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TOPIC 1: INDIAN CONSTITUTION— BASIC STRUCTURE , HISTORICAL UNDERPINNINGS, EVOLUTION, FEATURES, AMENDMENTS, AND SIGNIFICANT PROVISIONS



TOPIC 1: INDIAN CONSTITUTION— BASIC STRUCTURE , HISTORICAL UNDERPINNINGS, EVOLUTION, FEATURES, AMENDMENTS, AND SIGNIFICANT PROVISIONS.

Basic Structure Doctrine

Introduction:

"The Constitution is not a mere lawyer's document, it is a vehicle of life, and its spirit is always the spirit of the age."
– B.R. Ambedkar

The **Basic Structure Doctrine** is the **constitutional guardrail that prevents democratic derailment**. Introduced in the **Kesavananda Bharati Case (1973)**, it ensures that while Parliament has the power to amend the Constitution, it **cannot alter its core principles** such as democracy, secularism, federalism, and judicial review. Over the years, the doctrine has evolved as the **sentinel of constitutional morality**, shaping the delicate balance between legislative authority and judicial oversight. **Recent debates surrounding judicial appointments, parliamentary supremacy, and global legal frameworks have reignited discussions on its contemporary relevance.**

Basic Structure Doctrine of the Constitution

Constitutional Powers & Judicial Review

- According to the Constitution, **Parliament and State Legislatures** have the power to **make laws within their respective jurisdictions**.
- However, this power is **not absolute** as the **Judiciary has the authority to check the constitutional validity of laws** (Article 32).
- Since the **framers of the Constitution** wanted to ensure adaptability, they incorporated **Article 368**, which provides for the **amendment of the Constitution**.
- **Article 368** gives the impression that **Parliament's amending powers are absolute**, encompassing all parts of the document.
- However, in order to **preserve the original values and ideals of the Constitution**, the **Supreme Court has placed limitations on legislative powers under the Basic Structure Doctrine**.
- Notably, the phrase '**Basic Structure**' is **not explicitly mentioned in the Constitution**.
- The **Supreme Court first recognized this concept in the historic Kesavananda Bharati case (1973)**.

Kesavananda Bharati Case (1973)

- The Supreme Court in **Kesavananda Bharati case (1973)** overruled its earlier judgment in the **Golak Nath case (1967)**.

Golak Nath Case (1967):

- The Supreme Court ruled that **Fundamental Rights have a transcendental and immutable position and cannot be abridged or taken away by Parliament**.
- It declared that a **constitutional amendment is also a law under Article 13**, and thus, any amendment violating Fundamental Rights would be void.

Kesavananda Bharati Case (1973):

- The Supreme Court **upheld the validity of the 24th Amendment Act (1971)**, stating that **Parliament has the power to amend Fundamental Rights**.
- However, it also laid down the **Basic Structure Doctrine**, ruling that:

- Parliament's amending power under Article 368 does not allow it to alter the Basic Structure of the Constitution.
- Any amendment that abridges Fundamental Rights forming part of the Basic Structure would be unconstitutional.

Judicial Reaffirmation of the Basic Structure Doctrine

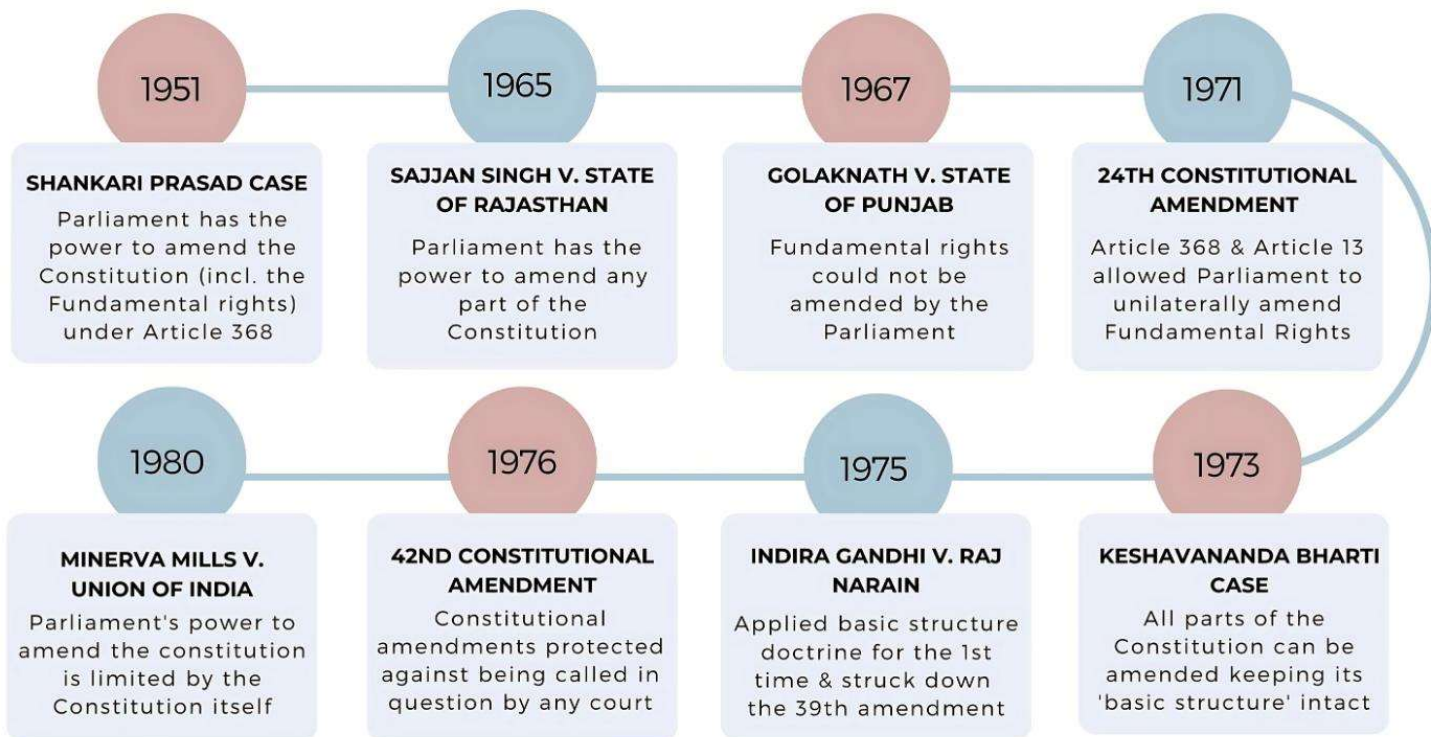
Indira Gandhi Case (1975):

