agreement. So, a federation comes into existence when some states arrive at an agreement to form a new bigger state either to protect

themselves from common enemy or to ensure development by working together. It is very important that the states which form the federation must have geographical contiguity and some amount of commonality between them in matters of race, religion, language, culture, etc. and equality. As Dicey says, "A federal state is a political contrivance intended to reconcile national unity and power with the maintenance of state rights".



ACTIVITY 6.1

Try to find out the difference between federation and confederation.

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CHECK YOUR PROGRESS

Q 1 : Write briefly about two federal features of the Indian Constitution.

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Q 2 : Write briefly about two non-federal features of the Indian Constitution.

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Q 3 : Why India is not regarded as a true federal state? explain.

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6.4 DIVISION OF POWER BETWEEN THE CENTRE AND THE STATES

The Constitution has divided power between the centre and the states. Though the Central Government is stronger than the state governments, the latter have their own sphere of activities. In India, powers of both the governments are well-defined. The residuary powers are left for the Central Government. The division of power in legislative, administrative and financial matters can be discussed in the following way.

- **Division of Legislative Powers**

Article 246 of the Constitution has discussed the division of legislative power between the centre and the states. The Seventh Schedule includes three lists containing different subjects meant for the two governments to make legislation. These lists are – the Union List, the State List and the Concurrent List.

On the subjects which are included in the Union List, such as, defense, foreign affairs, currency and coinage, citizenship and census, the Parliament of India has been given the power to make laws. There are 100 subjects in this list. The state legislatures have no right to make laws on these subjects. The subjects included in the Union List are mainly of wider importance for the country and uniform in character.

The state legislatures can make laws on the subjects which are included in the State List. There are 61 subjects in the State List and they are subjects of local importance. They include – law and order, public health, forests, revenue, sanitation, etc. It is provided in the Constitution that on some occasions, the central legislature can also make laws on the subjects of the State List. Article 249 empowers the Parliament to make a law on the subjects of the State List in the national interest if a resolution is passed by the Rajya Sabha by 2/3 majority to that effect. Again Article 250 mentions that during proclamation of Emergency the Parliament gains the power to make laws on the subjects of the State List.

Both the Parliament and the state legislatures can make laws on the subjects which are included in the Concurrent List. There are 52 subjects in the Concurrent List. The subjects of this list are of wider importance and uniform in character. However, they may also need local attention. Some subjects of this list are – education, economic planning, social security, electricity and newspaper. In case of this list, one point is to be noted that if there is a conflict between the central law and the state law on a subject of this list then the central law will prevail over the state law.

The subjects which are not included in these three lists of subjects are termed as residuary powers. The Parliament has been given exclusive power to make laws on those subjects under Article 248 of the constitution.

Thus, we can say that the central legislature, that is, the Parliament is more powerful than the state legislatures in matters of division of legislative power. The Parliament has exclusive power to make laws on the subjects of the Union List and in case of the residuary powers. It has also been given power to make law on subjects in the State List and it has its dominance in matters of the Concurrent List.

- **Division of Administrative Power**

In case of division of administrative power also, the Central Government has a greater share. Article 73 of the Indian Constitution mentions that the executive power of the Central Government extends to all those matters with respect to which the central legislature can make laws. Again Article 162 lays down that the state government has its executive power in all those matters in which the state legislature exercises power to make laws.

The Constitution of India has clearly mentioned that the executive power of the state must be exercised in such a way that it complies with the laws made by the Parliament. The state government cannot impede or prejudice the exercise of the executive power of the Union.

Article 258 mentions that the President may entrust either conditionally or unconditionally, with the consent of a state government, any function to the Central Government. Again, according to Article 356, the Central Government may take necessary steps to protect any state of India from external aggression and internal disturbances. The President can exercise emergency power under this Article to take over the administration of a state if it fails to comply with the advice of the Central Government.

The Central Government can also exercise its control over the state governments through the officials who are appointed by it but who work in the states. The constitutional head of the state, the Governor, also works as a central agent in the states. Besides, the officials of the All-India services are also there.

- **Division of Financial Power**

Like that of legislative and administrative powers, in case of financial powers also the Central Government has been made more powerful than the state government. The sources of income, which mainly constituted

from various taxes, are imposed and collected by the Government and are divided between the Centre and the states. This division can be discussed in the following way.

The Constitution has discussed the distribution of taxes and duties between the centre and the states from Articles 264 to 300.

There are certain taxes which are levied and collected by the states and they form the sources of income for them. Taxes like land revenues, tax on agricultural income, estate duty, etc. are levied and collected by the states. There are other taxes like stamp duty, excise on medicine, toilet preparations, etc. which are levied by the Union but collected and appropriated by the states. The taxes collected from railways, posts and telegraphs, wireless, broadcasting, etc. constitute the sources of income for the Centre. There are also taxes which are levied and collected by the Centre but assigned to the states.

The Centre exercises control over the states in financial matters in various ways. The President can make alterations in the distribution of revenues earned from income tax between the Centre and the states. The Centre can also grant loans and provide grant-in-aid to states with special subsidy to some states. Further, the Centre can exercise financial control over the states through central agencies like Comptroller and Auditor General of India and the Finance Commission which appointed by the President after every five years to make recommendations on distribution of net proceeds of taxes between the Centre and the states.



LET US KNOW

Pandit Jawaharlal Nehru was the Chairman of the Union Powers Committee of the Constituent Assembly. In one of his speeches in the Assembly he said, “We are unanimously of the view that it would be injurious to the interest of the country to provide for weak central authority which would be incapable of ensuring peace, of coordinating vital matters of common concern and of speaking effectively for the whole country in the international spheres”.

6.4.1 Relation between the Centre and the States

When we discuss centre-state relation, it should be remembered that India is federal in structure and unitary in spirit. In India, we have two sets of government and there is division of power between them. However, this division of power is not in the true nature of a federal government. So far as the division of powers in India is concerned, the states have very limited areas of authority and autonomy. Therefore, a demand is always there for greater autonomy on the part of the states. The states demand that they should be given more power for self-sufficiency and development. Because of this, sometimes the relation between Centre and the states becomes strained.

Professor Morris Jones has described Indian federalism as 'bargaining federalism'. It is because the Central Government has developed a tendency to prevail over the states and the states have also been demanding their autonomy. The concept of bargaining federalism has got strengthened in recent years with the growth of regionalism and regional political parties in the country. Regional political parties have been formed in different regions of the country in order to enhance and protect the specific interests of the regions. They have been formed also because the national parties have failed to satisfy the various needs of the regions. So, whenever they come to power in the states, they demand more power and adequate resources so as to deal with specific needs and problems of their regions.

The intention of the Constitution makers in making the Central Government more resourceful and stronger than the states was not to curb the powers of the states. Rather they visualized the establishment of co-operative federalism in India. The Constitution of India stands on the foundation of co-operative federalism presuming interdependence of national and regional governments of a federal union instead of granting them absolute independence

in the allotted spheres. Therefore, the Constitution has made institutional arrangements, such as, the National Development Council, the Finance Commission, the Inter-State Councils and the Zonal Councils where both the governments would sit together and work for solving various national and regional problems. Besides, a number of statutory bodies have also been instituted for adjudication of disputes regarding the use, distribution and control of inter-state rivers. The Constitution framers intended that both the Central Government and the state governments co-operate with one another and work harmoniously. None should encroach upon the sphere of the other. Both should respect the authority of one another.

However, the real working of the Indian federation reveals that as the Central Government has been made stronger by the Constitution itself, it has always been dominating over the state governments by its activities. The provision for appointment of the Governor by the President, the provision of imposition of President's rule under Article 356, the provision for complying with the directives of the Central Government and such other non-federal features have been strengthening the position of the Central Government.



CHECK YOUR PROGRESS

Q 4 : Write a short note on the legislative relation between the Centre and the states.

……

……

Q 5 : Why the Constitution makers have provided for a federal government with a strong centre?

……

……

6.5 AN ESTIMATE OF INDIAN FEDERALISM

India continues to be a federal polity with a unitary spirit. There has always been resentment on the part of the states against the stronger position of the Central Government. They are demanding for autonomy in their own spheres and adequate power to work independently for their welfare. The Rajamanner Committee, the West Bengal Government Memorandum on Union-State Relations, the Anandpur Sahib Resolution, the Jammu and Kashmir Assembly Autonomy Resolution, and the Sarkaria Commission all have favoured granting more power to the states in comparison to the present position. The Sarkaria Commission was constituted by the Central Government in 1983 to study the question of centre-state relation and to make recommendation if necessary. The Commission accepted the need for a strong Central Government in India but recommended for devolution of more power to the states so that a co-operative federation can be established in the country.

In the recent years, we have seen the growth and development of coalition politics in India. This has happened mainly because of the emergence of various regional and local political parties and their strong position in the share of seats in both assembly and Parliamentary elections. No single national political party was able to secure absolute majority in the Lok Sabha in Parliamentary elections held between 1989 to 2014 to form a government by its own. They were compelled to form coalitions with like minded parties – national and regional to form government at the Centre. This has changed the working of the federal system in India to an extent.

Some indications of change in the working of the Indian federal polity can also be seen with the replacement of the Planning Commission with the National Institute for Transforming India or the Niti Aayog. The Planning Commission worked as a centralized mechanism. The whole planning process was carried out under the control and supervision of the Central Government. The new institution which came into existence on 1st January 2015 has been designed on the basis of the principle of co-operative-competitive federation where both the Centre and the states will actively participate for all round and rapid development of the country.



6.6 LET US SUM UP

- India is a quasi federal state. The Indian Constitution has included federal as well as many non-federal or unitary features.
- Some federal features of the Constitution of India are- written Constitution, supremacy of the Constitution, two sets of government, division of power between the Centre and the states, supremacy of the judiciary, existence of bi-cameral legislature etc.
- Some non-federal features of the Constitution of India are- existence of strong Central Government , one Constitution for the Centre as well as for the states, existence of a unified and integrated judicial system for the whole country, single citizenship, unequal representation of the states in the Rajya Sabha etc.
- The Constitution has divided power between the Centre and the states through three list, such as the Central List, the State List and the Concurrent List. Though the Central Government is stronger than the state governments, the latter have their own sphere of activities. In India, powers of both the governments are well-defined. The residuary powers are left for the Central Government.
- The Central Government has been provided with more power than that of the states and it can exercise control over the states in many ways. However, the Constitution makers in India had envisaged a co-operative federation for the country and provisions have also been made in the Constitution for establishing such a system. Therefore, it is important that both the governments respect each other's sphere of activity and work together for the interest of the whole country.



6.7 FURTHER READING

1) Basu, Durga Das. (2015). *An Introduction to the Constitution of India.*
2) Basu, Durga Das. and Bakhi, P. M. (2013). *The Constitution of India.* New Delhi : Universal Law Publishing Co.
3) Ghai, K.K. (2008). *Indian Government and Politics.* New Delhi: Kalyani Publishers.
4) Sikri, S. L. (2002). *Indian Government and Politics.* New Delhi: Kalyani Publishers.



6.8 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : (i) One of the important federal features of the Indian Constitution is that it has provided for two sets of government in the country. The Central Government works at the national level and the state governments work at the state level. They have their own spheres of activity specified by the Constitution itself. (ii)The powers of the two sets of government have clearly been divided in the Constitution. The powers between the two governments have been divided in legislative, administrative and financial grounds. The Seventh Schedule contains three lists of subjects which specify the powers of the two governments.

Ans to Q. No. 2 : (i) As India has adopted a federal form of government, so, it has two sets of government. The Constitution has divided power between them. But that division is not equitable. The Central Government has been given more power than that of the state governments. This is a non-federal feature of the Indian Constitution. (ii) Though there are certain rigid procedures for the amendment of the Constitution, yet in essence the Constitution is not rigid. Most of the provisions can be amended by simple methods. The Parliament of India can amend many parts of the

Constitution unilaterally without the participation of the state legislatures.

Ans to Q. No. 3 : India has never been described in the Constitution as a federation. The Article 1 of the Constitution has defined India as a "union of states". Though there are some important federal features yet many non-federal features are also there in the Indian Constitution. In India, there is division of power between the centre and the states, but the Central Government has been made more powerful than the state governments. The very existence of the states is dependent on the wishes of the Centre. There is only one Constitution for the whole country and single citizenship unlike a true federal state Because of all these reasons India cannot be called a true federal state.

Ans to Q. No. 4 : Article 246 of the Constitution has discussed the division of legislative power between the Centre and the states. The Seventh Schedule includes three lists containing different subjects meant for the two governments to make legislation. These lists are – the Union List, the State List and the Concurrent List. The Parliament of India has been given the power to make laws on the subjects included in the Union List. The state legislatures can make laws in the subjects which are included in the State List. Article 249 empowers the parliament to make a law on the subjects of the State List for national interest if a resolution is passed by the Rajya Sabha by 2/3 majority to that effect. Again Article 250 mentions that during emergency the Parliament gains the power to make laws on the subjects of the State List. Both the Parliament and the state legislatures can make laws on the subjects which are included in the Concurrent List. One point is to be noted that if there is a conflict between the central law and the state law on a subject of the Concurrent list then the central law will prevail over the state law. The subjects which are not included in these three lists of subjects are termed

as residuary powers. The Parliament has been given exclusive power to make laws on those subjects. Thus, we can say that the central legislature, that is, the Parliament is more powerful than the state legislatures in matters of division of legislative power.

Ans to Q. No. 5 : The Constitution makers in India had provided for a federation with a strong Centre mainly for the following reasons. India is a vast country with a diverse population. So, to maintain unity and integrity in the country, a strong Centre was deemed necessary. Again, to perform the vast responsibilities of a modern welfare state and for the economic development of a newly independent state, a strong Centre equipped with sufficient resources and power was important. At the same time, to establish India at the international forums, the Central Government should be powerful enough to exercise a domineering voice.



6.9 POSSIBLE QUESTIONS

Q 1 : Write about two federal features of the Indian Constitution.

Q 2 : Write about two non-federal features of the Indian Constitution.

Q 3 : Write a short not on legislative relation between centre and the states.

Q 4 : Explain administrative and financial relation between the centre and the states.

Q 5 : Discuss the relation between the centre and the states from recent developments in Indian politics.

Q 6 : Explain federal and non-federal features of the Indian Constitution.

Q 7 : Make an estimate of the Indian federal system.

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UNIT 7: POLITICS OF DECENTRALIZATION

UNIT STRUCTURE

7.1 Learning Objectives

7.2 Introduction

7.3 Panchayati Raj Institutions

7.4 Evolution of Panchayati Raj System in India

7.5 Growth of Local Self Government in Assam

7.6 73rd and 74th Amendment Acts

7.7 Problems in the Working of Panchayat Raj

7.8 Let Us Sum Up

7.9 Further Reading

7.10 Answers to Check Your Progress

7.11 Possible Questions

7.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- discuss development of the decentralised system in India and in Assam and its various implications
- explain the salient features of the Panchayati Raj System
- discuss powers and functions of the Panchayati Raj System.

7.2 INTRODUCTION

The term, “Decentralization” is defined by the Merriam Webster dictionary as the dispersion or distribution of functions and powers, specifically referring to the delegation of power from a central to regional and local authorities. It is the process by which the authority is transferred to government institutions at the central, regional and local levels. This involves participation of people at the local level that encourages better

decision making opportunities, devolving political power and funds, transfer of functions, etc. Participation of people is very much essential for policy formulation and other political processes. It involves people in the decision making processes and brings people closer to the government along with increasing efficiency and transparency. In India, the need for decentralization was realized long back. The efforts to give constitutional back-up to rural local governments led to the passage of the 73rd Amendment Act. The 73rd Constitutional Amendment Act, 1992 provided for a three-tier system of the Panchayati Raj institutions at the village, intermediate and district levels. This Act brings about uniformity in the structure of the Panchayati Raj throughout the country. With the passage of the 73rd Amendment Act, in 1992, people's participation in the process of planning, decision making, implementation and delivery system in rural India has been recognised significantly.

7.3 PANCHAYATI RAJ INSTITUTIONS

The institution of Panchayati Raj has been seminal to nearly all forms of political administration that large parts of India have witnessed throughout history, spanning several millennia. Panchayats are units of local government involving various administrative and financial functions. The idea of Panchayati Raj forms a basic tenet of the Gandhian philosophy that considers village Panchayats as the units of self government. During the colonial period, a few notable British authorities like Lord Mayo and Lord Ripon emphasized the role of Panchayats for efficient local administration. Therefore, Lord Ripon is known as the Father of Local Self Government in India.

Lord Ripon made remarkable contribution to the development of Local Government in India. In 1882, he abandoned the existing system of local government by the officially nominated people and put forward a new system of decentralization. According to his local self government plan, the local boards were split into smaller units to achieve greater efficiency. He also introduced an election system for the local boards in order to ensure popular participation.

Soon after independence, the task of strengthening Panchayati Raj system fell on the Indian Government. It was clear to the leaders of our country that India, a country of large number of villages, had to strengthen village Panchayats to strengthen democracy. Mahatma Gandhi who strongly believed and advocated for Gram Swaraj pleaded for the transfer of power to the rural masses. According to him, the villages should be able to govern themselves through elected Panchayats to become self sufficient. But surprisingly enough, the draft Constitution prepared in 1948 had no place for Panchayati Raj Institutions. Gandhi severely criticized this and called for immediate attention. Eventually, Panchayati Raj institutions found a place in the Directive Principles of the State Policy.

Traditionally, Panchayats have been headed by five elderly wise men whose presence and experience in administration served a useful purpose in the administration of local self governments. The Panchayati Raj Institutions are said to be the driving force for the decentralization system of the country. Decentralization is seen as a means of empowering people and involving them in the decision making process. Local issues like that of roads, transport, water and electricity are better understood and managed by the local population as they have the capability to mobilise resources quite efficiently. As a result, people can be more responsive to local needs and can make better use of available resources. The democratic system in a country can be ensured only if there is mass participation in the governance. Therefore, decentralization of power is considered as means to ensure democracy and socio-economic development of the country.



CHECK YOUR PROGRESS

Q. 1: Through which Act was the Panchayati Raj System given constitutional status in India?

……

Q 2 : The …….. provided for a three-tier system of the Panchayati Raj institutions at the village, intermediate and district levels.

……

……

Q 3: Who was known as the 'Father of local self government' in India?

……

……

7.4 EVOLUTION OF PANCHAYATI RAJ SYSTEM IN INDIA

After independence, the first major development programme to be launched in India was the Community Development Programme in 1952. The main aim was to achieve overall development of rural areas and to encourage people's participation. This programme was formulated so that the administrative framework could reach out to the district, tehsil / taluka and village level areas. All the districts of the country were divided into Development Blocks and a Block Development Officer (BDO) was made in charge of each block. Village Level Workers (VLW) were appointed to assist the BDO. However, this programme was not successful. Its failure was directly attributed to inadequate level of people's participation in local level programmes of rural development.

In India a number of Committees were constituted which have contributed in the growth of Panchayats. Some of these are -

(i) BALWANT RAI MEHTA COMMITTEE

In 1957, the Government of India appointed a Committee to examine the functioning of the Community Development Programme and the National Extension Service and to suggest ways for their improvement. This committee was headed by Balwant Rai Mehta and hence came to be known as the Balwant Rai Mehta Committee. The Committee submitted its report in November, 1957 and recommended a scheme for democratic decentralisation which came to be known as the 'Panchayati Raj'.

The following are the recommendations of the Committee:

- There should be three tier structures of local self government bodies from village to the district level and these bodies should be linked together.
- There should be genuine transfer of power and responsibility to these bodies to enable them to discharge their responsibility.
- Adequate resources should be transferred to these bodies to enable them to discharge their responsibilities.
- All welfare and developmental schemes and programmes at all three levels should be channelled through these bodies
- The three tier system should facilitate further devolution and disposal of power and responsibility in future. These tiers should be organically linked together through a device of indirect elections. The Committee envisaged a three tier system of Panchayats known as Zilla Parishad, Panchayat Samiti and Gram Panchayats and recommended encouragement of peoples' participation in community work, promotion of agriculture and animal husbandry, promoting the welfare of the weaker sections and women through the Panchayats.
- The Panchayat Samiti should be the executive body while the Zila Parishad should be the advisory and co-ordinating body.
- The District Collector should be the chairperson of the Zila Parishad.

These recommendations were accepted by the National Development Council (NDC) in January 1958 and the Council also left it to states to evolve their own patterns suitable to them Rajasthan was the first state to establish the institution of Panchayati Raj in Nagaur district on 2nd October, 1959 followed by Andhra Pradesh.

The recommendations of the Balwant Rai Mehta Committee were implemented by many states in the country. However, it did not last very long as a result of growing corruption, inefficiency and irregularity. The elections were no longer held regularly and moreover the participation of people was very low in these bodies.

(ii) ASHOK MEHTA COMMITTEE

In December 1977, the Janata Government appointed a Committee with Ashok Mehta as chairperson and entrusted the task of enquiring into the causes responsible for the poor performance of Panchayati Raj Institutions. The Committee submitted its report in August 1978 and made recommendations to revive and strengthen the declining system of Panchayati Raj in the country.

Recommendations of the Ashok Mehta Committee are as follows:

- A Two-tier system was proposed to replace the prior three-tier system; i.e. the Zila Parishad at the district level and below it the Mandal Panchayat consisting of a group of villages.
- The Zila Parishad should be the executive body and must be responsible for planning at the district level.
- The Panchayati Raj should have power to mobilise their own financial resources.
- There should be a regular social audit by a district level agency to supervise the allocated funds allotted for the vulnerable social and economic groups.
- State governments should not supersede the Panchayati Raj Institutions. The Nyaya Panchayats should be kept as separate bodies as from development Panchayats.
- A Panchayati Raj minister should be appointed in the State Council of Ministers to look after the affairs of the Panchayati Raj Institutions.
- Reservation for STs and SCs must be done in these institutions on the basis of their population.

Due to the fall of the Janata Government, the Ashok Mehta Committee's recommendations were not implemented. Few states including Karnataka formulated new legislations on the basis of the recommendations of this Committee. During 1980's, two important Committees were appointed to look into local Governments namely GVK Rao Committee in 1985 and Dr. L.M. Singhvi Committee in 1986. The GVK Rao Committee recommended the revival of Panchayati Raj Institutions so that greater responsibilities of planning,

implementation and monitoring of rural development programmes could be assigned to them. L.M. Singhvi Committee recommended that the Panchayati Raj Institutions should be constitutionally recognized and protected. The Committee also proposed the appointment of a finance commission and entrusting of all the rural development programmes to the Panchayati Raj Institutions by amending Schedule VII of the Constitution. Thungon Committee and Gadgil Committee were also formed in the year 1988 to make reforms to the PRI system in India.

Following these developments, Rajiv Gandhi the then Prime Minister of India,introduced the 64th Amendment Bill on local on 15th July, 1989; however, it failed to get the required support in Parliament. A second attempt was made in September 1990 to pass the bill in the Parliament which failed. In September 1991, a fresh bill on Panchayati Raj was introduced by the Congress Government under P. V Narasimha Rao, the then Prime Minister. It was passed in 1992 as the 73rd Amendment Act of 1992 with minor modifications and finally came into force on 24th April 1993.

7.5 GROWTH OF LOCAL SELF GOVERNMENT IN ASSAM

The present local self government can be traced back to the British regime. During the British regime, limited powers were granted to the local institutions. The traditional system of panchayat suffered a great setback as the Britishers had little interest in the welfare of the native people. However, before the advent of Britishers, there were certain rules and regulations to administer our rural villages for protection of life and property of village people. In 1887, the Chowkidar Panchayat Act was passed and it provided for the establishment of panchayat in any village consisting of more than sixty (60) houses. The responsibility to create any panchayat in a village was entrusted to the District Magistrate. Besides, provision was made to establish panchayat for more than two villages provided they were continuous to one another. The functions of the

panchayat were confined to the chowkidari system only. It is mentionable here that in ancient Assam, chowkidari system was prevalent and chowkidar served the villages and salaries were paid from collection of taxes to secure service from them.

The history of panchayat system turned into a specific direction after 1909 both for India and Assam. Because, recommendations of the Royal Commission on De-centralisation in 1907 were accepted in 1909. The Commission suggested that more power should be conferred to the panchayat. Since then attempts had been made to establish informed village authorities. Accordingly, the Government of Assam accepted the recommendations of the Royal Commission on De-centralisation and made an attempt to delegate more powers regarding sanitation, water supply etc. These provisions were incorporated in the Local Self Government Act, 1915. But, institutions established like panchayat under this Act faced a lot of administrative and financial problems due to conflicts amongst the people of different parts of the same village.

In 1926, the Assam Rural Self-Government Act was passed with a view to provide an administrative setup where villagers could participate for solution of their own problems. Under this Act, powers were given to the panchayat and provision was made to increase the powers and functions of the panchayat in course of time in under the same Act. But, the villagers were unable to run the administration of their own affairs.

