

Chapter - 2

FEDERALISM

Meaning of Federalism :- Federalism is a system of government in which the power is divided between a central authority and various constituent units of the country.

You would recall that one of the key changes made in the constitution of Belgium was to reduce the powers of the central government and to give these powers to the regional government.

Regional governments existed in Belgium even earlier.

With the help of example of Belgium and Sri Lanka we saw in previous chapter

Usually, a federation has two levels of government.

Both these levels of government enjoy their powers independent of the other.

1. Distinguish between federal government & Unitary Government

Federal Government

Unitary Government

- In a federal Government cannot order the state Gov. to do something.

- Under the unitary system either here is one level of government or the sub-units are subordinate to the central government.

- State government has powers of its own can pass on orders for which it is not answerable to central government or local government.

Features of Federalism:

There are two or more levels of government

Different tiers of government govern the same citizens but each tier has its own 'Jurisdiction' in specific matters of legislation, taxation and administration.

The fundamental provisions of the constitution cannot be unilaterally changed by one level of government.

Source of revenue for each level of government are clearly specified to ensure its financial autonomy.

The federal system thus has dual objectives to safeguard and promote unity of the whole at the same time accommodate regional diversity.

An ideal federal system has both aspects: mutual trust & agreement to live together.

Types of Federalism:-

There are two kinds of states through which federalisms have been formed.

The first route involves independent states coming together on their own to form a bigger unit so that by pooling sovereignty and retaining identity they can increase their security.

This type of coming together federation includes the USA, Switzerland & Australia.

Holding Together Federation A large country decides its power between constituent ~~member~~ states and the national government.

What Makes India a Federal:

Lates the third tier of federalism was added in the form of Panchayats and Municipalities.

The constitution divides powers between the union government and the state government within three list.

Union list includes subjects of national importance.

Concurrent list includes subjects of common interest to both the union government such as education, forest, trade, unions, marriage, adoption and succession.

Residuary subjects Those subjects which are not mentioned in any of the three lists or any other matter that arise with passage of time.

Features of Indian Federation

All states of India do not have equal powers.

The parliament cannot on its own change power sharing. These changes need the approval of both the Houses of parliament with at least two thirds majority.

The judiciary oversees the implementation of constitutional provisions and procedures.

How is Federalism Practised?

Linguistic states.

In 1947 the boundaries of several states of India were changed in order to create new states.

On the basis of language
On the basis of culture

Language policy.

Our constitution has not made any language the national

Hindi was identified as the official language.

Besides Hindi, there are 21 other language recognised as scheduled languages by the constitution.

States too have their own official language

English along with Hindi used for official purposes.

Decentralisation in India.

When power is taken away from central and state government and given to local government it is called decentralisation.

Before 1992, the local bodies were directly under the state government.

Regular elections were not held.

The local bodies did not have any resources or powers of their own.

After 1992 the constitution was amended to make the third tier of democracy more powerful and effective. The steps taken are:

Mandatory to hold regular elections to local government bodies.

Seats are reserved for the scheduled caste, scheduled tribes & other Backward classes.

At least one third of all positions are reserved for women.

An independent institution called the state election commission has been created in each state.

Question Answer

± Mention any 4 difficulties of the local government in India.

Ans:- • Most states have not transferred significant powers to the local government.

- There is a shortage of resources.
- Elections are not held regularly.
- The gram sabhas are not held regularly.

2. What are the advantages of local government?

Constitutional status for local government has helped to deepen democracy in our country.

It has also increased women's representation and voice in our democracy.

This allows people to directly participate in decision making.

Local people have better ideas and knowledge about the local problems.

3. Explain two achievements and two difficulties of the local self-government in India.

Achievements

It has made the country more united and stronger.

It has also made the administration easier.

Difficulties:

There is a shortage of resources.

Elections are not held regularly.

4. What is Gram Sabha? Mention its functions.

Every adult of the village who is 18 years of age constitute the Gram Sabha.

It is the decision-making body of the entire village.

The village panchayat works under the supervision of the Gram Sabha.

It approves the annual budget of the Gram Sabha.

5. What is Panchayati Raj? What is its importance.

Ans:- The rural government is known as the Panchayati Raj.

Importance:

It helps the people to directly participate in decision making.

It helps the people to directly participate in decision making.

It helps in the decentralisation of power.

It reduces the burden of the central government.

6. Describe any five features of the federalism?

Two or more levels of Government:
Federalism is a system of government in which the governmental power is divided between a central authority and its various constituent units.

Usually a federation has two levels of government.

One is the government for the entire country and the other government at the state or provincial level.

Some citizens separate jurisdiction:-

Differentiation of the government govern the same citizens, but each tier has its own jurisdiction in specific matters of legislation, taxation and administration.

Supremacy of Constitution:- The jurisdiction of the respective levels or tiers of the government are specified in the constitution. So the existence and authority of each tier of the government are constitutionally safe guarded.

Rigid Constitution:- The fundamental provisions of the constitution cannot be unilaterally changed by one level of the government.