- The Supreme Court reaffirmed the doctrine of Basic Structure in this case.

42nd Amendment Act (1976):

- In response to the Supreme Court's judgment, Parliament enacted the 42nd Amendment Act (1976).
- This amendment modified Article 368 and declared that:
 - There is **no limitation on Parliament's constituent power**.
 - No constitutional amendment can be questioned in any court, even if it violates Fundamental Rights.

EVOLUTION OF BASIC STRUCTURE DOCTRINE



Minerva Mills Case (1980):

- The Supreme Court **struck down the 42nd Amendment** as it **excluded judicial review**, which itself is a **Basic Feature of the Constitution**.

Waman Rao Case (1981):

- The Supreme Court **upheld the Basic Structure Doctrine**.
- It clarified that the doctrine **would apply to constitutional amendments enacted after April 24, 1973** (date of the Kesavananda Bharati judgment).

Features of the Basic Structure Doctrine

1. **Supremacy of the Constitution**
2. **Sovereign, democratic, and republican nature of the Indian polity**
3. **Secular character of the Constitution**
4. **Separation of powers between the Legislature, Executive, and Judiciary**
5. **Federal character of the Constitution**
6. **Unity and integrity of the nation**
7. **Welfare state and socio-economic justice**
8. **Judicial review**
9. **Freedom and dignity of the individual**
10. **Parliamentary system of governance**
11. **Rule of law**
12. **Harmony and balance between Fundamental Rights and Directive Principles of State Policy (DPSP)**
13. **Principle of equality**
14. **Free and fair elections**
15. **Independence of the Judiciary**
16. **Limited power of Parliament to amend the Constitution**
17. **Effective access to justice**
18. **Essence underlying Fundamental Rights**
19. **Powers of the Supreme Court under Articles 32, 136, 141, and 142**
20. **Powers of the High Courts under Articles 226 and 227**

Critical Analysis of the Basic Structure Doctrine

Challenges & Criticism

1. **Tyranny of Unelected Judges** – The doctrine allows the **judiciary to override legislative powers**, raising concerns about excessive judicial control.
2. **Undemocratic Nature** – The **doctrine is judge-made**, not explicitly mentioned in the Constitution, raising **questions on its legitimacy**.
3. **Judicial Activism** – The **doctrine increases judicial intervention in legislative matters**, sometimes leading to **judicial overreach**.
4. **Subjective Nature** – Since the **Basic Structure is not clearly defined**, different interpretations by the judiciary create **ambiguity**.
5. **Violation of Separation of Powers** – The doctrine **dilutes the principle of separation of powers**, as the **judiciary imposes limitations on the legislature's power**.

Arguments in Favor of the Doctrine

1. **Limits Parliament's Power to Amend the Constitution** – The doctrine ensures that Parliament **does not alter the fundamental principles** of the Constitution arbitrarily.
2. **Preserves Constitutional Morality** – It **protects the spirit of the Constitution**, preventing amendments that may **undermine democracy, secularism, and fundamental rights**.

Conclusion

"A Constitution must be flexible, but not so flexible that it becomes a mere plaything in the hands of politicians."

The **Basic Structure Doctrine** acts as a **safeguard against majoritarian excesses and arbitrary amendments**. While it **prevents Parliament from altering the essence of the Constitution**, critics argue that it enhances

judicial supremacy. A balance must be maintained to ensure democratic accountability while preserving constitutional values.