In 1948, the Assam Rural Panchayat Act was accepted and it provided for two-tier panchayat system i.e. primary panchayat and rural panchayat. Under this Act primary panchayat and rural panchayat were formed. The rural panchayats would be serving more than one village and the administrative area of the primary panchayat would be one village. But, this Act also failed to serve the villages satisfactorily.

On the recommendations of the Ashok Mehta Committee (1957) the Assam Panchayati Raj Act of 1959 provided for establishment of Mohkuma Parishad, Anchalik Panchayat and Goan Panchayat in rural areas

of Assam. Mohkuma Parishad was an advisory body at the top of the system and Anchalik Panchayat was the middle tier and at the lower level there was the Gram Panchayats. The Anchalik Panchayat could not function effectively and as a result in 1972 it was abolished. In 1972, two-tier Panchayat system was introduced and accordingly Gaon Panchayat at the village level and Mohkuma Parishad at the district level was established. The Mohkuma Parishad was entrusted with the executive functions in the field of public health, education, welfare, agriculture, small scale industry, co-operative society etc. The Goan Panchayat was entrusted with several developmental functions.

In 1986, the Assam Panchayati Raj Act was passed and it introduced a three-tier panchayat system of Gaon Panchayat, Anchalik Panchayat and Mohkuma Parishad. The Mohkuma Parishads were entrusted with several functions like security and approval of the budget of the Anchalik Panchayat, review of the work of the Anchalik Panchayat to advise the government in distribution of funds etc.

In 1992, panchayat elections were held in Assam which may be considered as landmarks in the history of panchayati raj system in Assam. In the year 1992, the Government of India introduced a new panchayati raj system by the Constitution (73rd Amendment) Act 1992. In order to take appropriate action under the 73rd Amendment, the Government of Assam replaced Assam Panchayati Raj Act 1986 with the Assam Panchayat Act 1994. Under this Act, Zila Parishads, Anchalik Panchayats and Gaon Panchayats are constituted at the District level, Block or intermediate level and village level, respectively.

The voters of the Gaon Panchayat directly elect the President and the members of the Gaon Panchayat. The President of the Anchalik Panchayat is elected from amongst the Anchalik Panchayat members. The members of the Zila Parishad are elected by the voters of Zila Parishad constituency. There is a provision of reservation of seats for SCs, STs and women also. 33% of total seats of panchayats are reserved for women. Seats are reserved for the Scheduled Tribes and Scheduled Castes

communities on the basis of population. The Act provides for setting up a State Finance Commission to review the financial position of the panchayat bodies and suggest recommendations for sharing of resources between the State and panchayats. Besides, there will be a District Planning Committee to consolidate the district plan. The Act also provides opportunities to mobilize the resources of panchayat in many ways.

The Assam Panchayat Act, 1994 mentions some functions of the three-tier Panchayati Raj Institutions . Among these, preparation of annual plans and annual budget, mobilization of relief in natural calamities, removal of encroachment on public properties, organizing voluntary labourers and contribution for community works, maintenance of essential statistics of villages and such other development works as may be entrusted are some important functions of the Gaon Panchayats.

Similarly, Anchalik Panchayats are entrusted with preparation of annual plan and annual budget which are submitted to the Zila Parishad for approval, consolidation of the annual plans of all Gaon Panchayats, execution of work entrusted by the government or the Zila Parishad, and to assist the government in relief operation in natural calamities.

The function of a Zila Parishad is to prepare plan for economic development and social justice of the district and ensure the co-coordinated implementation of such plan.

The legislature of a State may by law endow the Panchayat with such powers and authority as may be necessary to enable them to function as institutions of self-government as the State or the Central governments, reservation of seats for Scheduled Castes and Scheduled Tribes, etc., mandatory reservation of seats (not less than one-third) for women in proportion to their population, etc. To prevent executive control over powers and functions of Panchayati Raj Institutions, many State governments have enacted laws, empowering panchayats as institutions of self-government and transferred many departments to panchayats. In Madhya Pradesh, the State government transferred 22 departments to panchayats. In Assam the State government transferred 14 subjects out of 29 subjects to Panchayati Raj Institutions.

7.6 73RD and 74TH AMENDMENT ACTS

Salient Features of the 73rd Amendment Act :

- The Act corresponds to Part IX of the Constitution of India. This Part is consisted of provisions from 243 to 243 (O).
- The Act has added the Eleventh Schedule to the Constitution of India. It contains 29 functional items of the Panchayats and deals with Article 243 (G).
- The Act gives a Constitutional status to the Panchayati Raj Institutions.
- The state governments are under the constitutional obligation to adopt the new Panchayati Raj System in accordance with the provisions of the Act.
- There shall be a three-tier system of Panchayat at village, intermediate and district levels.
- The provisions of the Act are to be included under two categories :

(i) The compulsory provisions of the Act are to be included in the state laws creating the requisite provision required the timely elections, reservations.

(ii) The voluntary provisions on the other hand may be included at the discretion of the states.

Provisions of the 73rd Amendment Act :

(i) Gram Sabha (Article 243A) :

This Act provides for a Gram Sabha as the foundation of the Panchayati Raj System. It is a body consisting of persons registered in the electoral rolls of the village comprised within the area of the Panchayat at the village level.

(ii) Election of the Members and Chairpersons (Article 243C)

All members of the Panchayats at the village, intermediate and district levels shall be directly elected by the people. The chairpersons of the Panchayats at the intermediate and district levels shall be indirectly elected by and amongst the elected members.

(iii) Reservation of Seats (Article 243D)

The Act provides for the reservation of seats for the Scheduled Castes and the Scheduled Tribes in every Panchayat in proportion with their population. If the States find it necessary, they can also provide for reservations for the other backward classes (OBCs). The Act provides for the reservation of not less than 1/3rd of the total number of seats for women. It is important to note that these reservations apply not merely to ordinary members in Panchayats but also to the positions of Chairpersons or '*Adhyakshas*' at all the three levels. Further, reservation of one-third of the seats for women is not merely in the general category of seats but also within the seats reserved for Scheduled Castes, Scheduled Tribes and backward classes.

(iv) Powers and Functions (243G) :

The state legislature may endow the Panchayats with such powers and authority that may enable them to function as institutions of a self government. Such a scheme may contain provisions for the devolution of powers and responsibilities of the Panchayats, such as preparation for plan of economic development and social justice, implementation of schemes for the economic development and social justice as entrusted to them. There is also a State Finance Commission **(**under Article 243 (I)) being appointed to look into matters of finance in the interests of the Panchayats.

For looking into the matters of decentralisation for the tribal communities of North East India a separate provision had already been provided under the Sixth Schedule, i.e**.** Autonomous District Councils. The idea behind the setting up of Sixth Schedule of the Constitution of India was to provide the tribal people of North East India with a simple administrative set up which could safeguard their customs and ways of life and to provide autonomy in the management of their affairs.

- **74th Amenment Act**

The Constitution (74th Amendment) Act, 1992 came into effect in April 1993. The core features of the Constitution (74th Amendment) Act, 1992 are as follows :

Features :

- Part IX A of the Indian Constitution was added by the 74th Amendment Act. This Part is titled as 'The Municipalities' and it consists of provisions from Articles 243 (P) to 243(ZG).
- This Act also added 12th Schedule to the Constitution of India. This Schedule contains eighteen functional items of municipalities. It deals with article 243(W).
- The Act provides for the constitution of three types of municipalities in every state: Nagar Panchayat, Municipal Council and Municipal Corporation.
- All the seats of the municipality shall be filled by direct election from the territorial constituencies in the municipal area. Each municipal area shall be divided into territorial constituencies to be known as wards. The legislature of a State may by law make provision with respect to composition, manner and territorial area of wards committee.
- Seats are reserved for SCs and STs in every municipality and one-third of the total seats are reserved for women.
- Every municipality shall continue for five years from the date appointed for its first meeting. Under the Act, a municipality means an institution of self-government. As an institution of self-government, it can prepare plans and implement them for economic development and social justice.
- The legislature of a State may by law endow the municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provision for the devolution of powers and responsibilities with respect to preparation of plan and its implementation and subjects incorporated in Twelfth Schedule for economic development and social justice. The legislature of a State may by law authorize a municipality to levy collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits.

- The Finance Commission constituted under the 73rd Amendment Act shall review the financial position of the municipality. Similarly, the superintendence direction and control of the preparation of electoral rolls for and the conduct of all elections to the municipalities shall be vested in the State Election Commission.

7.7 PROBLEMS IN THE WORKING OF PANCHAYATI RAJ

Panchayati Raj in India faces problems at political, social, and economic levels. These problems have stood in the way of efficient functioning of Panchayati raj institutions. Some of these problems are -

(i) There are no regular elections for panchayats. Though, the Constitution provides for election every 5 years, in some states elections take place after decades.

(ii) Factors like groupism, caste, class, etc play a dominant role in the election processes that causes hindrance in the smooth functioning of these institution.

(iii) Political interference from the state governments and administrative agencies has become a common phenomenon. Illegal use of manpower, money power and muscle power in elections to the Panchayat system have weakened these institutions.

(iv) There is a clear absence of efficient and transparent functional jurisdiction and administrative autonomy for Panchayats.

(v) Policy of reservation for weaker section has not been of much use due to ignorance and illiteracy of the people and their representatives.

(vi) Absence of inbuilt structural and organisational strength to force the administrators to follow the decision is another hindrance to the functioning of these institutions.

(vii) Paucity of funds and resources is another problem.

(viii) A major problem for these institutions is the lack of financial autonomy to impose taxes and charges.

(ix) Diversion of funds by the state governments which were allocated for the development of the Panchayati raj institutions also creates probelms.

(x) The generic nature of devolution overlaps with the departments of DRDA, DPC and other agencies makes the process of functional devolution meaningless. Further, many functions are shared between two of three tier of PRI . These, in turn, have not only adversely affected the efficiency and effectiveness of the panchayats but also not nabled them to prepare plan for economic development and social justice as envisaged by the Constitution.

Following are few steps that can be taken in order to ensure the proper functioning of the Panchayati Raj Institutions:

i. Ensuring **capacity building** support to the elected members and officials of *Panchayati Raj* institution, which will significantly enhance their performance. Panchayat training must promote a culture of oneness amongst *Panchayat* leaders and officials, through **exposure visits** and interactions between districts and States.

ii. PRIs need to have the minimum **capacity building infrastructure** along with teams of capable trainers and facilitators. **Special training programmes** must also be organized in areas covered by the Panchayats (Extension to Scheduled Areas) Act, 1996 so as to have regard to the cultural traditions and special needs of tribal people.

iii. Identifying major bottlenecks at the local governance level through consultative processes like group discussions, public hearings, developing participatory tools etc will also help in proper functioning of PRI. Encouraging research, studies, assessment and evaluation related to functioning of PRIs, which will suggest policy actions as well as will indicate areas of further administrative reforms.

iv. Institutionalising a system of social audit, is essential for improving local service delivery and for ensuring compliance with laws and regulations. Special efforts must be made to undertake training and awareness campaigns for Social Audit by Gram Sabhas.

v. People's participation and involvement of the people's organisations like the civil societies, community based organisations, voluntary organisations, local NGOs in governance is an essential input in all the stages of development; so more efforts need to be made in this direction.

The institutions of local governments are the agencies implementing the welfare and development schemes of the Central and State Government. Providing more power to local government means more decentralisation of power. Democracy means that power should be shared by the people; people in the villages and urban localities must have the power to decide what policies and programmes they want to adopt. Democracy means decentralisation of power and giving more and more power to the people. The laws regarding local governments are important steps in the direction of democratisation. But the true test of democracy is not merely in the legal provisions, but in the practice of these provisions to see whether they can withstand the challenging tides of time.



CHECK YOUR PROGRESS

Q 4: State any four recommendations of the Balwant Rai Mehta Committee.

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Q 5: What are the provisions provided for the development of women in the 73rd Amendment?

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Q 6: Write briefly about any two provisions of the 73rd Amendment Act.

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Q 7: Write briefly about any four problems which put obstacles in the efficient functioning of Panchayati Raj system in India.

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7.8 LET US SUM UP

- The institution of Panchayati Raj has been seminal to nearly all forms of political administration that large parts of India have witnessed throughout history, spanning several millennia. Panchayats are units of local governance involving various administrative and financial functions.
- In India, during the colonial period, a few notable British authorities like Lord Mayo and Lord Ripon emphasized the role of Panchayats for efficient local administration.
- After independence Indian leaders emphasised on strengthening of Panchayati Raj system and a number of Committees were appointed to make this system more effective. Some of the important Committees were Balwant Rai Mehta Committee, Ashok Mehta Committee etc. These Committees made important recommendations for making Panchayati Raj institutions effective and efficient.
- In 1992 the 73rd Constitution Amendment Act was passed through which the Panchayati Raj Institutions have been provided constitutional status.
- Panchayati Raj in India faces problems at political, social, economic levels which put obstacles in the efficient function of these institutions. Active participation of people in Panchayati Raj Institutions will definitely make these institutions more effective and efficient.



7.9 FURTHER READING

1) Jain, L.C. (2005). *Decentralisation and Local Governance.* New Delhi: Orient Longman Private Limited.
2) Jayal, N.G.; Prakash, A. And Sharma, P.K. (ed) (2006). *Local Governance In India: Decentralisation and Beyond*. New Delhi: Oxford University Press.
3) Pawar, M.R. (ed) (2013). *Panchayati Raj System in India*. New Delhi: Garima Prakashan.
4) Sharma, R. (ed) (2005). *Grass-Root Governance: Changes and Challenges in Rural India*. Jaipur: Aalekh Publishers.



7.10 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : 73rd Constitution Amendment Act

Ans to Q. No. 2 : 73rd Constitution Amendment

Ans to Q. No. 3 : Lord Ripon

Ans to Q. No. 4 : (i) There should be three tier structures of local self government bodies from village to the district level and these bodies should be linked together.

(ii) There should be genuine transfer of power and responsibility to these bodies to enable them to discharge their responsibility.

(iii) Adequate resources should be transferred to these bodies to enable them to discharge their responsibilities.

(iv) All welfare and developmental schemes and programmes at all three levels should be channelled through these bodies.

Ans to Q. No. 5 : The 73rd Amendment Act provides for reservation of 1/3rd seats for women. There has also been an amendment pending that seeks to increase reservation for women upto 50%. Further, reservation of one-third of the seats for women is not merely in the general category of seats but also within the seats reserved for Scheduled Castes, Scheduled Tribes and backward castes.

Ans to Q No. 6 : (i) Gram Sabha (Article 243 A) : The 73rd Amendment Act provides for a Gram Sabha as the foundation of the Panchayati Raj System. It is a body consisting of persons registered in the electoral rolls of the village comprised within the area of the Panchayat at the village level.

(ii) Election of the Members and Chairperson (Article 243C): All members of the Panchayats at the village, intermediate and district levels shall be directly elected by the people. The chairpersons of the Panchayats at the intermediate and district levels shall be indirectly elected by and amongst the elected members.

Ans to Q. No. 7 : (i) There is no regular elections for these institutions Though, the Constitution provides for election every 5 years, in some states elections take place after decades.

(ii) Factors like groupism, caste, class, etc play a dominant role in the election processes that causes hindrance in the smooth functioning of the institution.

(iii) Political interference from the state governments and administrative agencies has become a common phenomenon. Illegal use of manpower, money power and muscle power in elections to the Panchayat system have weakened the institutions.

(iv) There is a clear absence of efficient and transparent functional jurisdiction and administrative autonomy for Panchayats.



7.11 POSSIBLE QUESTIONS

Q 1 : Who is the Father of Local Self Government?

Q 2 : Which was the first state to adopt the Panchayati Raj institutions?

Q 3 : Write briefly about features of the 73rd Amendment Act.

Q 4 : Write a short note on the Ashok Mehta Committee.

Q 5 : How many subjects have been entrusted upon the Municipality under the 74rd Amendment Act, 1992 ?

Q 6 : Write briefly about the functions of the Anchalik Panchayats as provided by the Assam Panchayat Act 1994.

Q 7 : Write briefly about the Assam Rural Self-Government Act 1926.

Q 8 : Write about any four features of the 74th Amendment Act.

Q 9 : Write briefly about the Assam Panchayati Raj Act of 1959.

Q 10 : Write a short note on the Assam Panchayat Act 1994.

Q 11 : Make a note on the 74th Amendment Act.

Q 12 : Discuss the growth of local self government in Assam.

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UNIT 8 : REGIONAL ASPIRATIONS-IDENTITY POLITICS IN ASSAM (LANGUAGE MOVEMENT AND ASSAM MOVEMENT)

UNIT STRUCTURE

8.1 Learning Objectives

8.2 Introduction

8.3 Regional Aspirations and Identity Politics in Assam: Genesis of the Problem

8.4 Language Movement

8.5 Assam Movement

8.6 Critical Assessment

8.7 Let Us Sum Up

8.8 Further Reading

8.9 Answers to Check Your Progress

8.10 Possible Questions

8.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- explain the roots of identity politics in Assam
- discuss the factors which led to the Language Movement
- discuss the factors which led to the Assam Movement
- critically evaluate both these movements.

8.2 INTRODUCTION

Historically, Assam has been a witness to large scale influx of immigrants which contributed to its ethnic and linguistic diversity. Since the time of British rule, a regular flow of population from outside the state has populated the otherwise sparsely inhabited region. This had led to a feeling of insecurity- both socio-cultural as well as economic- amongst the locals

of the region. Added to this insecurity, was the alleged neglect by the Centre in terms of speeding up development in the state, which has, in its extreme form, propelled a tendency to even seek an independent state of its own, by a certain section of the populace. It is noteworthy that given the unique mixture of population in Assam, thanks to the immigration of outsiders, the expression of discord by the locals has often taken the shape of identity politics, in terms of protection of cultural and linguistic identity of the Assamese, rather than seeking any economic redress. Two important events which mark Assam's quest for protection of its indigenous identity are, the Language movement and the Assam movement. Though, both these movements might seem unconnected to each other at first glance to someone who is unaware of Assam's history, in reality the roots of both these movements can be traced in history to the colonial rule. Thus, before we study both the aforementioned movements, let us have a brief look at the historical background which led to these two movements.

8.3 REGIONAL ASPIRATIONS AND IDENTITY POLITICS IN ASSAM : GENESIS OF THE PROBLEM

Conceptually, identity politics refers to social mobilisation or political activity of people who belong to the same race, religion, gender, language, culture or ethnicity, in order to secure their rights against any other dominant group. Identity politics carries with it the fear of being marginalised by the dominant group. This perceived fear of marginalisation leads a particular group to demand for recognition and protection of its identity. In the context of India, such insecurity leads to demands for creation of separate States on the basis of language, in order to protect the linguistic identity of different groups. The identity politics in Assam is also based on protecting the linguistic identity of the Assamese population. As already mentioned, the roots of identity politics in Assam lie in colonial period.

The British rule over Assam began in the year 1826, as a part of Bengal Presidency. This arrangement continued till 1874, when it was placed under a Chief Commissioner, after attaching three of Bengal's districts with

it, viz, Sylhet, Cachar, and Goalpara. In 1905, under Lord Curzon, Bengal was partitioned into two- 'West Bengal' with a majority Hindu Bengalis and 'East Bengal and Assam' which had a majority of Muslim Bengalis. This partition was strongly opposed by both the Hindu Bengalis as well as the Assamese, leading to an annulment of this partition in 1912. Under this new arrangement, Assam was once again made a province, which included the district of Sylhet and Cachar, and was placed under a Chief Commissioner. While Sylhet had a majority of Bengali Muslims, Cachar was dominated by the Bengali Hindus. Such arrangement of boundaries between provinces, done basically for administrative convenience, completely ignored the linguistic, cultural or ethnic aspects of the regions. On the contrary, it might have been done with the motive of preventing a particular section of population from uniting against the British. In fact, when Persian was replaced by Bengali as the Court language of Assam in 1831, it established the dominance of Bengali over other local languages in the region. With passage of time, the youths of the region became aware of how their language was marginalised and how the Bengali speaking population got the important government jobs; Bengali being the official language of the region. This led to opposition by the youth to recognise and replace Assamese as the official language. For instance, Anandaram Dhekiyal Phookan, in 1852 had requested Moffat Mills (Judge of the Sudder Court in Calcutta) , to stop imparting instruction in vernacular schools in Bengali(Sanjib Baruah, 1999, p. 71). Thus, Assam, under colonial rule was never an exclusive territory of the Assamese. This colonial reorganisation of Assam which had a majority of Bengali population, both Hindus and Muslims, is where the perceived threat to Assamese language has its roots.

Further, the British rule also brought with it, new industries in Assam, viz., jute and tea industry, which called for constant supply of labour. This requirement for labour was fulfilled by recruiting people from Chotanagpur, Bihar, Uttar Pradesh, and Madras leading to constant immigration in Assam. Added to this was the migration of a majority of Bengali Muslim peasants from East Bengal to Assam. Such large scale immigration continued till 1947, and changed the demography of Assam. The share of percentage of

Assamese population had seen a decline as compared to the immigrants, especially the Bengali speaking population. This, as Sandhya Barua notes, had 'made the Assamese anxious about their social and political position' (Sandhya Barua, 1978, pp.70-71).

In fact, in 1937, two renowned intellectuals of the State, Ambikagiri Raichowdhury and Nilmoni Phukan, had formally stated to Nehru, that Assam would support the Congress only on the condition that the latter helped the State to deal with its problem of immigration from Bengal. They also stated that in any situation contrary to this, Assam would support secession from India. All this point towards the fact that problems between Assamese and Bengalis are rooted in history and that it is this rivalry that materialised into the Language Movement as well to a large extent even the Assam Movement, in post-independent India.

8.4 LANGUAGE MOVEMENT

As seen above, the British history of Assam projects a historic rivalry between the Assamese and the Bengali community, wherein the latter is the immigrant and considered a foreigner within the State. With independence and partition of the country in 1947, problems became more complicated. While partition reduced the number of Bengali population in Assam to a considerable degree due to Sylhet's merger East Pakistan (now Bangladesh), it also led to a huge influx of refugees from East Pakistan who were mostly Hindu Bengalis. The Indian Parliament, after many requests from Assam to solve the immigrant crisis, passed the Immigrants (Expulsion from Assam) Act,1950. Although the Act was intended to remove the immigrants from Assam, it also had an exception which sought to protect those refugees who had fled Pakistan due to any civil disturbance or fear of it and had thereby resided in Assam. Thus, the Act did not solve the 'refugee' issue, and the fear of the Assamese about being outnumbered by the immigrants reappeared once again. Coupled with this fear was the socio-economic effects of resettling the refugees, which troubled the State.

In September 1947, the newly formed Government of the Congress Party, sought to provide some relief to the Assamese population by making Assamese a compulsory second language in those schools where Assamese cannot be made the sole language. This helped raise the number of Assamese educated middle class as well as the consciousness of Assamese nationalism. Organisations such as the Assam Jatiya Mahasabha under its President Ambikagiri Raichoudhury urged the Gopinath Bordoloi government to declare Assamese the state language as well as to make it the medium of instruction in all educational institutions. It further urged that Assamese people should be given preference in recruitment for government jobs.

Independence brought with it changes in the power equation in Assam, as the Assamese now wielded political power, which increased their political mileage over other sections of the populace. The youth demanded that the Bengali signboards in the shops should be replaced with Assamese, that there should not be separate Bengali schools for the Bengali population, and everyone should accept Assamese as their language. Such demands led to riots in 1948 and 1950.The government had also issued instructions to make arrangements for introducing Assamese as a medium of instructions in all schools of the valley. The Cachar District Committee strongly resented this government policy and wanted Bengali medium schools for their community. There was disagreement between the two communities on the question of status of their own languages, as language was intricately linked with employment as well as one's cultural identity: while the Bengalis wanted an equal status between Assamese and Bengali, the Assamese youth wanted a higher status for their own language. With an eye on government jobs and other economic opportunities, and to counter the assumed Bengali domination, the Assamese initiated a cultural campaign in the State. The Assam Sahitya Sabha declared 16th July 1951 to be observed as 'State Language Day' and requested everyone to cooperate in introducing Assamese in the educational institutions. The day saw violence against the Hindu Bengalis in Nagaon district.

Historically, the Hindu Bengalis were seen as an obstacle and a threat to the development of the Assamese. The reason being that it was the Hindu Bengali who had bagged most of the government jobs during the colonial rule due to Bengali being the official language. Thus, under the changed scenario, the Assamese did not want to share power or economic resources with the Bengali any further. (Gohain,1982, p.165).