Such changes require the consent of the both the levels of the government.

Dual Objects:- The federal system, thus has dual objectives to safeguard and promote the unity of the country while at the same time, to accom-

date the regional diversity.

7. Distinguish between the coming together federations and the holding together federations.

Coming together Federation

Holding together Federation

Under this the independent states come together on their own to form a bigger unit.

Under this a large country decides to divide its power b/w the constituent states and the national government.

Under this all the constituent states usually have equal powers.

Under this central government tends to be more powerful.

USA Switzerland and Australia

India Spain and Belgium

Q. 'India is a Federal country'. Explain by giving examples.

Ans: Divisions of powers:- The constitution demarcates the power of the central and the

State government into different lists of subjects. There are three lists.

- Union lists
- State lists
- Concurrent lists

Three tier system. As discussed earlier under a federal government different tiers of the government govern the same citizens.

Union Government
State Government
Local Government

Not equal powers to all administrative units. Most of the federation that are formed by holding together do not give equal powers to its constituent units. Thus all states in the Indian movement union do not have identical powers. Jammu & Kashmir has its own constitution.

Consent of both the levels of the government.

Under a federal government, the fundamental provisions cannot be unilaterally changed by one level of the government and the same is true for India. The Parliament and cannot on its own change the fundamental structure of the constitution.

Jurisdiction:- In a federation, the judiciary plays an important role in overseeing the implementation of constitutional provisions and procedures. In case of any dispute about the division of powers, the high court & the supreme court like take a decision.

9. How are the powers divided between the states and centre? Explain with examples.

- Union list includes subjects of national importance such as defence of the country, foreign affairs, banking.

They are included in this list because we need a uniform policy on these matters throughout the country.

The union government alone can make laws relating to the subjects mentioned in the union list.

State list contains subjects of state & local importance such as police, trade, commerce, agriculture.

The state government alone can make law relating to the subjects mentioned in the state list.

Concurrent list includes subjects of common interest to both the union government as well as the state government, such as education, forest, trade unions, marriage, adoption and succession.

If their laws conflict with each other, the law made by the union government will prevail.

10. Describe in brief the language policy of India.

No National Language:- Our constitution did not give the status of national language to any language.

Hindi is identified as the official language but Hindi is the mother tongue of only 40% Indians.

Scheduled Languages:- Besides Hindi, there are 22 other languages recognised as scheduled language by the constitution.

~~23/8/19~~ Any person can give examination in any languages which conducted by the central government.

Spread of Hindi with caution approach. According to the constitution, the use of English for official purposes was to stop in 1965.

However, many non-Hindi-speaking states demanded that the use of English continue.

The central government respond the use of English along with Hindi for official purposes.

Language policy of Sri Lanka
In 1956 an act was passed by the Sri Lankan government to recognise Sinhala as the only official language whereas in case of India the government agreed to continue the use of English along with Hindi for official purpose.

11 What is decentralisation? What is the importance or need for decentralisation?

When power is taken away from the central and state government and given to local government, it is called decentralisation.

The basic idea behind decentralised is that there are large number of problems and issues which are best settled at the local level.

People have a better ideas on where to spend money, and how to manage things localities.

They also have a better knowledge of

problems in their localities

At the local level it is possible for the people directly participate in decision making.

Basically the local government is the best way to realise one important principle of democracy, namely the local self-government.

12 Explain any four provisions that have been made towards decentralisation in India after the constitutional amendment in 1992.

Three tier system:

- Union Government
- State Government
- Local Government

Steps:-

- Now, it is constitutionally mandatory to hold regular elections to the local government bodies.

- Seats are reserved in the elected bodies and the executive heads of these institutions for the Scheduled Castes, Scheduled Tribes and the Backward Classes.

- At least one-third of all positions are reserved for women.

- An independent institution called the State Election Commission has been created in each state to conduct free and fair elections for the panchayat and the municipalities.

- The state governments are required to share some powers and revenue with the local government bodies. The nature of sharing varies from state to state.

(i) Explain the advantages of decentralisation.

(ii) Locals have better knowledge:- The basic idea behind decentralisation is that there are a large number of problems and issues which are best settled at the local level. People have better know-

ledge of problems in their localities. They also have better ideas on where to spend money, and how to manage things more efficiently.

Direct participation of the people:- Decentralisation makes it possible for the people to directly participate in decision-making. This helps to inculcate a habit of democratic participation. The local government is the best way to realise one important principle of democracy namely the local self-government.

Foundation of democracy:-

Local governments are most important in a democratic system. There are training schools for local citizens and local leadership. These provide political education. The people get familiar about the electoral policies and the proper use of their vote which is the very foundation of democracy.

Reduction of burden of the Central Government.

It reduces the burden of the Central State government. These can be concentrated on matters of national or state importance in a better way. In this way the local self government ensures efficiency everywhere, at all the three levels of today's governance. Indian leaders have recognised the need for decentralised.

Women empowerment: At least one-third of all positions are reserved for women in all the local bodies. This has led to woman empowerment.

20/10/2020