Current Affairs Update:

- **Vice President's Remarks (January 2023):** During the 83rd All-India Presiding Officers Conference, the Vice President questioned the **Basic Structure Doctrine**, particularly in light of the Supreme Court striking down the **NJAC Act (2015)**. This reignited debates on the judiciary's role in interpreting constitutional amendments.
- **Supreme Court's Clarification (November 2024):** The Supreme Court ruled that **the Basic Structure Doctrine applies only to constitutional amendments and not to ordinary laws**, reinforcing the judiciary's role while respecting legislative supremacy.
- **Israel's Judicial Verdict (January 2024):** The Supreme Court of **Israel invoked a doctrine similar to India's Basic Structure** to strike down a parliamentary amendment that attempted to curtail judicial oversight, highlighting the global relevance of India's constitutional principles.

Important Keywords for Mains Answer Writing:

Constitutional Bulwark – Shield against arbitrary amendments, **Judicial Sentinel** – Supreme Court as the guardian of constitutional values, **Amendment Firewall** – Restriction on Parliament's amending power, **Kesavananda Bharati Compass** – The case guiding constitutional interpretation, **Legislative Lakshman Rekha** – Defining limits of parliamentary authority, **Democratic Safety Valve** – Ensuring constitutional integrity amid political changes, **Foundational Pillars Doctrine** – Protection of democracy, secularism, and federalism, **Global Ripple Effect** – Influence of India's doctrine on international jurisprudence, **Constitutional Identity Doctrine** – Preserving India's democratic ethos through judicial review, **Equilibrium Enforcer** – Balancing separation of powers and democratic governance.

Conclusion:

The **Basic Structure Doctrine serves as the constitutional North Star**, preventing the **erosion of fundamental values amid political turbulence**. It ensures that **India's democratic edifice remains resilient**, shielding the Constitution from **majoritarian excesses and transient political whims**. As a **judicial keystone in constitutional architecture**, it continues to shape **India's democratic destiny**, securing the promise of justice, liberty, and equality for future generations.

INDIAN CONSTITUTION—HISTORICAL UNDERPINNINGS, EVOLUTION, FEATURES, AMENDMENTS, SIGNIFICANT PROVISIONS:

1. Historical Underpinnings of the Indian Constitution

India's constitutional evolution can be traced through various legal and administrative reforms during British rule, which laid the foundation for the present governance structure.

Major Historical Developments:

Pre-British Constitutional Development:

- **Ancient India** – Concepts of **Dharma, Rajadharma (duty of rulers), Sabha and Samiti (assemblies in Vedic era)** reflected early forms of governance.

- **Mauryan & Gupta Empires** – Highly organized administrative structures, with centralization and local governance mechanisms.
- **Medieval India** – Mughal rule had a mix of Persian and indigenous administration; **Mansabdari system** influenced later governance models.

British Constitutional Framework in India:

1. Regulating Act of 1773

- First attempt by the British Parliament to **regulate East India Company's administration**.
- Established **Governor-General of Bengal (Warren Hastings)** and an Executive Council.
- Created **Supreme Court of Judicature at Fort William, Calcutta**.
- Restricted **private trade and corruption among Company officials**.

2. Pitt's India Act, 1784

- Introduced **dual government** – British Parliament through the **Board of Control** and the **Court of Directors**.

3. Charter Acts (1793–1833)

- **Charter Act of 1793** – Extended the rule of the East India Company for 20 years and reaffirmed **Company's monopoly over trade**.
- **Charter Act of 1813** – Ended Company's **monopoly over trade**, except for tea and opium trade with China. Allowed **Christian missionaries** to spread religion in India.
- **Charter Act of 1833** –
 - Made **Governor-General of Bengal, the Governor-General of India** (First: **Lord William Bentinck**).
 - Ended **East India Company's commercial functions**, making it an administrative body.
 - First attempt to **codify laws** in India; Law Commission was set up under **Lord Macaulay**.

4. Government of India Act, 1858 – End of Company Rule

- Abolished the **East India Company** after the **Revolt of 1857**.
- Transferred rule to the **British Crown** under the **Secretary of State for India**.
- **Governor-General became the Viceroy** (First: **Lord Canning**).
- Indian administration centralized under **British Parliament control**.

5. Indian Councils Acts (1861, 1892, 1909) – Introduction of Legislative Reforms

- **Indian Councils Act, 1861** –
 - Introduced **Indians in legislative councils** for the first time.
 - Established the **Portfolio System** in Executive Councils.
- **Indian Councils Act, 1892** –
 - Increased the number of **members in legislative councils**.
 - Introduced **indirect elections** (first step towards representation).
- **Indian Councils Act, 1909 (Morley-Minto Reforms)** –
 - **Introduced separate electorates for Muslims** (first instance of communal representation).
 - Increased the number of elected members in the **Imperial and Provincial Legislative Councils**.

6. Government of India Act, 1919 (Montagu-Chelmsford Reforms) – Provincial Decentralization

- Introduced **Diarchy** in provinces:
 - **Transferred subjects** (Indians controlled – health, education, local self-government).
 - **Reserved subjects** (British controlled – police, finance, defense).
- Introduced **Bicameralism** at the Centre (Council of State and Legislative Assembly).