It is interesting to note that while the Bengali Muslims and other migrant labourers were schooled in Assamese medium institutions, it was the Hindu Bengalis which insisted on Bengali medium educational institutions.The former realised that learning Assamese would increase their acceptability in Assamese society and make it easier for them to get land. This is one reason behind the swelling of speakers of Assamese language from a mere 3 per cent in 1901 to around 62 per cent in 1951, and the decline of Bengali speakers from 69 per cent to around 17 per cent. In any case, it helped the Assamese from becoming a minority in their own land. (Census of India, 1951, p. 414) The Bengalis viewed this in negative light- as a strategy to implement the policy of making Assamese as the official language.

In 1955, problems once again emerged between the two communities, as West Bengal laid claim on Assam's Goalpara district on the basis of language. Demonstration in favour and against the merger was held by the Bengali and Assamese students respectively. However, the merger did not materialise as the State Reorganisation Commission Act, 1956 did not allow any further division of Assam.

The Official Language issue once again erupted in April 1959, when the Assam Sahitya Sabha urged the government to declare Assamese as the state language by 1960. 'State Language Day' was observed on 9 September 1959, with meetings and resolutions being passed on the issue. The Assam Assembly also debated and discussed the issue with most of the political parties supporting it with the exception of tribal organisations. The Bengal Sangram Parishad wanted that Bengali should be made the second language of the State, and the official language of Cachar district where the Bengalis are in a majority. This was followed by demonstrations

and counter demonstrations as well as violence between the Assamese and Bengali speaking population. Slogans were raised, trains were stopped, shops were looted and even people were assaulted.

In the mean time, the government decided to introduce a Bill to declare Assamese as the State language, except in Cachar and other Hill districts where it would be applicable as and when they are ready for it. The decision was not welcomed by the Cachar Congress as it wanted Assam to be made a bi-lingual State with Bengali as the second language. The year 1960 and 1961 saw riots and lawlessness in most of the parts of Assam over the official language issue. However, The Assam Official Language Bill was passed and it stated that:

Assamese shall be used for all or any of the official purpose, of the State of Assam: Provided that the English language, so long as the use thereof is permissible under Article 343 of the Constitution of India, and thereafter Hindi in place of English, shall also be used for such official purposes of the Secretariat and the offices of the Heads of the Departments of the State Government. (http://www.neportal.org/northeastfiles/Assam/ActsOrdinances/Assam_Official_Language_Act_1968.asp)

Not satisfied with the provisions of the Act, the Bengali population in Cachar continued to oppose it. While the Nikhil Assam Bangla Bhasa Samiti submitted a memorandum to the President of India to recognise Bengali as a State language in Assam, the Cachar Sangram Parishad called for total strike on 19 May 1961. Problems got magnified as the Congressmen from Assam Provincial Committee formed the Bhasa Andolan Samiti to counter the movement by the Bengali population. On the day of strike, 11 persons were killed in police firing in Silchar, while 21 got wounded.

Finally, in order to resolve the issue, the 'Shastri' formula was supposed to be enacted as a measure to bring compromise between the two communities. Among other propositions, the 'Shastri' formula categorically stated that 'Bengali language shall be used for administrative and other official purposes upto and including the district level in the district of Cachar' and that 'the Assam government may consider the release of

all prisoners detained in connection with the movement, except those charged with crimes involving violence....' (Suresh K Sharma, 2006, p. 76). However, it satisfied neither of the parties; while the Sangram Parishad was unhappy about Bengali not been made an Official language of the State, the Assam Sahitya Sabha objected to the clause related to continuance of Bengali in Cachar which would affect the status of Assamese language as the sole official language. However, the State government made an amendment to the Official Languages Act, 1960 in accordance with the 'Shastri' Formula.

Riots started once again in 1972, when it was declared by Gauhati University that Assamese would be the medium of instruction in educational institutions under it, except in certain areas with non-Assamese population, viz, Cachar, Nagaland, Meghalaya, Manipur and NEFA, where English would be retained. This decision led to a demand in Cachar, to recognise Bengali along with Assamese and English as a medium of instruction in every college of the State. The demand was based on the presumption that the other two Universities would follow suit and make Assamese the medium of instruction in the colleges under them. Following the protest, the Gauhati University Academic Council issued a clarification that students would be allowed to take their examination in either of the three languages- Assamese, Bengali or English. This clarification roused the Assamese students who were completely against answering the exam questions in Bengali, especially by those Bengali students who hailed from Brahmaputra valley. This led the Academic Council to once again revise its decision to allow only Assamese and English to used to write the examination. This encouraged the Sangram Parishad to launch an agitation once again. As a measure to resolve the crisis, the Chief Minister declared that a separate University would be established which would have under it the colleges in the district of Cachar. However, it did not meet the aspirations of the Sangram Parishad and had even upset the Assamese population in Brahmaputra valley, leading to violence is several places.

8.5 ASSAM MOVEMENT

The Assam Movement (1979-1985) was basically a movement against illegal immigration of people to Assam mostly from Bangladesh and a few from Nepal. Also known as Assam Agitation, it was a popular movement spearheaded by All Assam Students Union (AASU), a students' body, and the Assam Gana Sangram Parishad. The movement, through protests as well as demonstrations, sought to pressurise the government to throw out the illegal immigrants from Assam. The movement was mostly non-violent, expect for Nellie massacre. The movement got over in 1985 after the Assam Accord was signed. The movement can actually be located in history, as already mentioned above, in the clash between the indigenous people of the State and the immigrants from other parts of the country.

The movement started with the beginning of the process of by-election in Mangaldoi constituency, after the death of its Member of Parliament, Hiralal Patwari. The election process brought to light the swelling number of registered voters owing to inclusion of names of immigrants in the voters list. AASU immediately called for postponing of elections till the voters list was updated by deleting the illegal names. The updation was to be done on the basis of 'The National Register of Citizens, 1951'.They also demanded that the Indo-Bangladesh border be permanently sealed.

The movement began with picketing, shutting down of educational institutions and bandhs. The candidates for election were barred from filing nominations till the time their demands were fulfilled. The movement received a very positive response from the masses and even the gazetted officers, the police as well as printing press cooperated with the leaders of the movement. The lawlessness led to the fall of the Janata Party government in the State in September 1979. An economic blockade was also imposed by refusing to supply plywood, tea as well as crude oil from upper Assam, thereby inviting President's rule in the State in December 1979. *Tez dim tel nidu* ("would give blood but not oil") was the slogan during this phase. Between 1980-1982, the State saw the formation and fall of two governments, each time followed by imposition of Presidents rule. In

January 1983, it was decided to conduct elections once again, in an atmosphere which was far from being normal. The movement took a violent turn when on 18 February 1983, when the villagers of Nellie, who were mostly Bengali Muslims, were attacked by a group of tribals and Assamese. Similar attacks followed in other areas as well which included attacks on the Hindu-Bengali displaced people/ex-refugees from East Pakistan. The Central Government tried to control the situation with a strong hand, arresting the government officials who refused to obey the government orders, as well as the student leaders who had participated in the negotiations with the government.

Election was conducted with the help of polling agents from outside Assam, resulting in the formation of government under Hiteshwar Saikia led Congress (I). During the tenure of this government, the *Illegal Migrants (Determination by Tribunals) Act* (IM DT) was passed in October 1983, to be implemented in Assam. The Act laid down the process to detect illegal immigrants who migrated to Assam post 1971, and to deport them to Bangladesh. The Act also sought to protect the 'minorities' in the state, as many of them faced undue harassment during Assam Agitation. This Act was applicable only in Assam, as detection of foreigners' in the rest of country was done under *The Foreigners Act, 1946*. It is believed that the IM(DT) Act was faulty as detection and deportation of illegal immigrants was almost impossible under it. While under the Foreigners' Act, 1946, the onus is on the accused to prove his/her nationality, the IM(DT) Act puts the onus on the complainant to prove that the person accused is a foreigner. It is noteworthy that the Supreme Court, in July 2005, hadfinally declared it to be unconstitutional after it was challenged in the court under a Public Interest Litigation filed by the then AGP MP Sarbananda Sonowal. The Court observed that the IM(DT) Act created difficulties in identifying and expelling the illegal migrants.

Problems continued in Assam with strikes and hartal being the order of the day throughout 1983. Once again the leaders of the movement were called for negotiations in 1984, when Rajiv Gandhi had become the Prime Minister, following the assassination of Indira Gandhi. Several rounds of

negotiations took place between the Government and the AASU-AAGSP between 1984-85, which led to the signing of the Assam Accord on 15th August, 1985 putting an end to the six-year old Assam agitation.

The Assam Accord assured the following points: immigrants who had entered the State between 1951-1961 were to be considered full citizens with right to vote, while those who had entered between 1961-71 would be denied of voting rights for a period of ten years; all those immigrants who came to Assam after 1971 would be considered illegal and thereby deported; an economic package for development of the State was to be granted by the Centre along with creation of few industries, viz. paper mill, oil refinery, and an institute of technology. The Central Government also gave assurance to protect the cultural, social, and linguistic identity and heritage of the Assamese people. And finally, it was decided to conduct fresh elections in December 1985, after dissolving the existing Assembly.

The movement which saw the death of around 855 protestors, finally ended in 1985 after the newly formed political party, AGP (Asom Gana Parishad) won the elections. The AGP was formed by the AASU leader Prafulla Kumar Mahanta and his colleagues in 1985 with the agenda of dealing with the problem of illegal immigrants. The AGP formed the government in 1985. However, till date none of the governments have been able to implement the Assam Accord or solve the problem of illegal immigration from Bangladesh to the extent desirable.

8.6 CRITICAL ASSESSMENT

Certain important facts emerge from the identity movements in Assam- the Language Movement as well as the Assam Movement. One, both the movements were characterised by the fear of the Assamese being reduced to a minority in their own State. Secondly, the step-motherly treatment meted out by the Central Government in ensuring growth and development in the region led to economic backwardness of the region and hence the anguish of the Assamese. This has been aptly summarised by Nani Gopal Mahanta's argument on the Assam Movement:

'While the problem of continued influx and the ever-growing pressure on land, coupled with the fear of the Assamese losing their socio-political identity, seemed to be the immediate motivating factors of the movement, it was in actuality a popular outburst against decades of economic neglect of the state by the Central government. It is significant that the immediate popular movement which preceded the Assam Movement was the one led by the All Assam Students' Union (AASU) on the issue of economic backwardness of the state' (Mahanta, 2013, p.2)

Third, it is argued that, 'The Assamese people, including intellectuals, are clearly in a dilemma over the issue of language versus religion as the indicator of their identity.'(The Morung Express, 2016). The Language Movement centered around the linguistic identity of the Assamese as against the prevalence of Bengali, since the Muslim-Bengalis and other immigrants such as the tea tribes, were ready to adopt Assamese as their language. On the other hand, the Assam Movement was mostly targeted towards the illegal Bangladeshi immigrants. Although the movement began as a largely peaceful one, it did witness some incidents of violence as evident from the Nellie massacre of 1983. (Fernandes, 2005)

Fourth, the role of the political parties in manipulating the situation for electoral gains is also evident. After formation of the government, the AGP could not address the issue of detection and deportation of illegal migration to extent desirable. With regard to the Assam Accord, all the governments, both at the Centre and the State, have failed to implement its clause 6 which seeks to provide constitutional protection to the indigenous population regarding preservation and promotion of their cultural, social, linguistic identity and heritage.



CHECK YOUR PROGRESS

Q 1 : Who had in 1852 requested Moffat Mills (Judge of the Sudder Court in Calcutta) , to stop imparting instruction in vernacular schools in Bengali?

.....

Q 2 : The Indian Parliament passed the Immigrants (Expulsion from Assam) Act in which year ?

.....

Q 3 : Who was the President of the Assam Jatiya Mahasabha ?

.....

Q 4 : The Assam Agitation was spearheaded by which two organisations?

.....

Q 5 : President's rule in Assam was imposed for the first time in which year ?

.....

Q 6 : The AGP formed the government for the first time in which year?

.....



8.7 LET US SUM UP

- We have seen that Assam has been marred by identity based movements since independence. Both the movements discussed above have their basis in the history of the region, wherein the policies introduced by the British had created a feeling of cultural as well as economic insecurity amongst the indigenous Assamese population.
- Such feelings got a further aggravated in the post independence period with the perceived threat of Bengali domination over the government jobs as well as culture through their language, which was the official language of Assam in the colonial period.
- Assamese was sought to be made the State language, and through it, they tried to protect their identity as well as get access to the various economic opportunities, which would be unleashed henceforth, leading to a conflict with the Bengalis.
- Further, the influx of illegal immigrants, especially after creation of Bangladesh in 1971, created anxiety amongst the Assamese

population owing to pressure on the economic system in general and land in particular.

- Coupled with decades of neglect by the Centre and consequent underdevelopment as well as unemployment, the illegal immigrants issue acted as a catalyst for the youth to initiate a revolution.
- While the Language Movement was more about assertion of linguistic identity of the Assamese especially against the prevalence of Bengalis, the Assam movement was an identity movement targeted mostly towards infiltrators from Bangladesh.



8.8 FURTHER READING

1) Baruah, Sanjib. (2000). *India Against Itself*. New Delhi: Oxford University Press.
2) Gohain, Hiren. (1984). *Assam: The Burning Question*. Gauhati: Spectrum Publications.
3) Goswami, Sandhya. (1997). *Language Politics in Assam*. New Delhi: Ajanta.
4) Hussain, Monirul. (1994). *The Assam Movement - Class, Ideology and Identity*. Delhi: Manak Publications.



8.9 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : Anandaram Dhekiyal Phookan

Ans to Q. No. 2 : 1950.

Ans to Q. No. 3 : Ambikagiri Raichowdhury

Ans to Q. No. 4 : All Assam Students Union (AASU) and the Assam Gana Sangram Parishad

Ans to Q. No. 5 : 1979

Ans to Q. No. 6 : 1985



8.10 POSSIBLE QUESTIONS

Q 1 : Write briefly about the the Immigrants (Expulsion from Assam) Act,1950.

Q 2 : Trace the background of regional aspirations and identity politics in Assam.

Q 3 : Discuss the Language Movement in Assam.

Q 4 : Discuss the Assam Movement.

Q 5 : Write briefly about the Shastri Formula.

Q 6 : Write about the Assam Accord.

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UNIT 9 : REGIONAL ASPIRATIONS - DRAVIDIAN MOVEMENT

UNIT STRUCTURE

9.1 Learning Objectives

9.2 Introduction

9.3 Regionalism and Regional Aspirations

9.4 Genesis of the Dravidian Movement: Pre Independence Era

9.5 Dravidian Movement in Independent India

9.6 Critical Analysis of the Dravidian Movement

9.7 Let Us Sum Up

9.8 Further Reading

9.9 Answers to Check Your Progress

9.10 Possible Questions

9.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- comprehend the concept of regionalism and regional aspiration
- examine the background of the Dravidian Movement in pre-independence era
- discuss the reasons which led to the emergence of the Dravidian Movement
- critically analyse the Dravidian Movement.

9.2 INTRODUCTION

Post- independent India had been witness to several autonomy movements, mostly to fulfil regional aspirations in different parts of the country. Such autonomy movements have taken place in different parts of the country, viz., Assam, Punjab, Kashmir. These movements often turned violent, resulting in its suppression by the Central Government. However, after a prolonged and extensive process of dialogue and negotiation, most

of the autonomy movements have been resolved within a peaceful constitutional framework. The Indian Constitution's commitment to diversity and the accommodative approach have ensured that diverse groups can flourish within the ambit of a united country. Also, the adoption of democracy has allowed everyone to express their aspirations, sometimes within the narrow ambit of regional demands, without being considered anti-national. Thus, while on the one hand, democracy helps different groups to freely express their grievances and aspirations, thereby grabbing the attention of the Central Government; on the other hand, it encourages fissiparous tendencies in the country. The problem in democratic nations with diverse languages, religions, cultures and economic conditions, is the maintenance of a healthy balance between issues of regional and national importance. It has been seen that too much attention on a regional issue draws the government away from issues of national importance and vice versa. One of the earliest regional autonomy movements is the Dravidian Movement, which was carried out in erstwhile province of Madras. But before going into the details of this movement, it would be important to find out what regionalism is and how regional aspirations lead to autonomy movements.

9.3 REGIONALISM AND REGIONAL ASPIRATIONS

Regionalism implies love and attachment for a specific area or region in relation to the entire country. It derives from the term 'region'. A region is a homogeneous area with a shared identity amongst its people and is distinct from the rest of the country. Regionalism can be considered to have both negative as well as a positive connotation. Seen in positive parlance, it implies love for one's area, which can be considered very natural; its negative meaning would imply excessive affection for the region as compared to the rest of the country, and which can lead to secessionist demands. In the context of the Indian union, it may be argued that positive regionalism has made federalism possible, wherein the regions have a certain degree of autonomy over its own affairs. On the other hand, negative regionalism has led to separatist demands from areas like Kashmir, Nagaland, Punjab (for Khalistan), and Tamil Nadu for Dravidanadu.

Regionalism gives birth to regional aspirations, wherein the regions have the desire to protect their own language, religion, culture, or even their autonomy over their own affairs. They might also seek growth and development of their region. Two very important reasons which gives birth to regionalism are: first, the feeling of continued neglect by the government at the Centre, which is considered to be the reason behind their backwardness; and second, heightened political awareness of the people of the region about their distinct identity which makes it difficult for them to stay with 'others', who they feel are different from them in various aspects.

In India the phenomenon of regionalism was in practice even before independence, when the British tried to foster regional sentiments in order to pit one region against the other and rule the nation through its famous or rather infamous 'divide and rule' policy. Regionalism has remained a very powerful force even after independence and has decisively influenced Indian politics since then. One reason which leads to regionalism in India, is continuous negligence by the Centre of certain regions which leads to backwardness of that area as compared to others.

Many political parties thrive on the basis of keeping the sentiments of regionalism and regional aspirations alive. Parties like the Asom Gana Parishad (AGP) in Assam, Shiv Sena in Maharashtra, and Dravida Munnetra Kazhagam (DMK) in Tamil Nadu have always focused on regional issues in order to be in power. Political leaders, it has been observed, fuel regional sentiments in order to give shape to their personal ambition of capturing power at the state. They demand the creation of new states often highlighting the issue of protecting the region's distinct identity or to ensure economic development. But the underlying idea sometimes is much narrow, that of capturing power and forming the government in the newly created State. Another factor which accounts for increased regionalism is the creation of states on the basis of language. Linguistic chauvinism raises its head when the majority imposes its language on the minority of a particular state. This leads to demand for more autonomy or even a separate State by a section of the population. In extreme cases it also leads to demand for secession and establishment of an independent state. For example, the Dravidian

movement, discussed below, started off as an anti-Brahmin movement in the pre-independence era, became more of an anti-North Indian and anti-Hindi movement later on with the demand for secession from India. The movement is a typical example where neglect of a section of the population of a region by the dominating caste/class led to a call for a separate independent state.



CHECK YOUR PROGRESS

Q 1 : State the meaning of regionalism.

.....

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Q 2 : Write briefly about two factors responsible for the emergence of regionalism.

.....

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.....

9.4 GENESIS OF THE DRAVIDIAN MOVEMENT : PRE INDEPENDENCE ERA

The Dravidian Movement, also known as the Non-Brahmin Movement, started off in the pre-independence era, as a fight between the Brahmins and the Non-Brahmins regarding access to the benefits of English education, which indirectly meant access to government jobs and other benefits associated with it. It was an attempt by the non-Brahmins to enter an arena which was forbidden for them and was meant exclusively for the Brahmins. Initially, the movement aimed at establishing a separate state under the British rule. In order to give shape to the goals of the movement, Dr.C. Natesa Mudaliar started the Dravidian Association in 1916. The Association declared that it would strive to create a Dravidian state with government by and for the Non-Brahmins.

However, the Association was not successful and was soon replaced by the South Indian Liberal Federation, which later on became the Justice

Party in 1917. The South Indian Liberal Federation, in its manifesto highlighted the fact that although the Brahmins constituted only 3 percent of the population in erstwhile Madras Presidency, they dominated the government jobs as well as formed the majority in the Legislative Council. The movement sought to revive the non-Brahmins' self-respect.

The leadership of the Justice Party was in the hands of the elite Hindu non-Brahmins from the Madras Presidency which comprised of Andhra Pradesh, Karnataka, Tamil Nadu and the Malabar. One of the demands of the Justice Party was separate representation of the non-Brahmins in the Madras Presidency, which was fulfilled after the Montague-Chelmsford Reforms of 1919. As a result of this as well as the Congress Party's boycott of the elections in 1920, the results of the elections went in favour of the Justice Party and it was able to form the government. However, the party did not gather mass base owing to its elite character.

Periyar E V Ramaswamy, one of the leaders in the Congress party, had played a very important role in this non-Brahmin movement. Between 1921-1923, he was the Secretary of the Tamil Nadu Congress Committee. During this period, Periyar joined the Vaikom Satyagraha in the state of Travancore (now in Kerela), in support of the rights of the backward castes to have access to temple and to all the public roads. This pitched him against the Brahmins in the Congress party. Periyar, was from the beginning, against the hierarchical social structure which bred discrimination against those at the lower level of the hierarchy. He had joined the Congress party with the hope that he could bring about social reform and establish equality in the society. He believed that education and government jobs could be made available to the depressed section of the people, with the help of the Congress party. But he soon realised that the hatred towards the non-Brahmins within the party acted as a decisive factor in the party decisions. Therefore, the socially progressive reform measures, which sought to uplift the backward castes were never passed in the party. For instance, after repeated failed attempts of passing the resolution regarding communal representation in the government jobs, which it was believed would help the Dravidian, Periyar left Congress party in 1925 and started the Self-Respect Movement in 1926.

The aims and objectives of the Self-Respect Movement was to achieve equal rights for everyone in every sphere of life, to end the discriminatory caste system and religious practices, do away with child marriage as well as compulsory widowhood. The movement was essentially anti-Brahmin. Inspired by Robert Ingersoll, Periyar had an atheistic orientation and he denounced ritualistic religion wherein the caste system was sanctified. The atheistic side of Self-Respect Movement did not appeal to the non-Brahmin elites. However, the lower caste groups had massively supported the movement. Periyar had joined the Justice Party, after it had accepted his 'Fourteen Points Erode Programme', which was declined by the Congress. In 1938, C. Rajagopalachari proposed to introduce Hindi as a compulsory subject in schools, which led to protest amongst the Tamils as it was considered an attempt by the North Indian Aryans to dominate them. Periyar led the anti-Hindi drive and was even imprisoned. The protests, which involved marches, fasts, picketing, seminars and discussions, lasted for three years. The government responded with stern action against the protestors, and arrested many of them. It also led to of death of two protestors. These protests led the British governor, Lord Erskine, to withdraw this step in 1940 and make Hindi an optional subject.

The anti-Hindi agitation, however, did not stop but led to a call for 'Tamil Nadu for the Tamils'. This, however, did not mean an independent sovereign Tamil Nadu, but one directly under the Secretary of State in London and not the Viceroy of India. This demand got a further up-gradation with a demand for an independent sovereign Dravidanadu, comprising of Andhra Pradesh, Kerela, Tamil Nadu and Mysore. The underlying assumption of this demand was the belief that Aryans and Dravidians belonged to different races and are not meant to be together. But, this movement did not appeal to the four Southern states and was essentially a movement of the Tamils.

In the meantime, the Justice Party was getting divided into two factions: the radicals, led by Periyar and C N Annadurai, who wanted the party to become mass based rather than being elitist, and the conservatives, who wanted to hold on to their elitist orientation and retain the privileges under the British rule. These contradictory opinions led to a split in the Justice

Party, and the formation of the Dravida Kazhagam (henceforth DK) by the radicals under the leadership of Periyar, as well as Annadurai who emerged as the next most important leader after Periyar. The Justice Party had already become weak by 1940, and therefore its goal of protecting Dravidian interests was furthered by the DK. The DK vehemently attacked the unequal Hindu caste system and sought to achieve an independent Dravidanadu. It encouraged inter-caste marriages and widow re-marriage where marriages were not to be solemnized by Brahmin priests. Attempts were also made to remove sanskritic elements from Tamil language and purify it. The movement affirmed regional pride and raised slogans such as 'Dravidanadu Dravidarukke' (the land of the Dravidians belongs only to Dravidians). All these attracted the mass and created a sense of Tamil identity, especially among the youths. With the passage of time, Periyar's leadership caused dissatisfaction while Annadurai became more influential, leading to the formation of a new party, the Dravida Munnetra Kazhagam (DMK) by the latter.

9.5 DRAVIDIAN MOVEMENT IN INDEPENDENT INDIA

After attaining independence, the Jawaharlal Nehru government, in 1948, sought to make Hindi compulsory in the schools across the country. The Congress government in Madras complied with this order and made Hindi compulsory in schools along with the requirement of securing a designated minimum marks to qualify for promotion to higher classes. This invited anti-Hindi agitation in Madras presidency once again with both Periyar and Annadurai being arrested for leading the movement. Eventually, the government made learning Hindi optional once again.