- Increased Indian participation but **Governor's veto power remained strong.**
- **Led to the rise of nationalist demand for "Swaraj" (Self-rule).**

7. Government of India Act, 1935 – Blueprint of the Indian Constitution

- **Provided for All-India Federation** (Not implemented due to lack of princely states' support).
- Introduced **Provincial Autonomy** – Governors had to act on **ministerial advice.**
- Abolished **Diarchy at the provincial level**, but introduced **Diarchy at the Centre.**
- Established **Federal Court of India (precursor to the Supreme Court).**
- **Extended communal representation** to Sikhs, Europeans, Anglo-Indians, etc.

8. Indian Independence Act, 1947 – Birth of Two Nations

- **Ended British rule in India.**
- Created **India and Pakistan as two independent dominions.**
- Gave **sovereign powers to the Constituent Assembly of India.**

2. Evolution of the Indian Constitution

Constituent Assembly (1946–1949)

- Established under **Cabinet Mission Plan (1946).**
- **Total Members: 389 (later 299 after Partition).**
- First meeting: **9th December 1946**, presided over by **Dr. Sachidananda Sinha** (temporary chairman).
- **Dr. Rajendra Prasad** became the **permanent chairman.**
- **Dr. B.R. Ambedkar** was the **Chairman of the Drafting Committee.**
- The Constitution was **adopted on 26th November 1949** and came into force on **26th January 1950.**

Sources of the Indian Constitution:

- **British Constitution** – Parliamentary system, Rule of Law, Single Citizenship.
- **USA** – Fundamental Rights, Judicial Review, Independence of Judiciary.
- **Ireland** – Directive Principles of State Policy (DPSP).
- **Canada** – Federalism with a strong Centre.
- **Germany (Weimar Republic)** – Emergency Provisions.
- **Australia** – Concurrent List, Joint Sitting of Parliament.
- **France** – Ideals of Liberty, Equality, Fraternity (in Preamble).

3. Salient Features of the Indian Constitution

1. **Longest Constitution** – 470 Articles, 12 Schedules, 25 Parts.
2. **Sovereign, Socialist, Secular, Democratic Republic** (Socialist & Secular added by **42nd Amendment, 1976**).
3. **Parliamentary System** – President as constitutional head, Prime Minister as executive head.
4. **Federalism with Unitary Bias** – Division of powers but strong Centre.
5. **Fundamental Rights (Part III)** – Inspired by the US Bill of Rights, guarantees civil liberties.
6. **Directive Principles of State Policy (DPSP) (Part IV)** – Socio-economic democracy, **non-justiciable.**
7. **Fundamental Duties (Part IV-A, Article 51A)** – Added by **42nd Amendment, 1976.**
8. **Emergency Provisions** – President can declare **National, State, or Financial Emergency.**
9. **Independent Judiciary** – Supreme Court as the **guardian of the Constitution.**
10. **Single Citizenship** – Unlike the USA, India provides only **Indian citizenship.**

4. Constitutional Amendments

Types of Amendments (Article 368)

1. **Simple Majority** – Formation of new states, Representation of SC/STs.
2. **Special Majority** – Amendment of Fundamental Rights, DPSP.
3. **Special Majority + Consent of States** – Centre-State relations changes.

Important Amendments:

- **1st Amendment (1951)** – Added **9th Schedule** to protect land reforms.
- **7th Amendment (1956)** – Reorganization of states on a **linguistic basis**.
- **42nd Amendment (1976)** – Known as the **Mini-Constitution**, added "Socialist," "Secular," and "Integrity" to the **Preamble**.
- **44th Amendment (1978)** – Restored **civil liberties curtailed during Emergency (1975-77)**.
- **61st Amendment (1989)** – Reduced **voting age from 21 to 18**.
- **73rd & 74th Amendments (1992)** – Introduced **Panchayati Raj & Urban Local Bodies**.
- **101st Amendment (2016)** – Introduced **Goods & Services Tax (GST)**.

5. Significant Provisions of the Indian Constitution

Fundamental Rights (Part III, Articles 12-35)

- Right to Equality (Articles 14-18)
- Right to Freedom (Articles 19-22)
- Right against Exploitation (Articles 23-24)
- Right to Freedom of Religion (Articles 25-28)
- Cultural & Educational Rights (Articles 29-30)
- Right to Constitutional Remedies (Article 32) – **Heart & Soul of the Constitution (B.R. Ambedkar)**.

Directive Principles of State Policy (Part IV, Articles 36-51)

- **Socialist Principles** – Equal pay, worker's welfare (Article 39).
- **Gandhian Principles** – Promotion of village industries (Article 43).
- **Liberal Principles** – Separation of Judiciary (Article 50).

Conclusion:

The **Indian Constitution is a dynamic, living document** that provides a balance between **continuity and change**. While **amendments allow adaptability**, the **Basic Structure Doctrine ensures its core values remain intact**. As the **cornerstone of Indian democracy**, it **guarantees justice, equality, and governance**, evolving with time to meet the aspirations of a changing society.

Lets Learn Through Model Mains Question:

"The Basic Structure Doctrine serves as a constitutional safeguard against legislative overreach, yet it raises concerns about judicial supremacy." Critically examine. (15 marks, 250 words)

How to Approach This Question:

This is a "Critically Examine" type question, meaning you must analyze both **positive and negative aspects** of the Basic Structure Doctrine before forming a balanced conclusion.

Answer Structure:**1. Introduction (40-50 words)**

- Define the **Basic Structure Doctrine** and its significance.
- Mention the **Kesavananda Bharati case (1973)** where the doctrine was introduced.
- Briefly introduce the **controversy regarding judicial supremacy**.

Example:

"The Basic Structure Doctrine, established in the Kesavananda Bharati case (1973), ensures that Parliament cannot amend the Constitution in a way that alters its fundamental values. While it acts as a safeguard against legislative overreach, concerns have been raised regarding judicial supremacy and the subjective interpretation of 'Basic Structure' by the courts."

2. Body (170-180 words)**(A) Significance of the Basic Structure Doctrine (80-90 words)**

- **Prevents authoritarian amendments** (e.g., 42nd Amendment, 1976).
- **Protects fundamental rights and democratic principles.**
- **Ensures separation of powers and judicial review.**
- **Strengthens constitutional supremacy over political interests.**

Example:

"The doctrine has prevented arbitrary amendments that could weaken democracy, such as the 42nd Amendment (1976), which attempted to curtail judicial review. It also maintains the federal structure and protects fundamental rights, ensuring that the core values of the Constitution remain intact."

(B) Concerns About Judicial Supremacy (80-90 words)

- **Judiciary's subjective interpretation of Basic Structure** leads to unpredictability.
- **Judicial activism vs. Parliamentary sovereignty** – Courts may overstep their role.
- **Not explicitly mentioned in the Constitution**, making it an evolving concept.
- **Potential violation of separation of powers**, as it limits Parliament's constitutional authority.

Example:

"Critics argue that since the Basic Structure is not explicitly defined in the Constitution, its interpretation depends on judicial discretion, leading to concerns of judicial overreach. The Minerva Mills case (1980) invalidated a constitutional amendment by declaring judicial review as part of the Basic Structure, potentially undermining Parliament's legislative authority."

3. Conclusion (30-40 words)

- Acknowledge the **importance of the doctrine** in **preserving constitutional values**.
- Stress the need for **balance between judicial review and parliamentary sovereignty**.
- End with a thought-provoking statement.

Tips for Students:

- Use a **balanced approach** – highlight **both pros and cons**.
- **Support arguments with case laws** (e.g., **Kesavananda Bharati, Minerva Mills**).
- **Maintain a structured flow** – Introduction → Positives → Concerns → Conclusion.
- **Avoid extreme opinions** – Stay **neutral and analytical**.

Topic 2- Functions And Responsibilities Of The Union And The States: Issues And Challenges Pertaining To The Federal Structure, Devolution Of Powers And Finances Up To Local Levels And Challenges Therein.



Functions And Responsibilities Of The Union And The States:- Issues And Challenges Pertaining To The Federal Structure, Devolution Of Powers And Finances Up To Local Levels And Challenges Therein.

"Federalism isn't about power; it's about partnership." – Narendra Modi

"In India, federalism is not just a division of power but a shared responsibility towards inclusive governance." –

Manmohan Singh

The distribution of powers between Centre and States is not meant to create water-tight compartments but to ensure harmony in governance." – B.R. Ambedkar

"Cooperative federalism is the bedrock of Indian democracy; it ensures unity in diversity."

– M. Venkaiah Naidu

"The strength of Indian federalism lies in its ability to accommodate regional aspirations while maintaining national integrity." – Rajendra Prasad

Indian federalism is a **"federation with a unitary bias,"** balancing the **"unity of a strong nation"** with the **"diversity of a vast democracy."** The framers of the Constitution envisioned a system where power is divided yet coordinated, leading to what Granville Austin called **"cooperative federalism with a strong centralizing tendency."** As Prime Minister Narendra Modi remarked, **"Indian federalism is not about competition between the Centre and States but about cooperation for development."** Over time, Indian federalism has evolved from a **"centralized federalism"** to a more **"bargaining federalism"** where states seek greater autonomy while the Centre ensures national integration.

However, challenges like **fiscal imbalances, political centralization, and regional disparities** necessitate constant recalibration. As Chief Justice S.R. Das aptly said, **"The Indian Constitution is federal in form but unitary in spirit."** This dynamic interplay continues to shape India's governance, making federalism the cornerstone of its democratic ethos.

Union-State Federalism:

1. Introduction: Understanding Indian Federalism

India is a **quasi-federal state** with a **strong Centre and relatively weaker States.** The Constitution envisages a dual polity with powers divided between the **Union and State governments,** elaborated in the **Seventh Schedule** through the **Union List, State List, and Concurrent List.** The structure promotes unity but has inherent challenges, especially in times of political conflict or crisis.