Formed in 1949, owing to the differences with Periyar, the Dravida Munnetra Kazhagam (DMK) after independence took forward its fight against the Brahmin domination. One major point of discord between Periyar and Annadurai was with regard to making DK a political party. This was opposed by Periyar and hence Annadurai formed DMK as a political party which would carry on with the goal of forming independent Dravidanadu. The DMK

represented a movement as well as a party. It was 'strongly anti-Brahmin, anti-North Indian and anti-Aryan—southern Brahmins and North Indians being seen as Aryans, all other South Indians as Dravidas' (Bipan Chandra et al, 2008, p. 393).It raised slogans such as: *'therku thaike- rathu, vadaku valarkerathu'*, i e, the South is receding and the North is marching ahead. Their hatred towards the domination of the Aryan race over the South Indians, was the common reason for hating the Brahmins as well as North Indians. The most important demand of the DMK as already mentioned, was an independent homeland for the Dravidians.

Between 1953-54, the DMK started off a three-pronged agitation against the Centre as well as the state in order to protect Tamil interests. The first agitation was against naming of Kallakudi railway station as Dalmiapuram, which honored a north Indian industrialist Dalmiya by naming the township after him. This was strongly resented by the DMK which considered it to be an insult to Dravidians. The second agitation sought to make changes in the school curricula in order to give more importance to Tamil cultural history. The third agitation was with regard to the new education scheme proposed by C Rajagopalachari's government in 1953. According to this scheme, school hours were reduced by half, so that children can spend the rest of the time to learn the craft of their parents. This was seen by DMK as perpetuating the caste system, as Hindu society was hierarchically arranged on caste based profession. This implied that under the proposed educational scheme, a child of a carpenter can only become a carpenter. Thus, the DMK opposed this scheme and finally the government had to withdraw it in 1954.

The DMK also opposed the policy of making Hindi the official language of the country. The official language debate started since the time of framing the Constitution. After intense debate and discussion, it was agreed that Hindi would be the official language while English would be an associate official language for fifteen years. After the end of fifteen years, Hindi would become the sole official language of the country. This was unacceptable to the non-Hindi states, which demanded continuation of English. The DMK had led this movement against Hindi, which forced the

Prime Minister, Jawaharlal Nehru, to enact the Official Languages Act, 1963, whereby it was confirmed that English would continue to be used even beyond 1965. However, the DMK was not satisfied that the Act would be implemented by future governments. Thus, the anti-Hindi movement continued till the next Prime Minister, Lal Bahadur Shastri assured the implementation of the Official Languages Act, 1963 and continuation of English as one of the official languages. In 1967, the Indira Gandhi led Congress government amended the Act in order to provide guarantee for what was virtually assured by Lal Bahadur Shastri, i.e., use of both Hindi and English as official languages of the country for indefinite period.

The anti-Hindi agitation led to widespread popularity of the DMK and the party shot to power after the 1967 assembly elections. It is noteworthy that during the 1950s and 1960s, there was a change in the approach of the DMK. One hand, the party had toned down its anti-Brahmin stance and was now less hostile towards them, while on the other hand, the party now focussed less on race and more on arousing Tamil consciousness amongst the populace. The opposition to Hindi and the focus on social reforms, however, continued unabated. The party had also diluted its anti-secessionist agenda as it started to participate in elections while also taking part in parliamentary politics. This was partly due to the lack of support for secessionism from other south Indian states as also due to its change in agenda, as mentioned already. This diluted anti-secessionist approach became evident when during the elections of 1962, the DMK did not highlight the issue of independent Dravidanadu during its campaign, although it was mentioned in its election manifesto. Also, the party exhibited its nationalist approach by supporting the central government during the India-China war in 1962 and dropping all anti-secessionist drive.

The 16th Constitutional Amendment, 1962 finally offered a death blow to all secessionist movements, as advocacy of secession was made a crime while making it mandatory for all candidates to the State Assembly and the Indian Parliament to swear an oath of 'allegiance to the Constitution' and to 'uphold the sovereignty and integrity of India.' This led the DMK to amend its party constitution and do away with the demand for an independent

Dravidanadu. Its focus now was to achieve greater autonomy over the state's affairs with minimal intervention from the Centre. Thus, a strong separatist movement which had its roots in pre-independence was finally co-opted.

9.6 CRITICAL ANALYSIS OF THE DRAVIDIAN MOVEMENT

Critically seen, one major argument against the Dravidian Movement is its elitist character. Although the movement was strongly anti-Brahmin, it did not take within its fold the poor and the downtrodden. In other words, the movement failed to have a mass base and was merely confined within the elite non-Brahmins. With the passage of time, especially in post-independent India, the movement represented by the DMK, had completely ignored the goal of a casteless society which had alienated the Scheduled Caste from the movement. This is considered to be one of the important reasons that the movement is considered to have failed. With the involvement of DMK and its splinter group such as the All India Anna Dravida Munnetra Kazhagam (AIADMK) in electoral politics, the goal was to basically achieve reservation for the backward section of the population. This had hampered the administrative and educational standards, thereby negatively affecting development with caste and class induced economic disparities to remain (Chandra et al, 2008, p. 396). At best what the Dravidian movement achieved in the name of an anti-Brahmin movement was 'driving out Brahmins from Tamil Nadu to the rest of India and United States, thereby affecting science and technology, and intellectual and academic life in Tamil Nadu' (Chandra et al, 2008, p.395).

The Dravida parties had also gradually toned down its anti-Hindi and anti-North Indian attitude. They were no longer interested in carving out an independent Dravidanadu or in uniting all the southern states within the framework of the Indian Constitution (Chandra et al, 2008, p. 396). There are five reasons as to why the movement was diluted from being a secessionist one to demanding more state autonomy by the Dravida parties. Firstly, it was realised that secession would not be easy as the Indian state

would never agree to it and the movement would be suppressed with strong hands. Second, the contradiction, highlighted by the Dravidian parties, between the regional Dravidian identity and the overall Indian identity was more imaginary than real. Just like other States protected their regional identity within the framework of the Indian Constitution, the Dravidian States could also follow suit. Therefore, there was no immediate need for secession. Third, it was recognised that even within the democratic and federal set up of India, the state as well as individual Tamils had ample scope and freedom to explore economic opportunities as well as pursue social reforms. Fourth, cultural plurality is well accepted in India and the Indian Constitution provides mechanisms to protect this pluralism. Thus, there existed no threat to Dravidians or specifically to Tamils. Fifth, the Centre would not muddle with the rights of the states over its own culture, language and such other cultural matters. In short, cultural autonomy is guaranteed to the States. Thus, the confidence that 'unity in diversity' is possible within the framework of the Indian Constitution, made the Dravidian parties dilute their stance to resolve their problems through parliamentary and democratic means without resorting to secessionist movements.



CHECK YOUR PROGRESS

Q 3 : What was the aim of the Dravidian Association?

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.....

Q 4 : Write briefly about DMK's reaction regarding the policy of making Hindi official language of the country.

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.....

Q 5 : State two arguments against the Dravidian Movement.

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9.7 LET US SUM UP

- The Dravidian movement started off as an anti-Brahmin movement which sought to protect the rights of the non-Brahmins in securing education as well as government jobs. Later on it focussed on social reforms to establish equality in society.
- It has been seen that the movement remained confined to a few elite non-Brahmins, while the rest of their population were ignored. The movement opposed the north Indian Aryan domination over the south Indian Dravidians and had therefore opposed imposition of Hindi in the schools.
- The movement culminated in demand for a separate Dravidanadu as the Aryans and the Dravidians were different stock of population requiring separate independent countries for each. This demand made the movement a secessionist one, and one which was made illegal after the 16th Constitutional Amendment.
- The demand for Dravidanadu did not appeal to the other South Indian States and was thus basically remained a Tamil movement.
- The DMK spearheaded the movement in the post independent India but its participation in electoral politics had diluted its agenda of an independent state and was finally co-opted by the Centre.



9.8 FURHTER READING

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3) Sadiq, T. Umar. '*Emergence of Tamil Nationalism- A Socio- Political Study' SSRG International Journal of Economics and Management Studies*, Vol. 4, No. 5 May 2017.

4) Shunmugasundaram, Manuraj. (2016). 'A Century of Reform', *The Indian Express*, Nov 22.



9.9 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : Regionalism implies love and attachment for a specific area or region in relation to the entire country. It derives from the term 'region'. A region is a homogeneous area with a shared identity amongst its people and is distinct from the rest of the country. Regionalism can be considered to have both negative as well as a positive connotation. Seen in positive parlance, it implies love for one's area, which can be considered very natural; its negative meaning would imply excessive affection for the region as compared to the rest of the country, and which can lead to secessionist demands.

Ans to Q. No 2 : (i) The feeling of continued neglect by the government at the Centre, which is considered to be the reason behind their backwardness.

(ii) Heightened political awareness of the people of the region about their distinct identity which makes it difficult for them to stay with 'others', who they feel are different from them in various aspects.

Ans to Q. No. 3 : The aim of the Dravidian Association was to create a Dravidian state with government by and for the Non-Brahmins.

Ans to Q. No. 4 : The DMK opposed the policy of making Hindi the official language of the country. The official language debate started since the time of framing the Constitution. After intense debate and discussion, it was agreed that Hindi would be the official language while English would be an associate official language for fifteen years. After the end of fifteen years, Hindi would become the sole official language of the country. This was unacceptable to the non-Hindi states, which demanded continuation of English. The DMK had led this movement against Hindi, which forced the Prime Minister, Jawaharlal Nehru, to enact the Official Languages Act,

1963, whereby it was confirmed that English would continue to be used even beyond 1965. However, the DMK was not satisfied that the Act would be implemented by future governments. Thus, the anti-Hindi movement continued till the next Prime Minister, Lal Bahadur Shastri assured the implementation of Official Languages Act, 1963 and continuation of English as one of the official languages. In 1967, the Indira Gandhi led Congress government amended the Act in order to provide guarantee for what was virtually assured by Lal Bahadur Shastri, i.e., use of both Hindi and English as official languages of the country for indefinite period.

Ans to Q. No 5 : (i) One major argument against the Dravidian movement is its elitist character. Although the movement was strongly anti-Brahmin, it did not take within its fold the poor and the downtrodden. In other words, the movement failed to have a mass base and was merely confined within the elite non-Brahmins.

(ii) The Dravida parties had gradually toned down its anti-Hindi and anti-North Indian attitude. They were no longer interested in carving out an independent Dravidanadu or in uniting all the southern states within the framework of the Indian Constitution.



9.10 POSSIBLE QUESTIONS

Q 1 : In which year was the Dravidian Association formed?

Q 2 : State the meaning of Regionalism.

Q 3 : Write about the factors responsible for the growth of regionalism in India.

Q 4 : Write a short note on the origin of the Dravidian Movement in the pre independent period.

Q 5 : Make a note on the Dravidian Movement.

Q 6 : Critically analyse the Dravidian Movement.

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UNIT 10 : INSURGENCIES IN NORTH-EAST INDIA - ULFA, NDFB, NSCN

UNIT STRUCTURE

10.1 Learning Objectives

10.2 Introduction

10.3 Overview of Conflict in North East India

10.4 Insurgency: Meaning and Causes

10.4.1 Meaning of Insurgency

10.4.2 General causes responsible for the emergence of Insurgency in North East India

10.4.3 Insurgent Groups in North East India

10.5 Insurgent Groups in North East India: ULFA, NDFB, NSCN

10.5.1 United Liberation Front of Assam (ULFA)

10.5.2 National Democratic Front of Bodoland (NDFB)

10.5.3 National Socialist Council of Nagaland (NSCN)

10.6 Plausible solutions to address the problem of Insurgency in North East India

10.7 Let Us Sum Up

10.8 Further Reading

10.9 Answers to Check Your Progress

10.10 Possible Questions

10.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- discuss the overall conflict situation in North East India
- explain the meaning and causes of insurgency in North East India
- discuss the demands and struggles of three major insurgent outfits in North East India namely, ULFA,NDFB and NSCN
- present certain plausible solutions to prevent insurgency.

10.2 INTRODUCTION

North East India is an ethnically and culturally diverse region with an abundance of natural resources. However, this resource rich region is ironically having to grapple with the problem of insurgency over a long period of time resulting in human rights violations and negation of a peaceful environment for development. In this unit, we shall discuss the issues relating to insurgency in North East India.

10.3 OVERVIEW OF CONFLICT IN NORTH EAST INDIA

India's North East region has been a land of thousand mutinies which have been taking place since pre-independence times. The insurgencies in North East are a reflection of its social, cultural, ethnic and linguistic diversity, terrain, socio-economic development, politico-economic conditions, historical evolution and changes in the environment of the area.

A look at the demographic mosaic of northeastern India would show that this region is a home to a curious amalgam of cross-cutting societies. What adds to the problem of this plurality is the fact that the tendency for ethno-political assertion is high among almost all the groups. This is primarily because the political boundaries in most cases do not coincide with the existing social boundaries. The northeastern units of the Indian federation, in spite of having several political dimensions have not been able to cater to the demands of all the ethnic categories demanding for recognition of their distinctive identities.

This is however, reflected in the pattern of conflicts, and in the stance of insurgent groups which remain divergent and ever changing. These range from secession to autonomy, movements against foreigners and immigrants, ethnic integration, etc, still the common factor is resorting to violence in articulation and mobilization of the demands.

Conflicts in the region can be broadly grouped under the following categories :

- **National conflicts :** Involving concept of a distinct 'homeland' as a separate nation and pursuit of the realization of that goal by use of various methods both violent as well as non violent. Example: ULFA's demand for a sovereign Asom, NSCN's demand for Greater Nagaland.
- **Ethnic conflicts :** Involving assertion of numerically smaller and less dominant tribal groups against the political and cultural hold of the dominant tribal group. In Assam this also takes the form of tension between local and migrant communities.
- **Sub-regional conflicts :** Involving movements which ask for recognition of sub-regional aspirations and often come in direct conflict with the State Governments or even the autonomous Councils. Example: UPDS in Assam

10.4 INSURGENCY : MEANING AND CAUSES

10.4.1 Meaning of Insurgency

The term 'Insurgency' has been defined as the condition of revolt against the government that is less than an organised revolution. Insurgency is a strategy adopted by groups which cannot attain their political objectives through conventional means. It is characterized by protracted, asymmetric violence, ambiguity, the use of complex terrain (jungles, mountains, urban areas), psychological warfare, and political mobilization—all designed to protect the insurgents and eventually alter the balance of power in their favour. Insurgents may attempt to seize power and replace the existing government on one hand or they may have more limited aims such as separation, autonomy, or alteration of a particular policy on the other.

10.4.2 General causes responsible for the emergence of Insurgency in North East india

1. The Northeast region is home to a host of diverse ethnic tribes and communities. Most of the ethnic communities are largely of

Tibeto-Burman/Mongoloid origin. The region is thus ethnically, linguistically and culturally very distinct from the other states of India. This sense of cultural distinctiveness on the one hand and relative economic underdevelopment of the region make the people of the region largely wary of "outsiders."

2. As a consequence of the above mentioned point, large scale migration from other parts has created a fear in the minds of people that they will be reduced to a minority in their own states or regions. The locals look at the migrants as posing a threat to their local culture and traditions and fear that they have occupied the already limited employment opportunities.
3. Lack of economic opportunities and governance deficit have made it easier for people to feel alienated and left out and thus it has aggravated the situation for insurgency. There is a popular sentiment across the region that the Central government and "mainland" India is more keen to exploit the natural resources of the region, thus reducing the northeast region to a "colonial hinterland".
4. Presence of porous international borders and easy availability of arms has also contributed to the proliferation of insurgent outfits in the region.
5. Lastly, sometimes incidents of human rights violation are observed to be committed by security forces during counter-insurgency operations. This evokes public outcry allowing the insurgent outfits to mobilise public opinion in their favour. Existence of laws such as the Armed Forces (Special Powers) Act, 1958 (AFSPA) also contributes to the sense of alienation at times.

In north east India different tribes share the same geographical space. However, such ethnic and cultural specificities, were at times ignored during the process of delineation of state boundaries in the 1950s leading to many issues which still remain unresolved allowing militant outfits to fill in the vacuum.

10.4.3 Insurgent Groups in North East India

Nagaland :

I. National Socialist Council of Nagaland-Isak-Muivah (NSCN-IM)

II. National Socialist Council of Nagaland-Khaplang (NSCN-K)

Manipur :

I. People's Liberation Army (PLA)

II. People's Revolutionary Party of Kangleipak (PREPAK)

Assam :

I. United Liberation Front of Assam (ULFA)

II. National Democratic Front of Bodoland (NDFB)

III. Kamatapur Liberation Organisations (KLO)

IV. Karbi Longri North Cachar Hills Liberation Front (KLNLF)

V. United People's Democratic Solidarity (UPDS)

Tripura :

I. National Liberation Front of Tripura (NLFT)

II. All Tripura Tiger Force (ATTF)

Meghalaya :

I. Achik National Volunteers Council (ANVC)

II. Hynniewtrep National Liberation Council (HNLC)



CHECK YOUR PROGRESS

Q 1: Define insurgency.

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Q 2 : Explain four general causes responsible for the emergence of insurgency in the northeast India.

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Q. 3 : Name any two insurgent outfits of Assam.

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Q. 4 : What do you understand by the term national conflict? Explain with examples.

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10.5 INSURGENT GROUPS IN NORTH EAST INDIA: ULFA, NDFB, NSCN

Let us now discuss some of the major insurgent groups of the North East region.

10.5.1 United Liberation Front of Assam (ULFA)

The United Liberation Front of Assam is an insurgent outfit operating in Assam, North East India. According to sources, it was founded on 7 April 1979 at Rang Ghar, a historic structure dating to the Ahom kingdom and began operations from the year 1990.

- **Demands :** The organisation's main ambition was to engage in an armed struggle to form a Socialist Assam. Basically, the following are the demands made by the ULFA to the Government of India :
  - A fresh look on the issue of sovereignty, so as to ensure that the people of Assam can assert their indisputable rights to control their own lands and resources.
  - High level discussion on grounds and root causes for ULFA struggle and their genuineness.
  - Status report on missing ULFA leaders and cadres including those have been missing since 2005.
  - Protection and conservation of the ethnic people and their rights on all resources, with complete constitutional and political rights.

- Finance and Economy – Complete rights on all economic resources, including oil, prevention of any further exploitation and compensation to be given to Assam for all exploitations of its economic resources
- Illegal Migration – All necessary preventive and corrections including complete sealing of the international border, prevention of migration taking place through river ways and setting up of a taskforce by the locals and indigenous communities to secure this.
- Solution to all ethnic and tribal issues and problems including solution to the border dispute and land acquisition issues through constitutional amendments.
- Changes and upgradation in education and health sectors for complete prosperity and protection.
- Focus on development of agriculture and rural development schemes. Complete rights of the indigenous people on land and natural resources and facilitate complete flood control system.
- Industrial development – solution to issues on transportation and communication, facilitate more entrepreneurship, improvement of skill set for workers, facilitation of capital for industrialization.
- Complete protection and development of all types of local culture and folklore of Assam.
- To foster better bilateral relations with neighbouring countries for boosting trade and economy.

➢ **Organisational Links :**

Soon after the process of recruitment was finished in 1984, it began to seek out training and arms procurement from other groups such as the Kachin Independence Army (KIA) and the Nationalist Socialist Council Of Nagaland. In 1986, ULFA first established contacts with the then unified National Socialist Council of Nagaland (NSCN) and the Kachin Independence

Army (KIA) of Myanmar for training and arms. ULFA linked up with the Kachins through the links of the Naga rebels. It learnt the rudiments of insurgent tactics from the Kachins.

The ULFA sought shelter in the forests on the Indo-Bhutan border from the early 1990s and over the years, it reportedly developed linkages with several officers and personnel of the Royal Bhutan Army (RBA) and Police – which ensured, among other things, a steady flow of rations, logistical support as well as aid and contacts for money laundering.

The ULFA emerged as one of the most powerful and violent insurgent outfits in Southeast Asia in a very short period of time, largely because of the immense popularity it enjoyed during the first decade of its struggle as well as its economic power which in turn helped it in bolstering its military capabilities. In the early 1990s, ULFA launched an aggressive campaign with victims such as security forces, political opponents, and blasting rail links.

The ULFA also has had alleged links with many neigbouring countries of India. The Government of India (GOI) has classified the ULFA as a terrorist organisation and had banned it under the Unlawful Activities (Prevention) Act in 1990. Concurrently, GOI started military offensives against it, namely, Operation Bajrang in November 1990, Operation Rhino in September 1991, Operation All Clear in December 2003 and Operation Rhino 2 led by the Indian Army. The anti insurgency operations still continue at present under the Unified Command Structure.

- **Divisions :**

On February 5, 2011, ULFA leaders led by ULFA 'vice chairman' Pradip Gogoi, along with 'foreign secretary' Sashadhar Choudhury and 'central publicity secretary' Mithinga Daimary announced that the outfit's general council had endorsed the resolution of the central executive council (CEC) to sit for talks

with the Central Government without any precondition. However, ULFA 'commander-in-chief' Paresh Baruah-led group described the general council itself as unconstitutional, thus negating the resolution. The 'formal' split however took place in August 2012 leading to the emergence of two factions of ULFA - Anti-Talks faction of ULFA (ULFA-ATF) and ProTalks faction of ULFA (ULFA-PTF), led by Paresh Baruah and Arabinda Rajkhowa respectively.

Initially, the people of Assam supported the outfit's ambitions and assisted them. But, with passage of time, there was a growing change in the ambitions of the organisation. In the midst of an atmosphere of increasing levels of violence and incidents of human rights abuse both at the hands of insurgents and security forces, people started becoming disillusioned with entire environment. In the contemporary period, the trend is more towards a peaceful resolution of the conflict based on evolving a political solution rather than merely a military one. In a major breakthrough, ULFA leader Anup Chetia was handed over by Bangladesh to India after several attempts over the past two decades to secure his custody. It is hoped that Chetia's return to India will now give a boost to the Indian government's talks with the ULFA faction led by Arabinda Rajkhowa.

10.5.2 National Democratic Front of Bodoland (NDFB)

The National Democratic Front of Bodoland (NDFB) is an armed separatist outfit which seeks to obtain a sovereign Bodoland for the Bodo people in Assam, India. Its origin can be traced back to the formation of the BdSF(Bodo Security Force) under the leadership of Ranjan Daimary formed on October 3,1986. On November 25,1994 the BSF rechristened itself as the National Democratic Front Of Bodoland(NDFB).

The Bodos are an ethnic community and are the largest tribal groups in the entire North East. They are found in large numbers in the Lower and Middle parts of the Brahmaputra Valley, namely in the districts of Goalpara, Kokrajhar, Bongaigaon, Barpeta, Nalbari, Kamrup and Darrang. According to the Census of India 2011, the total population of the Bodo community is 1.4 million. Due to dissatisfaction with the mainstream Assamese politicians as well as the society, the demand for a separate political identity and self determination was raised. The Bodo people were expecting more from their political leaders who were supposed to represent the interest of the community but they failed to solve the issues like, economic underdevelopment, unemployment, illiteracy etc. Therefore for this reason there was a growing feeling of deprivation in the minds of the youth. The increasing discontentment among the Bodos forced them to look for better political alternatives. Militant organisations such as the NDFB and BLT srung up to champion the Bodo cause for a separate homeland for the Bodo people. Many Bodo youths started to join insurgent outfits like the NDFB and formed separate political organizations in protest against the existing status-quo. However, there were several ideological differences between the NDFB and the BLTF and as a result their rivalry resulted in fratricidal killings. The NDFB and BLTF had been crossing swords on the issue of providing leadership to the Bodo community liberation. The insurgent outfits with the passage of time indulged in various acts of violence. Eventually the NDFB also split into two factions- one led by the Ranjan Daimary and the other by I.K. Songbijit. At present, activities of the NDFB suggest that Bodo terrorism is still persisting due to co-opted leadership. The NDFB is also in collaboration with the ULFA. The NDFB, on October 8, 2004, announced a six month long unilateral ceasefire with effect from October 15. However, this move was not reciprocated by the Government and security force operations continued against the outfit, amidst threats of a pull out by the outfit. At the end of the ceasefire period, the outfit further extended the truce on April 15.