Example:

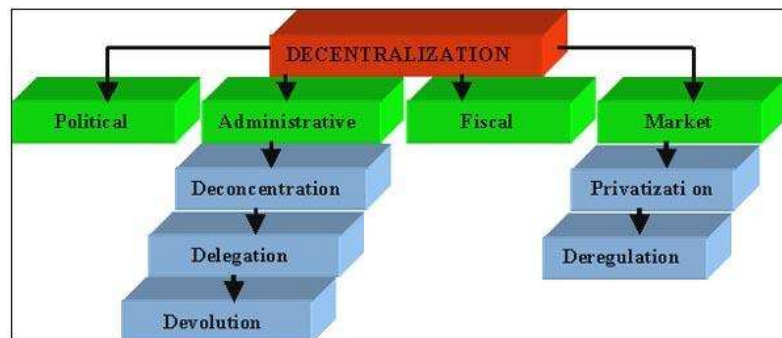
- The **GST regime,** a major tax reform, was passed through consensus under **cooperative federalism** but later saw disputes regarding **compensation to states,** highlighting the need for a more equitable federal mechanism.
- **Delhi Services Bill (2023):** Despite a SC verdict in favour of the Delhi Government, Parliament passed a bill enhancing LG's powers, reflecting Centre's dominance.

2. The Basics of Division & Devolution of Power

Decentralisation is a political and administrative process where authority and resources shift from central agencies to **lower levels of government or non-government actors** like NGOs, community organisations (CBOs), or private actors.

Types of Decentralisation:

- **Deconcentration:** Authority delegated within ministries to regional offices (e.g. District Magistrates).
- **Delegation:** Powers given to semi-autonomous bodies outside regular bureaucracy (e.g. UIDAI, SEZ authorities).
- **Devolution:** Constitutional transfer of power to local elected governments (e.g. Panchayati Raj Institutions).
- **Privatisation:** Entire responsibilities handed over to NGOs/private firms (e.g. waste management by private firms in Mumbai).

**Three Dimensions of Decentralisation:**

- **Political:** Local elections for decentralised institutions like panchayats, municipalities.
- **Administrative:** Local civil servants operate under local elected bodies (e.g. Gram Panchayat Secretary).
- **Fiscal:** Empowering local bodies with taxing powers and grants for expenditure.

Democratic Decentralisation:

A governance structure that empowers local bodies **accountable to citizens**, not merely subordinate administrative units. It promotes **episodic accountability** like Gram Sabha, public hearings.

3. Why Decentralisation is Essential**Key Purposes:**

- Enhances **citizen participation** in governance and decision-making.
- Promotes **use of local knowledge** for contextual development.
- Increases **ownership among stakeholders**, fostering community-driven development.
- Strengthens **State-Society partnership** for effective program delivery.
- Improves **transparency, accountability, and responsiveness** in governance.
- Provides a platform for people with **political ambition** to develop negotiation skills and contribute to policy.
- Improves **bottom-up planning**, local monitoring, and **grassroots development capacity**.
- Boosts **service delivery efficiency**, especially in health, education, and sanitation.
- Meets global demands for **democratisation and participatory governance**.
- Converts "**noise of the poor**" into "**voice of the poor**", promoting social justice.

Case Study Examples:

- **Kerala's People's Plan Campaign:** Exemplary case of participatory planning at the Panchayat level.
- **Bengaluru's Ward Committees:** Empowering urban governance through decentralisation.
- **Madhya Pradesh's Gram Swaraj Campaign:** Focused on empowering village-level institutions.
- **Uttar Pradesh's ODOP scheme:** While state-led, relies on district-level decentralised inputs for product selection

3.1 ISSUES AND CHALLENGES FACED BY INDIAN FEDERALISM

1. **Regionalism:** Regionalism establishes itself through demands for autonomy, primarily on linguistic grounds. These demands often take violent forms, disrupting the political and cultural environment of the nation.
 - The nation faces the challenge of internal security in the form of insurgency, causing upheavals in the basic notion of Indian federation. Despite India's tradition of successful federal rule, regionalism continues to emerge in different parts of the country.
2. **Division of Powers:** Provisions like Article 200 (reservation of State Bills by the Governor for the President's consideration), emergency provisions under Articles 352, 356, and 360, and compulsory compliance by States with the Centre's executive power under Articles 256 and 257 lead to centralization of power, which is a major concern among states. Centralization is viewed as a threat to Indian federalism.
3. **Absence of Fiscal Federalism:** Despite the 80th Amendment, which enlarged the shareable pool of central taxes, revenue accruals to the Centre and States have not seen significant changes.
 - Asymmetrical revenue sharing and resource crunch at the periphery result in uneven development across the country. The GST regime is feared by many states to be against fiscal federalism.
4. **Centralized Planning:** The establishment of NITI Aayog, appointed by the Centre, reflects centralized planning, making states financially dependent on the Centre.
 - Such hegemony over financial planning weakens the federal structure, as centralized planning contradicts the principle of power division between the Centre and the States.
5. **Unequal Representation of Units:** Unlike successful federations, India lacks equal representation of states in the Rajya Sabha, and states have limited influence over constitutional amendments.
6. **Indestructible Union with Destructible Units:** The Indian Constitution does not allow the secession of states from the Union.
 - While this provision safeguards national unity, it also checks demands for secession from the Indian Union.
7. **Governor's Office:** Article 154 vests all executive powers of a state in the Governor, which sometimes conflicts with the federal structure.
 - The misuse of Article 356 by the Centre has been a contentious issue in India's political history.
8. **Single Constitution and Citizenship:** The quasi-federal structure of India entails a single citizenship and a single constitution, which undermines state identity.
 - Single citizenship implies that ultimate authority remains with the Centre, challenging the essence of federalism.
9. **External Forces:** Insurgency and external interference threaten India's federal structure.
 - The North-Eastern states face communal tensions due to both internal demands for autonomy and external interference from neighboring countries like China. The Tamil issue in Sri Lanka continues to pose challenges for India.
10. **Language Conflicts:** Linguistic diversity sometimes challenges the federal spirit of the Constitution.
 - The imposition of a particular language by the strongest unit of the federation creates resistance. The opposition to Hindi as an official language by southern states remains a significant issue.
11. **Physical Environment:** Poor communication infrastructure in a geographically vast country like India hampers federal cooperation.
 - States in the North-East feel neglected due to inadequate resource distribution, leading to discontent and federal tensions.