- **Demands of NDFB :** Demands of NDFB can be divided under three categories viz. Political Demand, Non-Political Demands and Voluntary Demands:
  - ***Political Demands :*** The NDFB was formed with the objective of securing a 'sovereign Bodoland' in the areas north of the river Brahmaputra. The main political demands as stated in their Constitution are -

    (i) To Liberate Bodoland from the Indian Expansionism and Occupation;

    (ii) To free the Bodo Nation from Exploitation, Oppression and Domination;

    (iii) To establish a Democratic Socialist society, promote Liberty, Equality and Fraternity; and

    (iv) To uphold the Integrity and Sovereignty of Bodoland.
  - ***Non-Political Demands :*** A significant non-political demand of the NDFB was the demand for introduction of Roman script for the Bodo language.
  - ***Voluntary Demands :*** NDFB demanded the preservation of Tribal Belt Block comprising of only bodo people. They also raised voice against the illegal migrant issues as they regarded them threatening towards the indigenous population of Assam.
- **Areas of Operation :** The outfit of NDFB was active in its earlier days mainly in the areas in the north and northwest of the river Brahmaputra in Assam.The NDFB was active in the areas of Bongaigaon, Kokrajhar, Darrang, Barpeta, Dhubri, Nalbari and Sonitpur districts. It was also known to be active in the Garo hills region of Meghalaya, close to the Assam-Meghalaya border.

  Before announcing a unilateral ceasefire with the Security Forces in 2004, its activities were also reported from Nalbari,

Barpeta, Dhubri, Sonitpur, Kokrajhar, Bongaigaon, Chirang and Karbi Anglong districts.

10.5.3 National Socialist Council of Nagaland (NSCN)

The Nagas constitute an ethnic tribal society that has been involved in conflict through the ages. The entry of the British in the northeast in the early 19th century and American influence from the middle of the century provided the Nagas a semblance of a common identity. After independence, with the departure of the British from India, the Nagas feared that they would lose their distinctive autonomous existence. Moreover, the prevailing political environment in the build-up after India's independence from Britain was exploited and motivated by several external interest groups to influence the Naga National Council (NNC) to demand for, and subsequently declare, unilateral independence on August 14, 1947. The easy availability of weapons from World War II added to the outbreak of the conflict between the Government of India and Federal Government of Nagaland. However, Government of India did not accept this proposal of the Nagas. The conflict that occurred in the mid-1950s grew in intensity till the signing of a clearly unsustainable ceasefire in 1964. Adding fuel to fire was intensified operations of the security forces after the 1971 Indo-Pak conflict contributing to the signing of the Shillong Accord in 1975.

- **Formation :**

  The National Socialist Council of Nagaland (NSCN) was formed on January 31, 1980 by Isak Chisi Swu, Thuingaleng Muivah and S.S. Khaplang opposing the 'Shillong Accord' signed by the then NNC (Naga National Council) with the Indian government. Later, differences surfaced within the outfit over the issue of commencing a dialogue process with the Indian Government and on April 30, 1988, the NSCN split into two factions, namely the NSCN(K)led by S S Khaplang, and the NSCN(IM),led by Isak Chisi Swu and Thuingaleng Muivah.

The NSCN (K) subsequently split in June 2011 to form the NSCN (K) and Government of the People's Republic of Nagaland (GPRN)/NSCN. While the NSCN (IM) is in an indefinite ceasefire with the GOI, ceasefires with the NSCN (K) and GPRN/NSCN are renewed annually. The FGN/NNC, the original protagonists of the Naga cause, have diminished in size and influence but remain relevant in limited areas of the south and east of the state.

- **Objective :**

The outfit aims to establish a 'Greater Nagaland' ('Nagalim' or the People's Republic of Nagaland) based on Mao Tse Tung's ideology. Its manifesto is based on the principle of Socialism for economic development and a spiritual outlook – 'Nagaland for Christ'.

- **Area of Operation :**

The NSCN (IM) primarily consists of Tangkhul Nagas who are in a majority in parts of Nagaland and the hills of Manipur. The outfit has also established its presence in Wokha, Phek, Zunebhoto, Kohima, parts of Mokokchung and Tuensang districts of Nagaland. It has also been able to extend its influence to the Naga inhabited areas of North Cachar Hills and Karbi Anglong districts of Assam and some parts of Arunanchal Pradesh.

- **Organisational Links:**

Over the years, the NSCN(IM) has developed extensive linkages with many other countries, and has been receiving substantial assistance from them. This form of assistance ranges from supply of arms and ammunitions and other logistical support, to provision of safe havens, camping and training facilities, etc.

- **Present Scenario:**

Prime Minister Narendra Modi announced a peace accord with the Nationalist Socialist Council of Nagaland- NSCN(IM) faction, an armed rebel group, paving the way to end the country's oldest

insurgency. The Government of India has stated that it accepts the "uniqueness of the Naga history and culture" and indicated its willingness to find an amicable solution to the long-standing issue.

10.6 PLAUSIBLE SOLUTIONS TO ADDRESS THE PROBLEM OF INSURGENCY IN NORTH EAST INDIA

The insurgency movements have come to greatly challenge India's security and internal stability with more and more insurgent outfits with their demands. The root causes of the present situation are to be found in areas of political, social, economic as well as historical realms.

Though, these outfits vary in their demands and methods, there is a common thread running through the insurgency inflicted north-east, which is that is of identity and development. Hence, some solutions need to be explored with some hopeful outcomes:

- To meet the political aspirations of the insurgent groups by way of implementing sixth schedule provisions in these areas will help them to preserve their identity and culture while giving them greater autonomy. This system will be able to build trust and mutual support amongst the people.
- Economic development of the area should be brought about in a sustainable and consistent manner.
- To improve the governance system and the delivery mechanisms of administration.
- To coordinate counter-insurgency operations and use of force should be resorted to only when needed.
- The rebel groups must also be more pragmatic by seeking greater autonomy within the constitutional mandate rather than making unreal demands like newer states and secession based only on ethnic and linguistic identities.

- The government both at the Centre and states should coordinate their decision making and take the people into confidence in order to avoid conflicts and confusion and to ensure greater transparency while trying to reach political settlements with the insurgent outfits .
- The state police and central forces should equally play an important role. They should cooperate with one another in matters of intelligence sharing, investigation and operations against militants so that the information received is credible and foolproof.



CHECK YOUR PROGRESS

Q 5 : What are the political demands of the NDFB?

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Q 6 : When was the National Socialist Council of Nagaland (NSCN) was formed ?

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Q 7 : In which year was the ULFA formed ?

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Q 8 : Present any two solutions to the problem of insurgency in the North East India.

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10.7 LET US SUM UP

- The insurgencies in north east India are a reflection of its social, cultural, ethnic and linguistic diversity, terrain, socio-economic development, politico-economic conditions, historical evolution and

changes in the environment of the area. The term Insurgency has been defined as the condition of revolt against the government that is less than an organised revolution.

- In North East India conflict can be broadly divided into three categories- national conflict, ethnic conflict and sub-regional conflict.
- There are some general causes which are responsible for the emergence of insurgency in North East India. Some of these are- a sense of cultural distinctiveness, economic backwardness, a feeling of insecurity regarding one's cultural identity and economic and employment opportunities due to large scale migration of people from other parts of the country, presence of porous international borders and easy availability of arms, incidents of human rights violation by the state security forces.
- Major insurgent outfits of North East India are- National Socialist Council of Nagaland (IM), National Socialist Council of Nagaland (K), Peoples Liberation Army, United Liberation Front of Assam (ULFA), National Democratic Front of Bodoland (NDFB), Kamatapur Liberation Organisations (KLO), KLNLF, UPDS, National Liberation Front of Tripura, All Tripura Tiger Force, Achik National Volunteers Council, Hynniewtrep National Liberation Council (HNLC) etc.
- The United Liberation Front of Assam is an insurgent outfit operating in Assam, North East India. According to sources, it was founded on 7 April 1979 at Rang Ghar, a historic structure dating to the Ahom kingdom and began operations from the year 1990. The organisation's main ambition was to engage in an armed struggle to form a Socialist Assam.
- The NDFB is an armed separatist outfit which seeks to obtain a sovereign Bodoland for the Bodo people in Assam, India. Its origin can be traced back to the formation of the BdSF(Bodo Security Force) under the leadership of Ranjan Daimary formed on October 3,1986. On November 25,1994 the BSF rechristened itself as the National Democratic Front Of Bodoland(NDFB).

- The National Socialist Council of Nagaland (NSCN) was formed on January 31, 1980 by Isak Chisi Swu, Thuingaleng Muivah and S.S. Khaplang opposing the 'Shillong Accord' signed by the then NNC (Naga National Council) with the Indian government. The outfit aims to establish a 'Greater Nagaland' ('Nagalim' or the People's Republic of Nagaland) based on Mao Tse Tung's ideology.
- Peaceful settlement of the problem of insurgencies in North East India is the need of the time. Political dialogue and negotiation must be initiated in this regard.



10.8 FURTHER READING

1) Insurgencies in India's north-east: conflict, co-cooption and change. By Subir Bhaumik (NO.11 JUL 2007)

2) Bhattacharjee J. B. (2007). Roots of Insurgency in North East India.

3) IPCS Special Report 21 May 2006: ULFA & THE PEACE PROCESS IN ASSAM. Internal Security Problems in Northeast India : Insurgency and Counter Insurgency In 4. Assam Since 1985 (English, Hardcover, Onkar Pawar)



10.9 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No .1 : The term 'Insurgency' has been defined as the condition of revolt against government that is less than an organised revolution. Insurgency is a strategy adopted by groups which cannot attain their political objectives through conventional means.

Ans to Q. No. 2 : Four general causes for insurgency in the North East are stated below:

(i) The Northeast region is home to a host of diverse ethnic tribes and communities. Most of the ethnic communities are largely of

Tibeto-Burman/Mongoloid origin. The region is thus ethnically, linguistically and culturally very distinct from the other states of India. This sense of cultural distinctiveness on the one hand and relative economic underdevelopment of the region make the people of the region largely wary of "outsiders."

(ii) As a consequence of the above mentioned point, large scale migration from other parts has created a fear in the minds of people that they will be reduced to a minority in their own states or regions. The locals look at the migrants as posing a threat to their local culture and traditions and fear that have occupied the already limited employment opportunities.

(iii) Lack of economic opportunities and governance deficit have made it easier for people to feel alienated and left out and thus it has aggravated the situation for insurgency. There is a popular sentiment across the region that the Central government and "mainland" India is more keen to exploit the natural resources of the region thus reducing the northeast region to a "colonial hinterland".

(iv) Presence of porous international borders and easy availability of arms has also contributed to the proliferation of insurgent outfits in the region.

Ans to Q. No. 3 : United Liberation Front of Assam (ULFA) and National Democratic Front of Bodoland (NDFB)

Ans to Q. No. 4 : National conflicts refer to those conflicts involving concept of a distinct 'homeland' as a separate nation and pursuit of the realization of that goal by use of various methods both violent as well as non violent. Example: ULFA's demand for sovereign Asom, NSCN's demand for Greater Nagaland.

Ans to Q. No. 5 : The NDFB was formed with the objective of securing a 'sovereign Bodoland' in the areas north of the river Brahmaputra. The main political demands as stated in their Constitution as like following-

(i) To Liberate Bodoland from the Indian Expansionism and Occupation;

(ii) To free the Bodo Nation from Exploitation, Oppression and Domination ;

(iii) To establish a Democratic Socialist society, promote Liberty, Equality and Fraternity; and

(iv) To uphold the Integrity and Sovereignty of Bodoland.

Ans to Q. No. 6 : 1980

Ans to Q. No. 7 : 1979

Ans to Q. No. 8 : (a) To meet the political aspirations of the insurgent groups by way of implementing sixth schedule provisions in these areas will help them to preserve their identity and culture while giving them greater autonomy. This system will be able to build trust and mutual support amongst the people.

(b) Economic development of the area should be brought about in a sustainable and consistent manner.



10.10 POSSIBLE QUESTIONS

Q 1 : Name the two factions of the NSCN.

Q 2 : Write briefly about the NSCN.

Q 3 : What were the demands made by the ULFA to the Government of India?

Q 4 : Write a note on the formation of NDFB.

Q 5 : Discuss the general causes responsible for the emergence of insurgency in North East India.

Q 6 : Suggest some plausible solutions to the problem of insurgency in North East India.

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UNIT 11 : PARTY SYSTEM IN INDIA

UNIT STRUCTURE

11.1 Learning Objectives

11.2 Introduction

11.3 Party System in India: Era of One-Party Dominance

11.4 Breakdown of Congress Dominance

11.5 Process of Regionalisation

11.6 Coalition Politics

11.7 Recent Trends

11.8 Let Us Sum Up

11.9 Further Reading

11.10 Answers to Check Your Progress

11.11 Possible Questions

11.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- analyse the party system in India
- describe the events which led to a transition of the party system in India
- explain the phenomenon of regionalisation as well as coalition politics in India
- discuss the current trend of the Indian Party System.

11.2 INTRODUCTION

Democracy in India has stood the test of time, despite the absence of conditions that are considered essential for it to take root. Scholars often associate certain qualities with democracy, such as a homogeneous population, a common civic culture, high level of literacy, and industrial economy- qualities which can hardly be considered to have been present in

the Indian case. Yet, except for the brief period of the emergency between 1975-77, democracy in India survived well. More or less peaceful and regular conduct of electoral process, fair level of voters' turnout and an established party system lead one to safely argue in favour of the success of Indian democracy.

An important ingredient which is considered essential for successful conduct of democracy is a vibrant party system. It is generally believed that political parties deepen democracy by representing the views of various sections of the population. Scholars and academicians have argued that even in India, political parties have played an important role in deepening of democracy by being inclusive of the marginalised section of population and thereby representing every shade of opinion. All these necessitate a study of the trends in party system and how it helped deepening of democracy in India. This Unit is an attempt towards such an understanding of the party system and its evolution in India.

The emergence of party system in any political system can be explained with the help of two theories: one, the *social cleavage theory* which states that sharp division in society leads to formation of varieties of political parties which represents the views of each section of the population; and second, the *electoral rules* theory which states that the prevalent rules of elections in the political system allures different groups to form their own political parties. (Gowda and Sridharan, 2007). For instance, the social cleavage theory would argue that the caste-based cleavage in Indian society leads to the formation of parties like Bahujan Samaj Party which claims to represent the otherwise marginalised section of the population, the Scheduled Castes. Similarly, the electoral rules theory would provide that the First-Past-the-Post system, prevalent system in India provides the incentives to form a political party in India.

However, irrespective of how party system emerged and sustained itself in India, one fact on which everyone would agree is that party system has helped bolster democracy in India. And it is indeed interesting to trace the different phases of the Indian party system- from dominance of the

Congress Party in the initial phases to a multi-party system and coalition government at a later stage, as also the rise of the regional parties in between.

Thus we can say that the Indian party system is characterised by several key features that shape the country's political landscape. These features include:

- **Multi–Party System**: India has a multi-party system with many political parties. This variability can be attributed to a variety of geographical, linguistic, religious, and ideological reasons. National parties like the Indian National Congress (INC) and the Bharatiya Janata Party (BJP) co-exist with a variety of regional and smaller parties.
- **Growing importance of Regional parties**: India's party system is characterised by the significant influence of regional political parties. Examples of regional parties include the All India Anna Dravida Munnetra Kazhagam (AIADMK) in Tamil Nadu, Trinamool Congress (TMC) in West Bengal, and Shiv Sena in Maharashtra.
- **Ideological diversity**: Indian parties have a wide range of ideologies, from socialist and communist to conservative and nationalist. This reflects the diversity of India's society and political culture.
- **Coalition politics**: Coalition politics has become popular in India. Political parties frequently establish alliances with other parties in order to form a government. Such alliances include the National Democratic Alliance (NDA) led by the BJP and the United Progressive Alliance (UPA) led by the INC.
- **Role of caste and identity politics:** Caste and identity politics play an important in the Indian party system. Parties frequently seek votes based on caste, religion, language, and regional identity. They form alliances or make policy decisions targeting specific identity-based groups to secure their electoral support.
- **Defection:** Defection, or the practice of elected representatives switching political parties, is a characteristic of the Indian party system. The Anti-Defection Law was enacted to discourage frequent party switching and to ensure political stability. However, cases of defection continue to occur.

11.3 PARTY SYSTEM IN INDIA : ERA OF ONE-PARTY DOMINANCE

Between 1952 and 1967, the Indian party system was marked by the dominance of the Congress Party, as it was voted to power each time during this period. The Congress secured a plurality of votes from across the population and managed to form the government. It is noteworthy that although the Party did not secure a majority of votes, it was able to form the government at the Centre due to fragmentation of votes received by the divided opposition. To put in simple words, more votes were cast against the Congress than in its favour. But since the votes cast against the Congress did not go to a single political party, it led to the Congress winning more number of seats. As electoral data suggests, during the first three general elections, the Congress won 364 seats in 1952 (with 45 per cent votes), 371 seats in 1957 (47.78 per cent votes) and 361 in 1962 (44.72 per cent). As Robert Dahl observed, Indian elections are characterised by a system where one dominating political party garners close to 50 per cent votes and yet is able to pocket more number of seats, given the fragmentation of the three or more opposition parties (Robert Dahl as cited in Saxena, 1999, p. 269).

Rajni Kothari named this phase as the 'Congress System', as no other political party proved to be a formidable challenge to the Congress Party. Out of the freedom struggle, the Congress Party emerged not as a political party but as a social movement which helped the country in attaining independence from foreign rule. Representing every major shade of opinion, its representative nature and democratic credentials was proved beyond doubt. In fact, under the 'banyan tree' personality of Jawaharlal Nehru, the Congress Party was described as an 'Umbrella' party under which everyone could be accommodated. Thus, other political parties found it extremely difficult to grow and to seek their own independent vote banks (Kothari, 1972)

Even at the State level, the Congress held power in most of the states till the fourth general elections in 1967. However, it did face stiff competition in the former princely states, in Jammu and Kashmir where the National Conference held sway, and in Kerala where the Communist Party of India formed the government in 1957.

Three major reasons helped the Congress in maintaining its dominance during this phase: First, the leadership provided by charismatic Jawaharlal Nehru helped the party to achieve massive popularity amongst the masses; second, as argued by Rajani Kothari, the Congress with the help of its grassroots organisation was in a position to better assess the requirements of its population and provide for them (Kothari, 1972); third, the fragmented opposition led to splitting of votes which in the end went in Congress Party's favour (Saxena, 1999).

11.4 BREAKDOWN OF CONGRESS DOMINANCE

The fourth general election is considered relevant as it saw a decline in the popularity of the Congress party owing to a number of factors, viz. absence of the charismatic leadership of Nehru, corruption charges against the Congress leaders, looming economic crisis faced by the country, and intra party conflict within the Congress and the consequent formation of new political parties by the dissidents. The anti-Congress wave gave the opposition parties a new fillip to form united coalitions against the Congress. However, at the end, the Congress did manage to win 283 seats (as against 361 seats in 1962) and form the government at the Centre. Nevertheless, for the first time, the Congress failed to retain power in six Indian States, especially in West Bengal and Tamil Nadu where it managed to win only 14 out of 40 seats and 3 out of 39 seats respectively. Thus, non-Congress coalition governments were formed in few states which did leave its mark in the federal set up of the country. As argued by Rakha Sexena, 'this period was thus marked by India's transition from a dominant party system to a system of competitive sharing of power' (Saxena, 1999, p. 274). The 1967 elections saw the consolidation of rightist and the leftist political forces owing to dissatisfaction of the population with the Congress party. This signified the 'radicalisation of Indian politics' (Saxena, 1999, p. 275). It also implied that 'the Congress system was put on trial' (Kothari, 1967). However, this did not imply that the Congress could be completely written of as a political force, given it had still retained power in almost half of the Indian states.

It is noteworthy that Indira Gandhi, during the 1967 elections could not present herself as a dynamic leader and as a result, her insignificant performance led the Congress leaders to appoint Moraji Desai as the Deputy Prime Minister. Inhibited and constrained by Moraji Desai's presence, Indira Gandhi sought to reformulate and build the party in her own way. She got rid of Desai and went ahead with several drastic measures such as bank nationalisation and abolition of privy purses before calling for mid-term poll in 1971. Indira Gandhi was rewarded by the strategies which she had adopted, as her pro-poor image now appealed to the masses, who voted for her and restored the dominance of the Congress yet again. However, the Congress lost its transparency. Intra-party democracy suffered as elections became a mere formality to re-elect Ms Gandhi as the leader of the party. An era of populist politics and short term goals replaced ideological and institutionalised politics of the Nehruvian era.

By 1973, Indira Gandhi once again encountered a downfall as her popularity was at stake owing to drought, inflation, railway workers' strike as well as mass movement led by Moraji Desai and JP Narayan against corruption and authoritarianism. All of this ultimately culminated in declaration of Emergency in 1975 by Ms Gandhi which further deteriorated her popularity. Thus, in the 1977 general elections, the Congress was overthrown and the Janata Party formed the government at the Centre. This election brought forth bi-partisan model as the Congress and the Janata Party emerged as the only two significant parties which together garnered around 80 per cent of the votes. However, this bi-party system did not last long as the Janata Party split owing to disagreements and disputes amongst its members giving Indira Gandhi another chance to come back to power in 1980.

As argued by Saxena, 'negative voting, massive expenditure on publicity and basing the campaign on shrewd caste calculations at the time of distribution of tickets contributed a great deal to the comeback of Indira Gandhi government' (Saxena, 1999, p. 283). This was a phase which restored Congress dominance for a brief period. However, this phase also

marked a trend towards multi-party system as the states generally opted for non-Congress governments, given the authoritarian style of Ms Gandhi. The Congress, as a result, lost Karnataka, Sikkim, Andhra Pradesh, Punjab and Assam.

After the assassination of Indira Gandhi in 1984, elections were held in which her son and heir Rajiv Gandhi got a huge mandate to form the government at the Centre. This was especially due the prevailing sympathy wave for the assassination, as well as the 'clean' image of Rajiv Gandhi. Known as the 'Scientific Man', he raised a lot of expectations especially amongst the youth to lead the country to the twenty first century. However, he failed to meet these expectations. Lack of development in the country led to anti-government feelings among the masses, which got reflected in the 1989 elections.

The 1989 elections established a trend towards multi-party system and coalition politics which holds true till date. As V.P Singh was voted to power in the Centre in 1989, his government comprised of a coalition of parties, viz., the Janata Dal (to which V P Singh himself belonged), Lok Dal, Telegu Desam Party (TDP), Congress (S), Dravida Munnetra Kazhagam (DMK), and Asom Gana Parishad (AGP). Known as the National Front (NF) Government, it was supported from outside by Bharatiya Janata Party (BJP) and the Left Front. The government lasted for merely 11 months owing to factionalism and lack of coordination between the parties. The BJP soon withdrew its support from the government due to which V P Singh fell short of numbers and could not survive the no-confidence motion in the House. The next government was formed by Chandra Shekhar, who left the Janata Dal and formed a new party, the Samajwadi Janata Party with 64 MPs. His government was given 'outside support' by the Congress, the BJP as well as the Left Parties. However, very soon the Congress withdrew its support on the charge of the government spying on Rajiv Gandhi. Chandra Shekhar government lasted for 7 months and resigned in March 1991. However, he continued to be in power as a caretaker government till the elections were held in May-June 1991.

This was a phase which dimmed the chances of Congress dominance while pointing towards a fractionalised multiparty system. As argued by M P Singh, the important claimants of power now seemed to be: (a) the Congress, which was still a party with a massive presence; (b) the Janata Dal which emerged as an alternative to Congress in 1989 but was weakened due to the split in 1990; (c) the BJP which survived on the agenda of Hindu revivalism; and (d) the CPI (M) and CPI which saw a constant rise in its vote share over the period of time. (M P Singh, 1992)

11.5 PROCESS OF REGIONALISATION

One of the major trends which followed the end of one party dominance of the Congress was the regionalisation of the party system in India. In other words, the country saw emergence of new regional political parties as well as consolidation of existing regional parties in the States. From the time when the regional parties tasted power as minor parts of the Janata Party Government in 1977, they came a long way to emerge as kingmakers in the era of coalition politics of the mid-1990s. Their relevance in the national politics increased manifold as in 1996, as many as 137 MPs were sent by various regional parties, which continued to increase to 161 MPs in 1998 and 188 in 1999. With neither the Congress or the BJP getting majority seats in 1996, the role of these regional political parties in formation of the Government became very crucial.

Several factors can be considered to have led to this pattern: one, the dominance of the Congress Party was the result of its appeal as a movement which led to freedom of the country. Post 1980s, this appeal was declined due to lack of democracy within the Party and many other resons. Second, owing to various reasons such as change in demography, socio-political changes, and electoral awareness, politicisation of social groups was taking place. These groups failed to find place in the already established political parties as the existing powerful groups blocked their entry. The easy way out of this situation for these newly politically conscious groups, was to either join smaller and less established parties or to form

their own new political parties. In this manner, the voice of the fragments or the regions could be more easily expressed. Thus, a diversification of parties was the outcome of this process. Third, the judicial pronouncements in cases such as that of S R Bommai, (1994) expressed a new attitude of the judiciary which was more sensitive towards the regions and the federal structure of the country. In this case, the judiciary declared that the proclamation of constitutional emergency under Article 356 is open to judicial review which implied that unfair toppling of State governments by the Centre would now have to stop as it can be questioned in a court of law. This gave an impetus to other constitutional institutions such as the President, the Governor, the Election Commission as well as inter-governmental agencies to be more sensitive towards the federal set-up, encouraging the regional political parties to make their presence felt. (Saxena, 1999)

The emergence of regional parties also led to making of adjustments by the national parties in their organisations as they could not escape the 'confederalisation'. As against the regional parties which were by nature state-based, the national parties had a central command structure which underwent change due to regionalisation. Parties like the CPI (M) and Janata Dal saw their State units emerge stronger than their national units, viz., the State units of CPI (M) in Kerela and West Bengal, and the State units of Bihar, Orissa and Karnataka of the Janata Dal. Even the Congress and the BJP faced trouble from their State units so much so that it resulted in split in the Congress and formation of Tamil Manila Congress in Tamil Nadu, and while the BJP in Gujarat faced a challenge from Shankar Singh Vaghela.

The regional parties proved their strength by forming governments in the States. For example, at various times, parties like the Shiv Sena in Maharashtra, Dravida Munnetra Kazhagam (DMK) and All India Anna Dravida Munnetra Kazhagam (AIADMK) in Tamil Nadu, the Telegu Desam Party (TDP) in Andhra Pradesh, the Akali Dal in Punjab, and the Asom Gana Parishad (AGP) in Assam have been in power. All these only point towards their success both at the national as well as at the state level largely in the 1990s and early 2000s.

11.6 COALITION POLITICS

The 1977 general elections may be considered to have marked the beginning of coalition politics in India but it did not establish the trend as in the next two general elections in 1980 and 1984, the Congress formed the government completely on its own under Indira Gandhi and Rajiv Gandhi respectively.

In 1977, several political parties such as the Congress (O), the Socialist Party, the Jan Sangh and the Bharatiya Lok Dal, merged themselves together to form a new party called the Janata Party (JP). while other political parties such as All India Forward Block, Shiromani Akali Dal, and Communist Party of India (Marxist) decided to extend their support to the Janata Party in order to oppose the Indira Gandhi led Congress party. The result of this election went in favour of the Janata Party and a coalition government was formed for the first time in India. One major point to be noted here is that the coalition was bereft of any ideological commitment, their only goal being to defeat the Congress party. The JP led government did not last long and the country headed for elections again in 1979 in which Indira Gandhi made a comeback, putting a halt to the coalition politics. The era of coalition politics truly made it way into India politics in 1989 with the V.P Singh headed National Front Government. Since then, every government formed till date, is a coalition government at the centre. The V.P Singh coalition government was followed by Chandra Shekher led coalition in 1990 which also collapsed calling for fresh elections in 1991. In 1991, after the death of Rajiv Gandhi, P.V Narasimha Rao falling short of majority, formed the government with support from AIADMK, Jharkhand Mukti Morcha (JMM) and Rashtriya Lok Dal. The trend of forming coalition governments had been firmly established by now.

Marred by corruption and scams, the Congress government faced the worst defeat in the 1996 general elections, with BJP emerging as the single largest party. Staking a claim to form the government under A B Vajpayee, the BJP fell short of the required majority to be proved in the floor of the House. Thus, it remained in power for merely 13 days. An attempt

was then made by Janata Dal to form the government with the help of 14 different political parties under the name United Front. This coalition government under H D Deve Gowda was provided outside support by Congress, but only till March 1997. The Congress again extended support to the United Front after I K Gujral replaced H D Deve Gowda as the Prime Minister. The country went into elections very soon in February 1998, as the Congress again withdrew its support from the United Front Government in November 1997.

The February elections of 1998 again brought forth the BJP as the single largest party with 182 seats but yet again it was short of the majority to form the government. Thus with support extended by its pre-poll allies Shiv Sena, Samata Party, Shiromani Akali Dal, Biju Janata Dal and AIADMK, and post poll alliance with the TDP, A B Vajpayee formed the government under the banner National Democratic Alliance (NDA). After 13 months the AIADMK withdrew its support and the NDA government had to make its exit. The BJP led NDA coalition, however, made its comeback with convincing majority in 1999 general elections and completed its full term; being the first non-Congress government to have done so.

In the subsequent 2004 and 2009 general elections, the Congress party led United Progressive Alliance (UPA) formed the government while the NDA sat in the opposition. The result of the16th general election in 2014 went in favour of the BJP led NDA coalition which garnered 336 seats to form the government.

From the above discussion it comes to light that the trend of coalition politics has established itself very firmly in the Indian soil. As has been argued by E Sridharan, in multicultural states, characterised by diversity, coalition governments become an obvious outcome. This is because representation of diverse interests by merely two political parties becomes an extremely difficult proposition to materialise (Sridharan, 2004). Thus, an important merit of coalition politics is that different shades of opinion get represented by the various political parties and thus in a way it is more democratic. At the same time coalition politics brings with it the problem of unstable governments as the allies constantly threaten to withdraw support in case the government of

the day doesn't pay heed to their demands. Also, implementing sweeping measures and policies take a back seat as holding the coalition by not upsetting the allies becomes the priority of the government. Problem compounds even more because the parties lack any ideological commitment to bind the coalition together. In India, it is more often than not that political parties (baring a few such the left oriented CPI and CPI (M) and the right wing BJP) lack any ideology on the basis of which they seek election or join the coalitions. The myopic view of the parties makes them seek opportunities to share power and other short-term gains; which when unfulfilled leads to party splits, defections and unstable governments. Thus, while coalition governments are more representative, sometimes they are also unstable.

11.7 RECENT TRENDS

While it is accepted that coalition politics is an established fact in Indian politics, certain new trends have also emerged within the paradigm of coalition politics during recent times. The initial phase of coalition governments before 1999 was characterised by instability (except during P V Narasimha Rao's regime between 1991-96 which managed to complete its full term). As already seen above, this was also a phase which saw the formation of governments, led by several political parties which lasted in power for a short period- JP in 1977-79, JD led National Front in 1989-90, SJD led National Front in 1990-91, Congress in 1991-96, BJP in 1996 (lasted for 13 days), Janata Dal led United Front in 1996-97, and BJP in 1998 (lasted for 13 months). The trend which is visible post-1999 is the emergence of coalitions centred around two major political parties- the Congress and the BJP, which led the UPA and the NDA coalitions respectively. This has also resulted in more stability as both the NDA and the UPA governments are a result of pre-electoral alliances and have been able to complete its full term. Although an occasional Third Front is also seen comprising of the non-Congress and the non-BJP parties, as in 2004, how far it would pose a challenge to the UPA and the NDA and provide a stable government, unlike in the past, is to be seen in coming times.

Following the 2014 general elections, wherein the BJP won a massive victory under Narendra Modi, securing two-thirds majority entirely on its own, questions have been raised whether this would entail in the end of coalition politics in India and a return to a one-party dominance system. With the BJP garnering 282 seats and the Congress being decimated to merely 44 seats, such questions are not unfounded, if not too early. While a return to one-party dominating system is too early to predict, the continuity of pre-electoral alliances and coalition governments would continue to remain at least in the near future as argued by Adnan Farooqui and E Sridharan. They reason that firstly, the BJP's victory in some states is certainly the outcome of its pre-poll alliances. As many as 57 seats went to BJP's kitty, thanks to its coalition partners. Second, the BJP along with its allies lack majority in the Rajya Sabha. Since the members of the Rajya Sabha are elected by the State assemblies, the BJP would need to continue to forge alliances in the States so as to get more seats in the Upper House. Third, BJP's regional presence is more evident in the north and the west. It is not a formidable party either in the east or in the south. So in order to enter these regions, coalition with the regional parties would be an inescapable option for the BJP. Thus, 'it is premature to conclude that the era of coalition politics is over in India or that a new one-party hegemonic system dominated by the BJP is now in place. Coalition politics in government at the centre and in many states, and for party strategies in coming state assembly elections and the next general election, will remain central to Indian politics' (Farooqui and Sridharan, 2014).

The 2019 Lok Sabha election constituted an important point in Indian political history, with the BJP securing a second term and solidifying its position as the country's leading political force. The BJP secured a massive victory, securing 303 Lok Sabha seats. The INC won 52 seats, with the remaining seats gained by other parties and independent candidates. The election also underlined the relevance of regional parties and the role of identity politics in Indian electoral politics.



CHECK YOUR PROGRESS

Q 1 : Write the two theories regarding the emergence of party system in any political system.

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.....

Q 2 : Mention two reasons which helped to maintain the dominant role of the Congress till 1970s.

.....

.....

Q 3 : Which general election may be considered as the beginning of the coalition politics in India?

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11.8 LET US SUM UP

- Indian politics and more specifically party system in India has passed through several phases and has evolved over the years to strengthen democracy. From the dominance of a single party to emergence of multiple parties, it saw a brief period wherein emergence of a two-party system seemed plausible.
- But then instability followed with the shift towards coalition politics during the early 1990s, with governments lasting only for few months. However, the late 1990s saw stability returning to the country, with the parties getting concentrated around two major political parties- the Congress and the BJP, and formation of two major pre-electoral coalitions- the UPA and the NDA.
- The present scenario supports a scheme, which may be called, a 'bi-coalition system' wherein power shifts between the UPA and the NDA, providing the much needed steadiness, which the country craved for during the 1990s.



11.9 FURTHER READING

1) Gowda, M. V. Rajeev. and Sridharan, E. (2007). *'Parties and the Party System*. 1947-2006', in Sumit Ganguly, Larry Diamond, and Marc F. Plattner (eds) *The State of India's Democracy*, John Hopkins University: Maryland.

2) Hasan, Zoya. (ed) (2002). *Parties and Party Systems*. New Delhi : OUP.

3) Kothari, Rajani. (1972). *Politics in India.* New Delhi : Orient Longman.



11.10 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : There are two theories regarding the emergence of party system in any political system. These are the Social Cleavage theory which states that sharp division in society leads to formation of varieties of political parties which represents the views of each section of the population. Secondly, the Electoral Rules theory which states that the prevalent rules of elections in the political system allures different groups to form their own political parties

Ans to Q. No. 2 : The two major reasons that helped the Congress in maintaining its dominance: first, the leadership provided by charismatic Jawaharlal Nehru helped the party gain massive popularity amongst the masses; second, as argued by Rajani Kothari, the Congress with the help of its grassroots organisation was in a position to better assess the requirements of its population and provide for them.

Ans to Q. No. 3 : 1977 General Elections of India.



11.11 POSSIBLE QUESTIONS

Q 1 : "Regionalisation of party system ended the one party dominance of the Congress." Discuss.

Q 2 : Describe the trends of coalition politics in Indian Political System.

Q 3 : Explain the causes responsible for the decline of the dominant role of the Congress.

Q 4 : Discuss the recent trends of party system in India.

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UNIT 12 : ELECTORAL POLITICS AND VOTING BEHAVIOUR IN INDIA

UNIT STRUCTURE

12.1 Learning Objectives

12.2 Introduction

12.3 Role of Elections in Democracy

12.4 Election Machinery in India

12.5 Electoral System and Process in India

12.6 Voting Pattern in India

12.7 Determinants of Electoral Behavior in India

12.8 Drawbacks of Electoral System of India

12.9 Electoral Reforms in India

12.9.1 Changes in the Electoral System

12.9.2 Restructuring the Election Commission

12.9.3 Eradicating the Evil Influences of Money and Muscle Power

12.10 Let Us Sum Up

12.11 Further Reading

12.12 Answers to Check Your Progress

12.13 Possible Questions

12.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- discuss the election system of India
- describe the voting pattern of the Indian Electorate
- explain the determinants of the voting behavior in India
- discuss the drawbacks of the electoral system and its reforms.

12.2 INTRODUCTION

Election is that process by which every political system tries to legitimize its existence by bringing about a sense of involvement on the

part of general people. Sustainability of a political system largely depends upon a successful and genuine election system. Unless there is a free, fair, unbiased or autonomous election machinery, the public faith and confidence suffer in the long run, which is not desirable for the overall health of a political system.

In India, we have Parliamentary system of government with periodic elections revolving around a multi-party system. There is a system of regular elections for Parliament, legislative Assemblies of States and Union Territories, local government institutions and for the posts of President and Vice President. In this unit we shall discuss election system of India in details.

12.3 ROLE OF ELECTIONS IN DEMOCRACY

Election is that system by which we can choose our representatives for a particular period of time to run the government. It is one of the basic elements of a democratic system. For the general people, election provides options to select their own representatives at periodic intervals. Again the system makes the elected representative accountable to the public for their actions and policies. Regular, free and fair elections make people aware about day-to-day politics and public policies. Election is one the core elements of a democratic system, but around the world one can see its misuse and manipulation.

Over the years, electoral malpractices and manipulations are increasing around the world. Undemocratic leaders always try to manipulate elections and produce the manipulated elections as legitimate so that they can continue with their undemocratic systems of governance. However, we don't have any alternative to periodic elections to legitimize a political system and approve the major policy decisions of the government.

Thus, elections are the core element of a democratic system which must be free, fair and genuine. Unfair or rigged election is a direct violation of people's political rights. It is a form of political corruption which hampers the process of democratic norms and culture and ultimately hinders consolidation of democracy. Manipulation of elections seriously affects the nation building process.

12.4 ELECTION MACHINERY IN INDIA

In every democratic political system, there is usually one organization which is bestowed with the function of conducting elections. In India, we have the Election Commission (EC). For a sustainable democracy we must have free, fair, impartial, effective and autonomous election machinery. The Constitution under Article 324 provides for the Election Commission of India. The Election Commission of India was set up in the year 1950. Sukumar Sen was appointed as the First Chief Election Commissioner of India. The first general elections of India was held in 1951-52.

The Constitution of India provides for a unified organization to arrange periodic elections for Parliament, state legislatures, institutions of local self government, President and Vice President. Initially it was a single member organization, but in 1993 it was made a three member body. The President of India appoints the members of the Election Commission with the advice of a Committee which comprises with the Prime Minister, Leader of Opposition (Lok Sabha) and the Chief Justice of the Supreme Court.

With the emergence of multi-party system, coupled with issues like communalism, castism, regionalism, violence, booth capturing, misuse of government machinery, rigging etc. the Election Commission has to adapt itself to the changing developments. In response to concerns raised by people and politicians, and due to necessary intervention by the Court on several occasions, the Election Commission has initiated a series of reforms.

From 1990s onwards, the “Model Code of Conduct” has to be strictly followed by the political parties during the process of elections. Instances are there for re-polling whenever there are proof of large scale corruption and manipulation of government machinery. T N Seshan (former CEC) is regarded as the pioneer of electoral reforms in India for issues like declaration of property details of candidates, non use of government machinery for personal matters, advertisement of government schemes or inauguration/ announcement of government schemes during Model Code of Conduct period, equal opportunities to all candidates and so on. Recent examples

of measures for conducting free and fair election are the introduction of Electronic Voting Machines (EVMs) and video recording of sensitive areas. In the year 2004, in General Elections of Lok Sabha the EVMs were used in all 543 parliamentary constituencies in India.

12.5 ELECTORAL SYSTEM AND PROCESS IN INDIA

Electoral process is a long term process where a candidate has to go through the stages of nomination, campaign, voting, counting and result declaration. However, the electoral process is just not confined to the mere technical process. For a successful electoral system, we need a developed and cultured system among the political parties; awareness among the electorates; independent judiciary; neutral administration; unbiased media and of course the candidate himself/herself with a vision to serve the people. Although it's not possible to find all the elements in a political system, but to be a successful system we must aspire for it. Fortunately, in India, except for a brief period when National Emergency was imposed (1975-77), the democratic system in India has been largely functioning smoothly with free and fair periodic elections constituting the hallmark of the same. For example, the debate and campaign among the political parties on major socio-political and economic issues have been the centre point of electoral mobilization of the people at different points of time. Based on such debates, discussions and campaigns, people select their respective candidates. Besides, people voted for a particular party based on their emphasis on different issues like: black money, unemployment, national unity, terrorism, corruption, development etc. In India people often show maturity regarding choosing their representatives through peaceful manner.

Elections in India assume the nature of public ceremonies which affect political life of people in a large scale. In fact, it's like a festival for the people where they decide who will rule over them for a particular period of time. We have examples which show that popular governments repeat their success, and governments having anti-people policies get defeated. Election is that periodical exercise, although a complex one, where people

unite to defeat or elect a particular set of ideologies. No doubt, elections directly influence our social, political, economical and cultural aspects of life which in turn make us more aware about these issues.

12.6 VOTING PATTERN IN INDIA

Over the years, it is found that people have a tendency to vote in general elections. For a successful democracy, large scale voting is a necessity. Our voting pattern shows that the percentage is increasing for both males and females. More and more regional parties are excelling at the cost of national level political parties in terms of winning seats which is a sign of deepening of democratic values and multiculturalism. Upto the last general election, at the national level, we found that coalition politics is more dominant, but the present election shows that the trend is slowly changing with the emergence of BJP as a more powerful entity. But still, in some regions, regional political parties are dominant like Tamil Nadu, Orissa, J & K etc.

Election is a political process which has been evolving over the years. It is a link between our existing social system and political structure, contributing towards political development. For example, reservation of seats for SCs, STs, OBCs and women leads to social change in many parts of the country. It's a process for nation building, system maintenance, recruitment of political elites and peaceful transfer of power. Again, election is that process which brings legitimacy to a particular political system, contributes to peaceful method of conflict resolution, brings about interest aggregations, and acts as a method of socialization and political education. Ultimately, election is that process which brings accountability; the whole process of democratization of choice and control for the stakeholders can lead to good governance.

12.7 DETERMINANTS OF ELECTORAL BEHAVIOUR IN INDIA

Human beings are rational, but during the time of election it is seen that people behave in emotional terms. A number of factors determine our

electoral behaviour like caste, religion, language, region, tribe, charisma etc. Almost all the political parties use these elements to mobilize voters. They try to exploit the caste factors, religious factors, linguistic factors and so on. In a number of cases, it is found that people voted for these emotional issues. However, it does not mean that the entire population is influenced or voted for it. But, to a great extent, people are being influenced which in turn determine the election results.

Among the factors which influence voting behaviour, caste is more dominant. Our social system has been dominated by the hierarchical caste system. Even after independence, caste equations are gaining importance in electoral politics. With the emergence of caste based organizations, reservation of seats in election and jobs make deprived and lower caste people more aware about their rights and privileges. Thus, those people even the illiterates started to join electoral politics more; gradually caste equation become more important determinant regarding distribution of tickets and formation of ministry. States like Tamil Nadu, Bihar, Uttar Pradesh where backward castes and Dalits form a significant part of population are examples of it. Because of caste solidarity, people vote for their respective caste candidates. Parties like BSP, DMK, RJD, RPI etc. flourish only because of caste politics that makes caste a political instrument to mobilize people and to turn that into gaining votes. Caste politics may be termed as a tool to assert identity for those lower caste or minorities. Along with caste, religion too plays a dominant role. Vote bank politics (of minorities) and appeasement of minorities along with the consolidation of the majority's feelings have been a hallmark of electoral politics in India. As we have universal adult franchise system, the whole exercise of voting or behavior of electorates is so complex that it cannot be defined with just one factor. Multiple factors are working which are not static and keeps changing time to time. Democratic values, civil society, gender equation, regional aspirations along with structure of the party itself are some of the dominant factors that influence voting behavior. In the negative side, money and muscle power and misuse of media and government machinery too play significant role.

12.8 DRAWBACKS OF ELECTORAL SYSTEM OF INDIA

Over the years, our electoral system has undergone a number of changes; with the changes we have witnessed a number of drawbacks as well. The use of muscle power, money power, misuse of government machinery by the ruling party, exploitation of caste and religious sentiments, criminalization of politics, family loyalty, booth capturing, terrorizing and preventing people from voting, false promises in manifesto and misuse of media and so on are some of the major faults with our existing electoral system.

Today, criminalization of politics is adding to this menace where by the criminals are directly contesting elections even from the jails. The unholy nexus between criminals and politicians can be easily seen. Politicians often take the help of criminals in terms of money and muscle power. Even surrendered militants are contesting elections in some parts of the country. All these lead to an understanding among the corrupt politicians, bureaucrats and criminals. The corrupt bureaucrats always support the ruling parties to regain power; thus, the government machinery is misused both for the ruling party and existing bureaucrats against the opposition parties. Since election is a big and wide process which needs extensive use of government machinery, the importance of bureaucrats here can hardly be ignored. To minimize the negative use of bureaucracy, the Election Commission (EC) comes with a series of instructions. For example, transfers and promotions of officers are banned once election is announced. Of late “Model Code of Conduct” is strictly adopted and enforced by the EC.

Today, contesting election has become more expensive and competitive. Every candidate wants to win election by any means since there is no consensus among the candidates. With the increasing number of voters every year and to cover a large constituency, candidates have to invest more. Thus, transportation, publicity, personal contacts, rallies, public meetings and advertisements in mass media need more and more money. But there is a ceiling on expenditure by the parties or candidates. Here

donations, black money and its collection from business houses and criminal makes a vicious cycle. All these developments deprive the genuine candidate and helpless voters from the essence of democracy.

12.9 ELECTORAL REFORMS IN INDIA

In India, electoral reforms were started way back in 1970s. In 1971, a Joint Parliamentary Committee was appointed to amend the Election Law under Jagannath Rao, it submitted its report in 1972. Two years later, another Committee was appointed under Justice V M Tarkunde which submitted its report in 1975. It was about election reform, curbing money and muscle power, misuse of government machinery etc. During that period people were mobilized under J P Narayan for electoral reforms. Later on, when Janata Party came to power it constituted a Cabinet Sub-Committee for electoral reforms but it could not implement its decisions because of untimely demise of the Janata Government. After a long gap, in 1990, the Dinesh Goswami Committee submitted its report on various aspects of election and its reform, but unfortunately these could not be implemented as well. Later on another major Act was enacted, namely Representation of People (2nd Amendment) Act, 1996. This Act covers areas like: reduction of campaign period from 21 days to 14 days; banning candidates from contesting in more than two constituencies; increasing the amount of security deposit to discourage non-serious candidates from Rs. 500 to Rs. 5000; and not to suspend election in case of death of a candidate (political party can nominate another candidate for the same within seven days). The Sixty-first Amendment to the Constitution of India, officially known as the Constituttion (Sixty-first Amendment) Act, 1988, reduced the voting age of elctions to the Lok Sabha and the Legislative Assemblies of the States from 21 years to 18 years.

12.9.1 Changes in The Electoral System

From 1990s onwards, there is a mushrooming growth of political parties. Because of that it is nearly impossible to form a government by just one political party. Hence the concept of coalition government and alliance politics is gaining ground. In India, it's not necessary

to get majority of votes by a particular candidate to get elected as we have opted for the First Past the Post (FPTP) system. In that sense our system is not truly representative which is there in the Proportional Representation (PR) system. For example, a candidate gets elected even if he/she secured twenty percent of total votes polled if that percent is more than all other individual candidates. That is one of the serious drawbacks that we're facing in the FPTP system. There is a demand for changing the system to achieve a true representation system, as even the Tarkunde Committee and some former CECs too had suggested for modification of the present system. But, in a big country like India, it's just not desirable to switch over to some other complex procedure of voting where millions of people are living under below poverty line and who are illiterate having little awareness about the whole political system.

12.9.2 Restructuring the Election Commission

To make the Election Commission more responsive and democratic there were demands for making it a multi member entity. Both the Tarkunde and Goswami Committee suggested for its reconstruction. Ultimately with the Supreme Court judgement of 1995, the EC was made a three member body. However, there is still scope for taking a majority decision by the EC sometimes which may not be impartial as the members are appointed by the ruling government. There is a possibility that the retired bureaucrats may want to please the ruling party to be a member of the EC. Today, there is demand for a total ban on post-retirement appointments of the EC members to make it more neutral and non-partisan.

12.9.3 Eradicating the Evil Influences of Money And Muscle Power

Misuse of money and muscle power for electoral gain is the most serious issue before the electoral system we are facing today. By

the two elements voters can be easily influenced to get desired results. Although there is ceiling for election related expenditure but in real practice that amount is not sufficient and that is often violated by candidates or political parties. There is a proposal from the previous Committees for state funding of elections but unfortunately that has not being introduced till date. Use of money, which is collected form dubious sources, is related to criminalization of politics. Candidates having proven criminal records must be debarred from contesting elections.

More radical measures like the right to recall or reject a particular candidate may be introduced on an experimental basis. Although, we have the NOTA (None of the above) option in the EVMs, there is no clear-cut direction about what would happen if a majority of the voters polled is of NOTA. Paid news is another latest addition to influence the voter in the name of opinion poll and expert's discussion. Although lots of measures are being taken by the EC to maintain the sanctity of the elections but laws alone cannot provide us a full proof system. In the long run, it's all about the political culture and behaviour of the electorates. Examples show that mature electorates had over thrown corrupt regimes in India in a number of occasions. However, we need political commitment and political will along with strong civil society to have a fair electoral system.