SUGGESTIONS FOR STRENGTHENING INDIAN FEDERALISM

Legislative Sphere

- Preserve Union authority in areas requiring central intervention (e.g., Defence, Foreign Affairs, Currency, and Economic Coordination) while expanding state autonomy.
- Amend Article 169 to allow State Legislative Assemblies exclusive power to create or abolish Legislative Councils.
- Remove Articles 200 and 201 to eliminate the Governor's power to reserve Bills for the President's assent.
- Amend Article 248 to grant residual legislative powers to states instead of the Centre.
- Modify Article 252 to allow states to amend or repeal laws enacted by Parliament upon their request.
- Delete Articles 356 and 357 to prevent arbitrary dissolution of state governments.
- Ensure consultation with the Inter-State Council before introducing Bills in Parliament regarding the Concurrent List.

Administrative Sphere

- Make NITI Aayog a statutory body created by Parliament with expert advisory functions.
- Grant Constitutional status to the National Development Council to coordinate planning and development.
- Amend Article 302 to restrict Parliament from imposing intra-state trade restrictions.
- Prohibit the Centre from deploying Central Reserve Police Force in states without state consent.
- Restructure the Inter-State Council to include only Chief Ministers and their nominees with equal representation.
- Make recommendations of the Inter-State Council binding on both the Centre and States.
- Abolish All India Services (IAS, IPS) to allow exclusive recruitment by Union and State Governments.
- Amend Articles 352 and 354 to restrict emergency powers solely to war and external aggression.

Financial Sphere

- Grant states greater taxation powers and autonomy in public borrowing.
- Amend Article 280 to allocate 75% of total central revenues to states.
- Establish a Federal Debt Commission to assess state indebtedness and a Federal Development Bank for resource allocation.
- Require Finance Commission appointments to be made in consultation with the Inter-State Council.

Other Considerations

- Guarantee territorial integrity of states, requiring state legislature consent, judicial tribunal decision, or a special public poll for any changes.
- Ensure equal representation of states in the Rajya Sabha through direct elections.
- Promote linguistic equality by discarding English as the primary language in administration, legislation, and judiciary.

CONTEMPORARY ISSUES IN FEDERALISM

Indian federalism, a unique blend of unitary and federal features, continues to evolve amid political, economic, and legal challenges. Recent developments highlight both the resilience and complexities of India's federal structure.

1. Proposed Electoral Reforms and Federalism

Case: "One Nation, One Election" Proposal

- The central government's plan to synchronize state and national elections failed to secure the required two-thirds majority in Parliament.
- **Supporters argue:** This would reduce election expenses and improve governance.
- **Opposition counters:** It could undermine federalism, shift India towards a presidential model, and favor the ruling party in state elections.

- **Federalism Relevance:** The proposal challenges state autonomy in deciding election cycles, a fundamental aspect of federal democracy.

2. Delimitation and Regional Representation

Case: North-South Divide in Parliamentary Representation

- Plans to redraw Lok Sabha constituencies based on the 2026 Census have sparked concerns, especially among southern states.
- **Concerns:** Southern states like Tamil Nadu and Kerala, which have successfully controlled population growth, fear a reduction in their parliamentary representation compared to more populous northern states.
- **Federalism Relevance:** The issue raises questions about representation, regional disparities, and the balance of power between states in the Indian Union.

3. Fiscal Federalism and Resource Allocation

Case: Reduction in States' Share of Federal Taxes

- The Union government has proposed reducing the states' share of federal tax revenues from 41% to 40% from 2026-27.
- **Concerns:** States argue this move could weaken fiscal autonomy and limit their ability to fund crucial sectors like health and education.
- **Federalism Relevance:** The move intensifies tensions over revenue distribution and financial independence of states.

4. Autonomy and Representation in Union Territories

Case: Jammu and Kashmir Local Elections

- The recent Jammu and Kashmir local elections saw the National Conference and Congress emerging as key winners, marking a significant political shift post-2019 revocation of Article 370.
- **Concerns:** Despite the elections, key governance decisions remain under central control, raising questions about the real extent of self-governance in Union Territories.
- **Federalism Relevance:** The case highlights the challenges of asymmetric federalism and the need for greater political decentralization.