CHECK YOUR PROGRESS

Q 1 : Write briefly about the composition of the Election Commission.

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Q 2 : Which Article of the Indian Constitution provides for the election machinery?

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Q 3 : Write two drawbacks of electoral system of India.

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Q 4 : Explain two measures to reform electoral system in India.

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12.10 LET US SUM UP

- Election is that process by which the general people legitimize the rule of a particular political party or a coalition of parties.
- The process of election strengthens democracy by making the people a real part of the political system.
- The Constitution of India has provision for free and fair election under the supervision of the Election Commission for both central and state governments even up to the grass root level.
- Socio-economic or religious elements like caste, language, region, class etc. can play a very decisive role in determining electoral outcomes. Political parties try to mobilize people on the basis of these emotional issues.
- Other issues like money and muscle power are equally important. Investment of black money and criminalization of politics are a serious matter of concern for our electoral system. Although several Committees recommended measures to curb the evil menace but their influence is increasing day by day.
- Although measures like EVMs, Model Code of Conduct, declaration of property of candidates etc. are introduced, that is not sufficient if the general people are not vigilant and sensitized about issues of electoral malpractices.
- Today the elections have become a part of our democratic life by which we can change governments in a peaceful manner.



12.11 FURTHER READING

1) Zoya Hasan (ed). (2002). *Parties and Party Systems*. New Delhi: OUP.

2) Rajni Kothari. (1972). *Politics in India*. New Delhi: Orient Longman.

3) M. V Rajeev Gowda, and E. Sridharan, (2007). *'Parties and the Party System.* 1947-2006', in Sumit Ganguly, Larry Diamond, and Marc F. Plattner (eds) *The State of India's Democracy*. John Hopkins University: Maryland.



12.12 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1 : The Election Commission of India consists of one Chief Election Commissioner and two other members. Members of the Commission are appointed by the President of India.

Ans. to Q. No. 2 : Article 324.

Ans. to Q. No. 3 : Criminalization of politics is one of the drawbacks of electoral system in India. The unholy nexus between criminals and politicians can be easily seen. Politicians often take the help of criminals in terms of money and muscle power. Even surrendered militants are contesting elections in some parts of the country. All these lead to an understanding among the corrupt politicians, bureaucrats and criminals. The corrupt bureaucrats always support the ruling parties to regain power; thus, the government machinery is misused both for the ruling party and existing bureaucrats against the opposition parties.

Secondly, contesting election has become more expensive and competitive. Every candidate wants to win election by any means since there is no consensus among the candidates. With

the increasing number of voters every year and to cover a large constituency, candidates have to invest more. Thus, transportation, publicity, personal contacts, rallies, public meetings and advertisements in mass media need more and more money. But there is a ceiling on expenditure by the parties or candidates. Here donations, black money and its collection from business houses and criminal makes a vicious cycle. All these developments deprive the genuine candidate and helpless voters from the essence of democracy.

Ans. to Q. No. 4 : (i) Restructuring the Election Commission : To make the Election Commission more responsive and democratic the Commission should be a multi member entity. Both the Tarkunde and Goswami Committee suggested for its reconstruction. Ultimately with the Supreme Court judgement of 1995, the EC was made a three member body. However, there is still scope for taking a majority decision by the EC sometimes which may not be impartial as the members are appointed by the ruling government. There is a possibility that the retired bureaucrats may want to please the ruling party to be a member of the EC. Today, there is demand for a total ban on post-retirement appointments of the EC members to make it more neutral and non-partisan.

(ii) Eradicating the Evil Influences of Money And Muscle Power : Misuse of money and muscle power for electoral gain is the most serious issue before the electoral system we are facing today. By the two elements voters can be easily influenced to get desired results. Although there is ceiling for election related expenditure but in real practice that amount is not sufficient and that is often violated by candidates or political parties. There is a proposal from the previous Committees for state funding of elections but unfortunately that has not being introduced till date. Use of money, which is collected form dubious sources, is related to criminalization of politics. Candidates having proven criminal records must be debarred from contesting elections.



12.13 POSSIBLE QUESTIONS

Q 1 : Discuss the role of elections in Democracy.

Q 2 : Analyse the major determinants of electoral behaviour in India.

Q 3 : Describe the measures which are adopted to reform the electoral system in India.

Q 4 : "Elections are the core element of Democracy." Discuss.

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UNIT 13 : POLITICAL ECONOMY - NEHRUVIAN MODEL AND MIXED ECONOMY; RECENT TRENDS

UNIT STRUCTURE

13.1 Learning Objectives

13.2 Introduction

13.3 Political Economy of Pre-independent India

13.4 Political Economy of Nehru-era

13.5 Political Economy in post Nehru era

13.6 Dawn of LPG

13.7 Beyond LPG

13.8 Let Us Sum Up

13.9 Further Reading

13.10 Answers to Check Your Progress

13.11 Possible Questions

13.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- describe political economy of India of pre-independence era, Nehru era and post Nehru era
- analyse political economy of India in the context of Liberalisation, Privatization and Globalisation.

13.2 INTRODUCTION

India, an Asian economic power, is one of the fastest growing economies in the world. It took almost 100 years to get back India's economic freedom after the Britishers started draining wealth from India. The economy of India was so devastated that after 70 years of independence also it is still regarded as a slowly progressing country. India was supposed to be facilitated through a proactive and progressive government.

13.3 POLITICAL ECONOMY OF PRE-INDEPENDENT INDIA

Political economy is all about the interplay between the economy and politics of a country. It tries to explain why a particular economic condition leads to changes in the political sphere and vice versa. It is sometime regarded as a conflict between the state and the market. India , an Asian subcontinent had to go for political independence only to free its economy from foreign clutches. A self sufficient agrarian economy where village economy was the basis of domestic income and gems and jewelries formed the export income had to go through 200 years of economic exploitation by British imperialist. This lead a group of foreign educated Indians to start for India's freedom struggle. During this period itself the blueprint of India's economy was set. The developmental aspirations of the people of India were unfolded during the freedom struggle itself. The resistance of Indian people in 1857, Peasants struggle against the land revenue system of the Britishers, revolt against Zamindars, etc had pure economic perspectives. Criticism of nationalist leaders like Dadabhai Naoroji, M.G.Ranade and R.C.Dutt on colonial economic exploitations were also been seen upsurging in the pre-nehru era itself which is a clear indication that India's freedom struggle had economic basis. However, the Indian council act 1861, initiatives by Annie Besant, All Parties Conference led by Mahatma Gandhi in 1925 (commonwealth of Indian Bill), Motilal Nehru Committee report of 1928 etc had economic basis demanding political freedom for India. However it was Gandhi who gave stress on socio-economic upliftment of Indian people to regain the status of self sufficiency that India used to enjoy. Among the earliest Gandhian efforts were his visit to Champaran in Bihar to save the peasants from the exploitation of the British indigo planters, his initiation of peasant satyagraha at Khaira in Gujrat against high revenue etc. Towards the later part of freedom movement that the demand for land reform (abolition of Zamindari system and other intermediary rights in land and grant of ownership of tillers of land) started to crop up. In fact there was demand from Congress in1893 itself for permanent settlement of land in order to protect the people against harassing extortions of the landlords in the ryotwari areas. Interestingly, as available in a write up by S.K.Chaube after the Lahore

Resolution of 1929 ; on January 30, 1930 in Young India Gandhi laid down the 'Substance of Independence' where among all the features eight of the ten features had economic bearing which talked about –

- Reduction of pound rupee exchange from 1 shilling 6 pence to 1 shilling 4 pence,
- Reduction of land revenue by 50% and making it subjected to legislative control.
- Abolition of salt tax.
- Reduction of military expenditure by 50%.
- Reduction of salaries of the highest grade services by half or less, to suit the reduced revenue.
- Protective tariff on foreign cloth.
- Passage of the Coastal Traffic Reservation Bill.
- Issue of licenses to use fire arms for self defense, subject to popular control.

Soon after that Karachi Resolution of 1931 brought out a detailed economic reform for India. When Congress came to power in 1937 in provincial elections they partly fulfilled the promises. After 20 years of Karachi Resolution the Indian Constitution enshrined the promises made during the resolution. So, the foundation of India's political economy was structured during the pre-independence era itself which was brought to shape by the succeeding government, particularly by India's first Prime Minister Pandit Nehru in the form of planned development. Very interestingly commented by Prof. S.K.Chaube, 'The Indian national movement was a political movement which tried to avoid contentious issues so that the people does not get divided. However there exist no polity without economy and that is why to mobilize the people it was necessary to reflect on their socio-economic aspirations of the people. The broad aspirations of the people during that period was :

- A capitalist dream of an industrialized India under minimal state control and state support.
- A Gandhian view of basically rural and self –sufficient economy with minimal state control and large industry.

- A socialist view of an industrialized India under strong state control and leadership.

So during this period a consensus was arrived that there could be no development without political freedom, there must be certain amount of state control in the economy, basic natural resources should be nationalized and at the most Zamindari and other intermediary rights in agriculture should be abolished. Thus, in this way a rough blueprint of India's political economy was laid in the pre-Nehru era.



CHECK YOUR PROGRESS

Q 1 : Write two features of 'Substance of Independence'.

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Q 2 : What was the main consensus arrived in between people of India and the state during pre-nehruvian era?

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13.4 POLITICAL ECONOMY OF NEHRU-ERA

At the threshold of India's Independence in 1947, Pandit Jawaharlal Nehru sworn in as India's Prime Minister. He along with fellow freedom strugglers and the mansions of India planned out a socialist pattern of development of India. The task before the leaders was to galvanize a fragmented and pulverized economy. They decided to adopt a planned economy to alleviate the masses from the depressing quagmire of poverty, unemployment and general backwardness. In the chapter on 'Objective of Planned Development' as written by Bipan Chandra, Nehru observed that 'a high rate of economic growth sustained over a long period is the essential condition for achieving a rising level of living for all citizens, and especially for those in low income groups or lacking the opportunity to work'. Nehru told in the Avadi session of

the Congress: ' We cannot have a welfare state in India with all the socialism or even communism in the world unless our national income goes up greatly. Socialism or communism might help you to divide your existing wealth, if you like, but in India there is no existing wealth for you to divide, there is only poverty to divide… How can we have a welfare State without wealth? In other words, production was essential irrespectively of the nature of society being socialist or communist'. Nehru committed to 'the establishment of a socialist pattern of society where the principal means of production are under social ownership or control'. So, it was a combined blueprint of Keynesian macroeconomics, Stalinist public investment policies and Gandhian rural development measures. It was a idealist pattern which could be implemented only if the government is potential and powerful enough. But from the first day of sovereign India till its 15- 20 years, India was over and again jolted by political instability and upheaval, which helped in bringing no desired result in the economy.

In an article, 'Economic Ideology of Jawaharlal Nehru' published in EPW in 1964 M.L.Dantwala commented that it was well known that it was mainly because of Nehru's insistence that the ultimate goal of the Socialist Pattern of society has been adopted. Nehru's economic ideology is an outcome of socialism which was born out of a deep attachment to the values of ethics and social justice. It was combination of free enterprises found in USA and state controlled economy found in Soviet Union. Nehru argued that India with its limited resources and under-developed economy could not adopt either of these two methods of development and had to evolve her own methods. He was of the opinion that mixed economy was the best method because this led to equitable distribution of the wealth in the country. Nehru favoured a state controlled industries mainly concerned with defense production as well as basic heavy industries. Nehru was well conscious that India had a shattered economy with limited technical and financial resources. It was not in a position to take over heavy industrial responsibilities by its own and that is why permits to the private enterprises were given. But Nehru was concerned that the private enterprises should work in a limited sphere as because the idea of private sector does not fit

into his idea of welfarism. Only because he felt that they could play important role in boosting speedy development and will lessen the burden over the state he allowed private players to invest in India. He further said that the private sectors should be immuned from the government control and must work in cooperation to the public sector. The private sector should be guided by social purpose and must be committed to common good of the public. He further suggested for curtailment of private sector and extension of public sector and gradual transfer of the field of the private sector to the public sector. He was quite clear that the public sector must generate additional resources. According to the Industrial Policy Resolution 1956, the public sector was expected to 'augment the revenues of the state and provide revenues to the state and provide resources for further development in fresh fields'. So his economy was supposed to be flexible to the extent that it is easily adjustable to the changing needs of India. That is why may be, inspite of criticisms from various parts he was quite firm with what he aimed for India. So, let us take a quick perusal of the main highlights of Nehruvian economy -

- Nehru modeled a planned economy for India way back in 1934. The National Planning Committee was set up in the year 1938 with Jawaharlal Nehru as Chairperson and Professor K.T. Shah as Secretary. Nehru took planned economy as a strategy to achieve speedy development. It was a challenge for him to implement since every penny is to be spent by the state. The biggest challenge came from Gandhi who believed it to be a centralized statism. It was supposed to be against village decentralization. Planning was an anathema to western democracies whose financial aid was a critical factor in the task of development. Whatever it may be, the concept of the planning commission with the Prime Minister as the chairman was an important landmark in the economic policy and development in the country.
- The adoption of Bombay Plan prepared under the leadership of J.R. D. Tata and G.D. Birla in 1944. The Plan envisaged the doubling of per capita income and trebling of national income in 15 years. There

was specialization of industries into basic industries and consumption goods industries. This has helped in minimizing inequalities of wealth. This plan stressed on economic control rather than ownership or management by State.

- Another important economic policy of Nehru was the launching of the modern type of industrialization with its emphasis on heavy industries. Implementation of Mahalonobis' strategies and importance to development of industries in a country where the basic infrastructures and raw material for industrialization was lacking was also a challenge to Nehru to follow. Moreover it was a decision against the Gandhian philosophy of agriculturalization of India. It was also seen to have been failing in the first decade of India's development. As a result there cropped up an unknowing war in between precedence of agriculture and industries.
- Another strategy of Nehru's economy was stress on steel mills and the giant multi-purpose river- valley dams without thinking about the long run implications. What so ever, there was always the saving grace of non-insistence and flexibility.
- Another striking feature of Nehruvian economy was adoption of the Nagpur Resolution on the future pattern of the agrarian structure. He went for such change when industrialization alone could not accelerate the pace of development in India. In the words of Dantwala, the Resolution had categorically stated that the future agrarian pattern should be that of cooperative joint farming, in which land will be pooled for joint farming. The reference was to all land and not only to land belonging to small uneconomic cultivator. At that moment, and for a considerable time thereafter, Nehru was convinced that this was the right stand. Later, partly because of the successful misrepresentation of this policy as confiscatory and anti-peasant and partly because of the practical difficulties in implementing it, the Nagpur Resolution was allowed to fade away.
- Formation of state sponsored, large sized visible units of primary cooperative credit societies: Easy and affordable credits to the

farmers were made easily available to boost up agricultural sectors. However, in the long run this credit facility made the farmers over burdened with debt leading to suicidal attempt by the farmers and the succeeding government had to go with loan waiving schemes.

- Another significant feature of Nehruvian economy was the adoption of tickle down process of development which was not according to the needs of the regions and was over centralized.
- Continuation of a system of control and ration on food supply of the imperialist days which led to improvements of the system of controls rather than its abolition. Occasionally the controls were lifted and again imposed when there was inflation.
- Introduction of nationalizations of major banks and companies came as a shock to most of the Indian businessmen, socialist and radicals. He assured the industrialist and the businessman that this government by him was by no way to harm the industries but it will surely provide facilities for production (technical, scientific and power resources etc).

Nehru's model of economy was to be accomplished within the framework of democracy which promised to establish social justice, equality and rights. So, state was supposed to act as mediator or to say a neutralizer in between the logic of the market which excludes a significant number of poor populations and the aim of India to have an inclusive development. So, efforts were made to limit the degree of openness and of integration with the world economy, in pursuit of a more autonomous, if not self reliant development. Ultimately there was huge investment creation of infrastructure which helped in building up of intermediate goods industries. That resulted in reduction of input cost and increased the demands for goods produced. There was import substitution through protection of markets for domestic capitalist for securing the future. There was a consented effort that industrialization goes with people's interest. Therefore, redistribution as a policy was not encouraged, Zamindars were

excluded from the interferences in the economy, land reforms got polluted by corruption at all levels and legislative loopholes started to decay the economy that Nehru dreamt of. So, new initiatives were introduced like community development programmes, panchayat systems, reservations etc.

Above all Nehru wanted to build a self reliant economy for independence depended on economic strength and the capacity to resist economic and political domination. Emphasis on rapid industrialization and agricultural self sufficiency , planning, public sector and heavy , capital goods industry, minimal use of foreign capital and aid, science, technology and technical modernization, the training of a large technical and scientific cadre, and atomic energy was seen by Nehru as important ingredients of economic independence and development in India. Nehruvian policy was successful though it was capitalist in structure yet socialist in spirit which proved to be the right one for India as a result her economic achievement was quite substantial. However, the following can be estimated as the gains of Nehru era –

- Massive initiatives for industrial and agricultural growth through expansion of state expenditure.
- Diversification of industrial production.
- Coming up of infant industries.
- Domestic self sufficiency in food production was achieved.

With the above mentioned gain, the losses incurred were failure of land reforms, rise of a high cost industrial economy, export pessimism, corruption in institutionalized manner, not labour intensive agriculture, negligence of dry farming land, urban - rural divide. In all fairness, there was a concerted effort to reconcile economic policies with that of the political processes. Politics of accommodation was followed with eradication of poverty and equal distribution of resources. Thus, Nehru introduced an achievable social democracy with a welfare state along the non capitalist path of development.



CHECK YOUR PROGRESS

Q 3 : Write a brief note on Political Economy of Nehruvian era.

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Q 4 : When was the Bombay Plan adopted?

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13.5 POLITICAL ECONOMY IN POST NEHRU ERA

Sudden demise of Nehru questioned the existence of what Nehru stated to develop in India. Indira Gandhi took over the responsibilities of her father. There was frequent changes in the power structures. Congress which carried on the Nehruvian legacy itself was not stable and was in the verge of decline. It could not balance political democracy and economic welfarism. This led to the failure of the government to keep the promises made to the people. This made India a fertile ground for political voices coming from margins of the society. They have started to make economic claims on the state. On the economic front there was grim poverty seen (34% in 1957 to 57% in 1970), ever increasing prices, food crisis, devaluation of money (savings and investment suffered as result planning has to be suspended for three years). The consensus that people and the government arrived for development of India was totally broken.On the political front there was second democratic upsurge in the form of regionalism, ruralization, rise of castes' politics, demographic changes of the voters(more from lower strata of the society), rise of rich peasantry, decline of semi feudal lords etc which eventually altered the nature of political economy of the post Nehru era. To meet the demands the government introduced Green Revolution in the agriculturally advanced areas of India which made India self sufficient in grain production to a large extent. There was serious programmatic efforts from the government

side except for populist sloganeering, nationalization of banks, abolition of privy purses etc. Land reforms were not up to the mark. The failures during this period exceeded the gains, the result was declaration of emergency. So, political and economic democracy seemed to have failed completely during this period. This has happened because of instable polity in form of coalition. In the words of S.K.Chaube, 'The failure of Janata party government reflected the limitation of the coalition politics'. There was no unity in the parties and frequent movement of members from one party to the other. By then Indira Gandhi returned with populist policy like huge subsidies resulting in increased state expenditure and loss of revenue, soft loans, loan waivers, nationalization of sick farms, cheap inputs for small capitalist. The same concept continued in the Rajib Gandhi rule also only with some changes like politics of nominations, marketisation of polity, employment generation schemes etc. But this era was not like the flourishing Nehruvian era. There was hardly any relation and interactions between polity and economy. Those who had money and muscle power won the elections and did reforms either suiting their interest or made no significant reforms. Religion, ethnicity, Identity started playing major role in Indian politics then revampation of the economy. The budgets were mostly deficit and political instability could not solve the unsolved problems of socialist India.



CHECK YOUR PROGRESS

Q 5 : What was the condition of Indian economy after Nehru's death?

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Q 6 : Name one employment generation scheme initiated by Rajib Gandhi.

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13.6 DAWN OF LPG

In the post 1990 India had a regime of elaborate license and regulations resulting in comprehensive corruption and red-tapism. The economy suffered to the extent that the government of India decided to close Indian economy to the outside world. The state and the planning commission decided the amount of investment necessary to boost up the economy. The market had nothing to do with the economy. The only strength was import substitution. The bureaucracy put on hundreds of procedural restrictions on foreign firms which prevented their entry into India. There was absence of consensus regarding any strong strategy of economic development. Long term vision to develop India was been replaced by short term policies. There was movement of polity and economy in different directions. The polity was more democratized and was driven by interest by people's movements centering and questioning unequal economic development, caste politics, regionalism and emergence of rich state – poor state syndrome, loss of confidence in political vitality. Religion was more important than development. In terms of economy most of the investments were in form of consumerism and hot money (seeking quick return). The withdrawal of the state from social sector has been hitting the poor people as the whole notion of welfarism was under question. Results of this were

- Huge concentration of wealth through tax evasion and licensesing by a certain section of the society.
- Losses incurred by state owned enterprises.
- Emergence of huge private sector.
- Increased inefficiency of department of taxes and customs in tax evasion.
- Public sector monopolization led to poor infrastructure investment.

These developments led India to a fixed exchange rate leaving India in a irrecoverable economic crisis. The central banks could not generate new credit. The foreign exchange reserves melted to point zero and India had to go for credit help from IMF through helps from Switzerland and England

against Gold. So India had to go for economic reforms as a bailout process from the IMF. The reforms initiated earlier in 1966-67 and 1985 could not deal with the grim problem that India was facing. As per India Report of Astaire Research, ' A balance of Payments crisis in 1991 pushed India near bankruptcy. In return far an IMF bailout, gold was transferred to London as collateral, the rupee devaluated and economic reforms were forced upon India. There was an urgent need to unshackle the economy. Controls started to be dismantled, tariffs, duties and taxes progressively lowered, state monopolies broken, trade reforms were introduced, private sector enterprises were encouraged and globalization were gradually encouraged. It was open handedly accepted by all political parties though with a low pace leading to a new era in India called LPG (Liberalization, Privatization and Globalization).

The primary objective of LPG was to make the economy of India the fastest developing one and with capabilities to compete with the biggest economy of the world. It is a process of trade liberalization, privatization of businesses and globalization of Indian economy. The main motive of the process was to take India to a proficient level. Liberalization means reduction of government regulations. Privatization means participation of private enterprises in business and services and transfer of ownership to private sector. Globalization means the process of making the world economy one. It is a process of increasing global interaction connectivity and integration between nation states, households and individuals, corporations and other organizations. India adopted this process as a recovery mechanism to the economic set back it was suffering from. The then Prime Minister of India P.V.Narashimha Rao, initiated this groundbreaking economic reorganization. It was under the aegis of then Finance Minister Dr. Manmohan Singh. The declaration of LPG came out in the form of Narashimha Rao Committee's Recommendation:

- To bring in the Security Regulations (Modified) and the SEBI Act of 1992. (to legitimize the Securities Exchange Board of India and to record and control all the mediators in the capital markets)
- To do away with the Controller of Capital matters by 1992.

- Launching of the National Stock Exchange in 1994.
- The equity markets were made available for investment through overseas corporate investors.
- The companies were allowed to raise funds from overseas markets through issuance of Global Depository Receipts.
- Promotion of Foreign Direct Investments (FDI).
  (raising the partnership cap to 51% from 40%. In high priority industries, 100% international equity was allowed)
- The Indian currency was made exchangeable currency.
- Duties have been reduced to 25% from 85%.
- There was reorganization of the methods for sanctions of FDI.
- Demarcation of boundaries for international investment was initiated.

As a result within 5-6 years it was noticed that the overall amount of overseas investment rose to 5.3 billion dollar from 132 million dollar (US) during 1990's. There were changes in industrial guide lines. Demarcation of production zone was made. Specialized economic zones were declared. License raj was abolished (except 18 sectors). Control on industries were moderated and relaxed. So, with the dawn of LPG India went through a comprehensive and massive economic reformation. Therefore, there were certain new initiatives taken which highlights the main characteristics of this LPG regime are:

- Foreign Technology Agreements.
- Foreign Direct Investment.
- MRTP Act, 1969 (amended)
- Industrial Licensing.
- Deregulations.
- Privatization.
- Encouragement in overseas trades.
- Measures for Regulation of inflation.
- Tax reformations.
- Abolition of License- Permit Raj.
- Structural adjustment programmes and introduction of PRSP's.

13.7 BEYOND LPG

Whatever was been initiated by Narashimha Rao was halted after him. He acted as Chanakya for India with his path breaking economic reform even through a minority government. Since then the overall outcome of liberalization remained same. There no significant reforms undertaken by succeeding government and there were questions regarding inclusiveness of LPG. It was because soon after the adaptation of this process it has been observed that income inequalities have deepened in India. The consumption rate of the rich has grown manifolds with accessibility to MNCs and other avenues while the consumption of the poor remained same. As per GDP growth rate it was in a state of flux. It was the lowest in 2012-2013 with 5.1% growth since liberalization which made the government to take new reforms to boost up the economy. However by 2015 and after it has been accelerated again to reach the highest in 2014-2015 to beyond 7%. It was accompanied by failure in addressing employment issue, nutritional values of food (food is available but quality deteriorated), export growth resulting in current account deficit. More integration with neighboring economies in the form of ASEAN, SAARC was happening but the acceleration was not as per the pace required. Indian markets started flooding with Chinese goods which had adversely affected income of a certain section. Accessibility to anything has become easy leading to a more crime driven society. Gandhian value of economy of sharing was declining and people were more interest driven. Profit making became the sole motive resulting in decline of ethics. The economy moved towards credit driven. So, the neo-liberal ideology adopted by India was been questioned on the ensuing concept of environmentalism and sustainable development. So, whatever was been taking place had a cost bearing on the population and the under-privileged sections remained with their problems of 70's in the 21st century also.

The initiatives taken over by succeeding governments in the post reform era are as follows:

- The BJP in 1998-1999 till 2004 had initiated a number of reforms which were not feasible for India. Afterwards the NDA began privatizing under-performing government owned business including hotels, VSNL, Maruti Suzuki, and airports. They begun reducing taxes. There was overall fiscal policy aimed at reducing deficits and debts and increased initiatives for public works.
- The United Front Government attempted a progressive budget that encouraged reforms after being hit by Asian Financial Crisis and political stability created economic stagnation.
- By the end of 2011, the congress led UPA 2 Coalition Government initiated the introduction of 51% Foreign Direct Investment in retain sector. But due to pressure from fellow coalition and the opposition, the decision rolled back. However it was approved in 2012.
- In 2015, the second BJP led NDA Government opened up the insurance sector by allowing upto 49% FDI. This came seven years after the previous government attempted and failed to push through the same reforms and 16 years after the sector was first opened to foreign investors up to 26% under the first NDA government.
- It also opened up the coal industry through the passing of the coal mines (special provision) Bill of 2015. It ended the Indian central government's monopoly over the mining of coal, which existed since nationalization in 1973 through socialist controls. It has opened the path of private interference in the mining sector through investment from private parties in this field which will result in better wages for the mining workers and state too will earn at the cost of the private parties.
- In 2016 the government also moved a resolution against insolvency and bankruptcy code. The code created time bound processes for insolvency resolution of companies and individuals. If insolvency cannot be solved ,the assets of the borrowers may be sold to repay creditors. This law eased the process of doing business, according to experts and is considered by many to be the second most important reform in India since 1991.

- On July 1st 2017, the government launched the GST(Goods and Services Tax) This came after 17 years after being initiated in the year 2000 by Atal Bihari Bajpai. It is expected to be India's biggest tax reform. GST replaces a slew of indirect taxes structure and is therefore set to reshape the country's 2 trillion dollar economy. But its implications will be known only in the years to come.

But, if the general condition of the people are taken into consideration there is not much changes seen since Nehruvian era. Poverty, unemployment still remains the grim problem. The rich getting richer and the poor remained the same. The difference of prices at the farming ground and the market is still high and middleman still remaining the main profit making body. The real profit is not percolating to the real gainer.



CHECK YOUR PROGRESS

Q 7 : State the meaning of LPG.

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Q 8 : Write two recommendation of Narashima Rao Committee on LPG.

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Q 9 : Write the latest initiatives of the NDA Government towards reformation of taxation system in India.

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13.8 LET US SUM UP

- The British left the economy of India in a devastated condition only to leave the state in a bankruptcy at the threshold of its independence.
- To make India free from such condition Nehru, the first PM of India adopted a socialist patterned planned development model, though a mixed economy (combination of private enterprises and welfare state).

- Pre Independent India was self sufficient agrarian economy where village economy was the basis of domestic income and gems and jewelries formed the export income had to go through 200 years of economic exploitation by British imperialist. This lead to a group of foreign educated Indians to start for India's freedom struggle. During this period itself the blueprint of India's economy was set.
- Nehru's economic ideology is an outcome of socialism which was born out of a deep attachment to the values of ethics and social justice. It was combination of free enterprises found in USA and state controlled economy found in Soviet Union. Nehru argued that India with its limited resources and under-developed economy could not adopt either of these two methods of development and had to evolve her own methods. He was of the opinion that mixed economy was the best method because this led to equitable distribution of the wealth in the country.
- After the death of Nehru there was frequent changes in the power structures. Congress which carried on the Nehruvian legacy itself was not stable and was in the verge of decline. It could not balance political democracy and economic welfarism. This led to the failure of the government to keep the promises made to the people.
- Due to maladjustment of the society with the development pattern and continuous failure of the economy to save India from the bancrupcy, India was bound to adopt a new economic regime popularly known as LPG. So, with the dawn of LPG India went through a comprehensive and massive economic reformation. Therefore, there were certain new initiatives taken like, Foreign Technology Agreements, Foreign Direct Investment, MRTP Act, 1969 (amended),Industrial Licensing etc.
- LPG led to opening up of markets to the outside world and Indian economy was freed from unnecessary restrictions from the state. As a result MNC's were flooding Indian market and converting Indian economy to a consumerist and credit dependent one.

- Interestingly, if the general condition of the people are taken into consideration there is not much changes seen since Nehruvian era. Poverty, unemployment remained same and the rich were seen getting richer and the poor remained the same. The difference of prices at the farming ground and the market is remained high resulting in continuous price rise. The real profit was not seen percolating to the real persons.



13.9 FURTHER READING

1) Chelliah, R.J. (2010). *Political Economy of Poverty Eradication in India: An Essays on Fiscal Reform.* New Delhi: Sage Publications.
2) Frankel, F.R. (2005). *India's Political Economy 1947-2004*. New Delhi: Oxford University Press.
3) Rao, C.H.H & Linneman, H. (ed). (1996). *Economic Reforms and Poverty Alleviation in India*. New Delhi: Sage Publications.



13.10 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No. 1 : Reduction of pound rupee exchange from 1 shilling 6 pence to 1 shilling 4 pence and Reduction of land revenue by 50% and making it subjected to legislative control.

Ans to Q. No. 2 : No development without political freedom.

Ans to Q. No. 3 : Nehru wanted to build a self reliant economy for India depended on economic strength and the capacity to resist economic and political domination. Emphasis on rapid industrialization and agricultural self sufficiency , planning, public sector and heavy , capital goods industry, minimal use of foreign capital and aid, science, technology and technical modernization, the training of a large technical and scientific cadre, and atomic energy was seen by Nehru as important ingredients of economic

independence and development in India. Massive initiatives for industrial and agricultural growth through expansion of state expenditure was made. Diversification of industrial production was made and there was coming up of infant industries. Domestic self sufficiency in food production was achieved. With the above mentioned gain, the losses incurred were failure of land reforms, rise of a high cost industrial economy, export pessimism, corruption in institutionalized manner, not labour intensive agriculture, negligence of dry farming land, urban - rural divide. In all fairness, there was a concerted effort to reconcile economic policies with that of the political processes. Politics of accommodation was followed with eradication of poverty and equal distribution of resources. Thus, Nehru introduced an achievable social democracy with a welfare state along the non capitalist path of development.

Ans to Q. No. 4 : In 1944, under the leadership of J.R.D Tata and G.D.Birla.

Ans to Q. No. 5 : Nehru's death and coming of Indira Gandhi and subsequent leaders in India could not bring any significant development. The polity was under upheaval and economy was relying on credit from IMF. The instable government could not take effective long term initiatives to boost the economy and it was continuously drawn under economies of the West. There was no other way but to adopt a neo-liberal economic policy to step up with the world.

Ans to Q. No. 6 : Rajib Gandhi Rural Employment Genaration Programme.

Ans to Q. No. 7 : Liberalization means reduction of government regulations. Privatization means participation of private enterprises in business and services and transfer of ownership to private sector. Globalization means the process of making the world economy one. It is a process of increasing global interaction connectivity and integration between nation states, households and individuals, corporations and other organizations. India adopted this process as a recovery mechanism.

Ans to Q. No. 8 : (i) To bring in the Security Regulations(Modified) and the SEBI Act of 1992.

(ii) Launching of the National Stock Exchange in 1994.

Ans to Q. No 9 : Goods and Services Tax, 2017.



13.11 POSSIBLE QUESTIONS

Q 1 : State the meaning of LPG.

Q 2 : Write briefly about 'Substance of Independence'.

Q 3 : State four recommendations of the Narashimha Rao Committee.

Q 4 : Write a short note on Political Economy of Pre-independent India.

Q 5 : Explain the initiatives taken over by the Government in the post LPG era.

Q 6 : Discuss political economy of India with special reference to Nehru era and post Nehru era.

Q 7 : Make a note on political economy of India in the post 1990s.

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UNIT 14 : PRESSURE GROUP POLITICS IN INDIA

UNIT STRUCTURE

14.1 Learning Objectives

14.2 Introduction

14.3 Pressure Groups

14.4 Methods used by Pressure Groups

14.5 Pressure Groups in India

14.5.1 Characteristics of Pressure Groups in India

14.5.2 Major Pressure Groups in India

14.5.3 Media as Pressure Group in India

14.5.4 Role of Pressure Group in India

14.6 Let Us Sum Up

14.7 Further Reading

14.8 Answers to Check Your Progress

14.9 Possible Questions

14.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- describe the meaning of interest groups and pressure groups
- examine the characteristics and the methods used by pressure groups
- explain the types of pressure groups
- examine the role of the pressure groups in India.

14.2 INTRODUCTION

Presence of pressure groups is one of the important characteristics of any democratic society. In a democratic country these groups act as a mediator between people and the government. These

groups create awareness among people and thus make democracy more participatory. In this unit we shall discuss different dimensions associated with pressure groups.

14.3 PRESSURE GROUPS

An interest group represents the social, economic and political interests of a particular segment of the society, that segment may be farmers, teachers, miners, workers, journalist or students. The segment has to have an interest, an objective which is something particular to that segment only. Interest is always specific. Pressure groups are the interest groups which try to secure their interests by influencing the formulation and administration of public policy. They have the ability to influence, coerce, pressurise and persuade. They are referred to as civil society organisations which are non-partisan groups that attempt to influence some phases of public life. Every pressure group is an interest group, but all interest groups are not pressure groups. An interest group has an interest but abstain from using pressure tactics; a pressure group has an interest and uses pressure tactics to pursue its goals.

Some Definitions of pressure groups:

- According to Myron Weiner - "By interest or pressure group we can mean any voluntary organised group, outside the government personnel, the adoption of public policy, its administration and adjunction."
- According to Almond and Powell- it is a"group of individuals, who are linked by particular bonds of concern or advantage, and who have some awareness of these bonds."
- According to Zeigler it is, ''an organized aggregate which seeks to influence the governmental decisions without attempting to place its members in formal governmental capacities''.

So, the chief features of pressure or interest groups may be identified as under:

a) It is an organized group of people;

b) It is non-political in nature, for it does not aim to capture power;

c) It is a group with a particular interest which binds its member together;

d) It exists to exert influence on decision-making bodies so as to change their policies in their favour to meet specific goals.

The factors which affect the functioning of interest groups and pressure groups are -

- The organizational capacity, strength and discipline to keep its members to pursue their ends.
- Its financial resources to promote public relations campaigns through media, politicians, civil servants, etc.
- Capacity to elicit peoples' support and sympathies for its cause.
- Capacity to obtain and earn access to the decision-making bodies.

Types of Pressure Groups :

Almond and Powell have divided Pressure Groups into four categories. These are :

- Institutional pressure group-These groups are formally organized . They are part of government machinery and raise their protests with constitutional means. For example bureaucracy, army, central election committee etc.
- Anomic pressure group-These are the group that have analogy with individual self-representation. They may be constitutional or unconstitutional. For example ULFA. Naxalite etc.
- Associational pressure group-These are organized specialized groups formed for interest articulation but to pursue limited goals. For example, teachers association, student association etc.
- Non-Associational pressure group-These are the informal groups which includes groups like caste group, language group, etc.

There is a vast difference between political parties and pressure groups. The distinction between political parties and pressure groups can be made as under:

- Political parties are political in the sense that they are part of the political system; pressure groups are non-political in the sense that they are part of the social system.

- Political parties stay in the midst of political arena; pressure groups stay out of the political arena.
- Political parties participate in the working of the political system; they contest the elections and form either the government or the opposition. Pressure groups do not contest elections, nor do they participate in the working of the government.
- Political parties seek political power and such their object is general; pressure groups act as attributes of political parties.
- Political parties are outward-oriented; pressure groups are inward oriented.

14.4 METHODS USED BY PRESSURE GROUPS

Pressure groups used different methods in pursuing their demand. These are-

- Lobbying – It is a method in which pressure groups send their representatives to legislators in order to exert influence on any policy matter. It is one of the popular methods used by pressure groups. In wider sense lobbying means attempts of the pressure groups to influence government departments in favour of their interests. In modern times, however lobbying is not confined only to legislature, it operates at all levels of governmental activity.
- Subscribing to any political party –The pressure groups do not hesitate to use party platforms and organisations for promoting their interests. They try to influence the party candidates and elections campaigns for fulfilling their interests.
- Demonstrations – Pressure groups use demonstrations as a means for focussing the attention of the public and the government upon their various demands. Demonstrations involve dharnas, rallies, processions, etc.
- Strikes – A strike involves a temporary stoppage of work, by which a pressure group tries to coerce those who are responsible for satisfying its interests. It has become one of the most common and frequently used methods by the pressure groups.

- Media forum – The pressure groups try to use mass media for securing public support for achieving their demands and interests. They always use propaganda and publicity through means of mass media to achieve the good- will of the public which would help them in achieving desired changes in government policies and schemes.

Besides all these methods, some other methods used by pressure groups are bandhs, gherao, electioneering, etc. The pressure groups decide which method to use based on their resources and situations at a particular time.



CHECK YOUR PROGRESS

Q 1 : Write the meaning of 'pressure groups'.

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Q 2 : Write briefly about any two methods used by the pressure groups.

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Q 3 : State two characteristics of pressure groups.

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Q 4 : Write briefly about two differences between pressure groups and political parties.

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Q 5 : What is institutional pressure group?

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14.5 PRESSURE GROUPS IN INDIA

In India pressure groups play an important role. In India various pressure groups arose even during the colonial period. All India Trade Union

Congress was the first pressure group of the working class. India is a developing country where pressure groups play a significant role. The aim of the pressure groups is to secure economic and political concessions for themselves.

14.5.1Characteristics of Pressure Groups in India

- Very unstable: In India pressure groups lack commitment and stability which results in shift in loyalties according to changing social and political situations.
- Varying in span*:* Like political parties, pressure groups too tend to be big or small which have varying life spans depending on their needs and preferences.
- Dominance of single party system*:* India was under a single party dominance for a long time and the dominant party enjoyed enormous power. Such parties do not tend to be influenced by pressure groups.
- Focus on parochial interest*:* It is seen that pressure groups are more influenced by their sectional interests compared to their local common interests.
- Tendency towards mass violence: Certain pressure groups which involve mass protest create mass violence to pressurise the parties in power to fulfil their demands.
- Ineffective interest articulation: In India most of the groups are un-trained, lack competence which results in ineffective interest articulation.
- Lack of effective membership: Pressure groups lack developed infrastructure which makes it difficult to maintain effective and permanent membership.
- Threat to democratic set-up: Various pressure groups tend to use coercive means to secure their interests leading to violence and chaos in the society, which makes it a threat to any democratic set up.

14.5.2 Major Pressure Groups in India

The major pressure groups present in India are as follows-

1. **Student's Organizations**-This type of pressure group pressurizes the government on educational issues and various critical issues. For example All Bengal Student Association formed in 1928. The All India Student Federation (AISF) in 1936. Student's Federation of India, National Students Union of India, the Akhil Bhartiya Vidhyarti Parishad, All Assam Students' Union etc.

2. **Peasant's Organization**- The peasant organisations gained power in 1960's. At the central level only one organisation the All India Kisan Congress exists. On a territorial basis All Kisan Kamgar, Akhil Bhartiya Kisan Sangh, the Bhartiya Kisan Party (BKP) in western U.P are most significant.

3. **The Business Group**-These type of pressure groups are independent of political parties and influence planning bodies and economic matters. They help in budget formulation. For example the Conference of Indian Industries (CII), Associated Chamber of Commerce, Federation of Indian Chamber of Commerce and Industry (FICCI).

4. **Professional Groups**- The several professional interest groups like Bar Association of India, All India Medical Council, College Teachers etc. fall in this category.

5. **Community Association-**They are in existence to safeguard their respective community. For example, Schedule Caste Federation, Backward Caste Federation, Vishwa Hindu Parishad etc.

6. **Tribal (regional) Groups**- There are several tribal interest groups that have been active in India. For example, The Tribal Sangha of Assam, The Tribal League of Assam, Jharkhand Mukti Morcha etc.

7. **Linguistic Groups-** These pressure groups promote certain languages. For example- Tamil Sangh, Hindi Protection Parishad, Punjabi Sahit Sabhas etc.



CHECK YOUR PROGRESS

Q 6 : Write briefly about two characteristics of pressure groups in India.

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Q 7 : Give an example of student's organisation of India.

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Q 8 : Write about business groups in India.

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14.5.3 Media as Pressure Group in India

Mass media plays vital role in revealing the various happenings of politics and life of common people all around the world. In countries such as India, the mass media –the radio, TV, the cinema and the press are very powerful means of social change and act as pressure groups for the interest of common people and reveal the all deeds of the government. A free and fair mass media can openly criticize the government and have right to place their views on various situations of social, political and economic importance. Further mass media helps to generate a common platform which tries to focus on core issues of the society and its needs. So media role is as much important in influencing activities of the political parties as that of other pressure groups working to achieve certain specific goals. Infact in the contemporary world, media acts as an important agent of change focusing on social development and hence the media's role of pressurizing the government gives it the nature of a pressure group which is of vital importance.

14.5.4 Role of Pressure Group in India

The capacity of pressure groups is determined by leadership, mobilization techniques, organizational abilities, mass media and economic power base. The pressure groups also use lobbying methods, strike, bandh, demonstration, funding political parties, using party platform etc.

The various role of pressure groups are as follows-

- **Role in legislature-**Pressure groups try to introduce their chosen persons into legislatures. They even help political parties on the eve of election and prepare election manifesto.
- **Role in executive-**Pressure groups try to fill high executive posts with persons of their own choice i.e. selection of cabinet, distribution of portfolios and Prime Minister selection due to prevalence of collation government. And thus influence policy implementation process.
- **Role in bureaucracy-** Bureaucrats are politically neutral and hence pressure group tries to oblige them to protect their interests. Bureaucrats have long tenures and know the interests of the pressure groups better than the political parties.

Pressure groups promote national and particular interests, and constitute a link of communication between citizen and the government. They also provide necessary information and keeps the nation politically alive and active. Today democratic politics involves politics through consultation, negotiation and some amount of bargaining, and these cannot happen without pressure groups. The society has become highly complex, and the individuals cannot pursue their interest on their own; they need pressure groups for this. Pressure groups are vital for all countries be it developed or developing nations with any form of government.



CHECK YOUR PROGRESS

Q 9 : Pressure group promotes national and particular interests.(True/False)

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Q 10 : Write about any two functions of pressure groups.

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Q 11 : A free and fair .....can openly criticize the government (Fill in the Blank)

Q 12 : Write a short note on media as a pressure group. (within 50 words)

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14.6 LET US SUM UP

- Pressure groups are the interest groups which try to secure their interests by influencing the formulation and administration of public policy.
- Almond and Powell have divided interest groups into four parts - institutional pressure group, anomic pressure group, associational pressure group, non-associational pressure group
- Political parties are political in the sense that they are part of the political system; pressure groups are non-political in the sense that they are part of the social system.
- Political parties stay in the midst of political arena; pressure groups stay out of the political arena.
- Political parties participate in the working of the political system; they contest the elections and form either the government or the

opposition; pressure groups do not contest elections, nor do they participate in the working of the government.

- Political parties seek political power and as such their object is general; pressure groups act as attributes of political parties.
- The major pressure groups present in India are as follows-student's organizations, peasant's organizations, the business groups, professional groups, community associations, tribal(regional) groups, linguistic groups.
- The pressure groups play various roles in functioning of the legislature, executive and bureaucracy in India.
- Pressure groups use different methods like lobbying, subscribing to any political party, demonstration and non-violence measures and media forum in getting their demand fulfilled.
- Pressure groups promote national and particular interests, and constitute a link of communication between citizen and the government.
- Pressure groups are vital for all countries, be it a developed or developing nation or any form of government.



14.7 FURTHER READING

1) Myron, Weiner. (1962). *The Politics of Scarcity-Public Pressure and Political Response in India*. Chicago: The University of Chicago Press.

2) Jayaprakash, Narayan. *Pressure Groups and Democratic Governance – An Indian Perspective*.



14.8 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q. No.1 : Pressure groups are the interest groups which try to secure their interests by influencing the formulation and

administration of public policy. They have the ability to influence, coerce, pressurise and persuade. They are referred to as civil society organisations which are non-partisan groups that attempt to influence some phases of public life.

Ans to Q. No. 2 : (i) Lobbying – It is a method in which pressure groups send their representatives to legislators in order to exert influence on any policy matter. It is one of the popular methods used by pressure groups. In wider sense lobbying means attempts of the pressure groups to influence government departments in favour of their interests. In modern times, however lobbying is not confined only to legislature, it operates at all levels of governmental activity.

(ii) Demonstrations – Pressure groups use demonstrations as a means for focussing the attention of the public and the government upon their various demands. Demonstrations involve dharnas, rallies, processions, etc.

Ans to Q. No. 3 : (i) It is non-political in nature, for it does not aim to capture power.

(ii) It is a group with a particular interest which binds its member together.

Ans to Q. No. 4 : (i) Political parties are political in the sense that they are part of the political system; pressure groups are non-political in the sense that they are part of the social system.

(ii) Political parties participate in the working of the political system; they contest the elections and form either the government or the opposition; pressure groups do not contest elections, nor do they participate in the working of the government.

Ans to Q. No. 5 : Institutional pressure groups are formally organized which constitutes professionally employed persons. They are part of government machinery and raise their protests with constitutional means. For example bureaucracy, central election committee etc.

Ans to Q. No. 6 : (i) Very unstable: In India pressure groups lack commitment and stability which results in shift in loyalties according to changing social and political situations.

(ii) Varying in span*:* Like political parties, pressure groups too tend to be big or small which have varying life spans depending on their needs and preferences.

Ans to Q. No. 7 : Akhil Bhartiya Vidhyarti Parishad

Ans to Q. No. 8 : Business groups are independent of political parties and influence planning bodies and economic matters. They help in budget formulation. For example the Conference of Indian Industries (CII), Associated Chamber of Commerce, Federation of Indian Chamber of Commerce and Industry (FICCI).

Ans to Q. No. 9 : True

Ans to Q. No. 10 : (i) Role in legislature**-**Pressure groups try to introduce their chosen person into legislatures. They even help political parties on the eve of election and prepare election manifesto.

(ii) Role in executive-Pressure groups try to fill high executive posts with persons of their own choice i.e. selection of cabinet, distribution of portfolios and Prime Minister selection due to prevalence of collation government. And thus influence policy implementation process.

Ans to Q No. 11 : mass media

Ans to Q No. 12 : Mass media plays vital role in revealing the various happenings of politics and life of common people all around the world. In countries such as India, the mass media –the radio, TV, the cinema and the press are very powerful means of social change and act as pressure groups for the interest of common people and reveal the all deeds of the government. A free and fair mass media can openly criticize the government and have right to place their views on various situations of social, political and economic importance. Further mass media helps to generate a common platform which tries to focus on core issues of the

society and its needs. In the contemporary world, media acts as an important agent of change focusing on social development and hence the media's role of pressurizing the government gives it the nature of a pressure group which is of vital importance.



14.9 POSSIBLE QUESTIONS

Q 1 : Define pressure groups.

Q 2 : Mention any two functions of pressure groups in India.

Q 3 : Write four differences between pressure groups and political parties.

Q 4 : Explain various types of pressure groups.

Q 5 : Explain the role of pressure groups in India.

Q 6 : What are interest groups? How are they different from pressure group?

Q 7 : Discuss various methods used by the pressure groups.

Q 8 : What are major pressure groups in India? Discuss.

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