5. Centralization Trends and State Autonomy

- The increasing role of central agencies in state affairs, including law enforcement and tax administration, has raised concerns about over-centralization.
- **Concerns:** Policies perceived as centralizing—such as common laws across states—have been criticized as encroachments on state powers.
- **Federalism Relevance:** The trend points to a growing debate on whether India is shifting towards a more unitary system, contrary to its federal spirit.

6. Socio-Cultural Dynamics and Federalism

- The interplay of regional identity and national integration remains a crucial issue in federal relations.
- **Concerns:** The portrayal of states through stereotypes and regional pride movements often fuel friction between states and the Centre.
- **Federalism Relevance:** These cultural factors influence federal dynamics, requiring continuous dialogue and mutual respect among states.

Conclusion

These contemporary issues underscore the dynamic nature of Indian federalism, reflecting its capacity to adapt to emerging challenges. Ensuring a balance between central authority and state autonomy remains a critical aspect of governance in India.

4. Decentralisation and Poverty Reduction

Decentralisation is linked to **inclusive development**, especially in rural and underdeveloped regions.

Key Government Roles in Rural Areas:

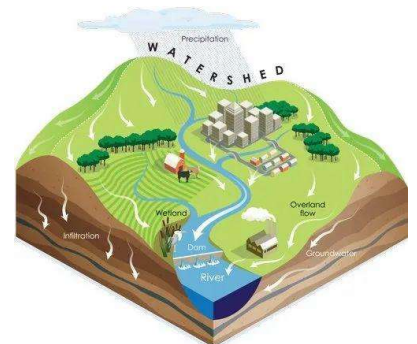
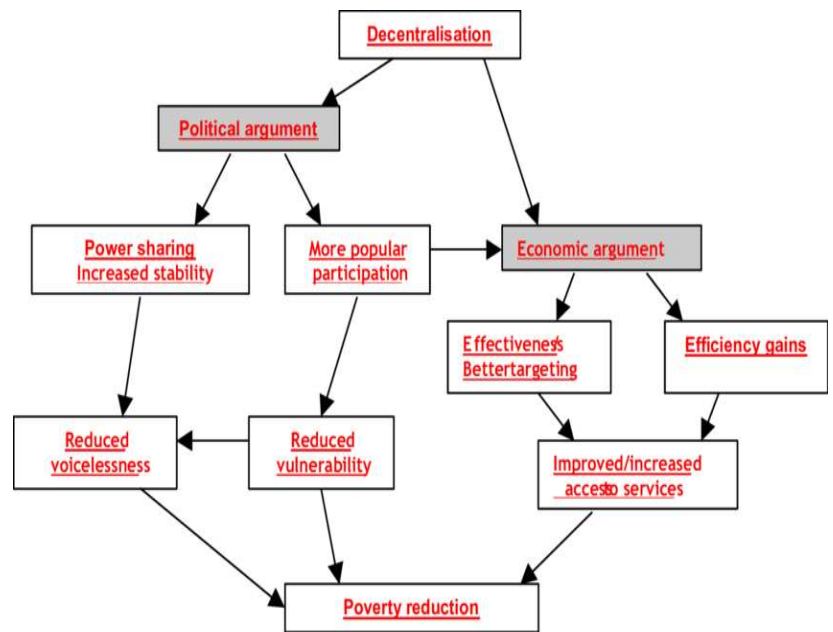
- **Provision of Public Goods:** Primary education, primary health centers (PHCs).
- **Divisible Goods:** Irrigation canals, agricultural credit.
- **Regulatory Enforcement:** Laws on land rights, wages (e.g. under MNREGA), tenancy.
- **Recognition of Rights:** Formation of SHGs, cooperative societies, forest rights.

How Decentralisation Helps:

- Strengthens **local resource management** (e.g., Watershed Committees in Rajasthan).
- Encourages **co-production** between community and state (e.g., Joint Forest Management).
- Enables participation of **marginalised groups** in decision-making (e.g., SC/ST/Women reservations in PRIs).

Successful Models:

- **Watershed Projects in Maharashtra** under participatory planning improved agricultural productivity.
- **Joint Forest Management (JFM)** in Odisha and Madhya Pradesh fostered synergy between forest officials and locals.
- **Odanthurai village, Tamil Nadu:** First village in India to generate its own electricity through windmill.
- **Bhadohi, UP:** Local planning and ODOP support helped revive handwoven carpet industry, supporting rural incomes.



5. Evolution of Decentralisation in India

Decentralisation in India has evolved over time through legislative reforms and committee recommendations, culminating in constitutional amendments.

Historical Timeline of Reforms:

Year	Event / Committee	Contribution
1882	Lord Ripon's Resolution	First official push for local self-governance (financial decentralisation)
1957	Balwantrai Mehta Committee	Recommended 3-tier Panchayati Raj system (District-Block-Village)
1978	Ashok Mehta Committee	Proposed 2-tier system and district as the planning unit
1984	Hanumantha Rao Committee	Advocated district planning and integration with Five-Year Plans
1992	73rd & 74th Amendments	Gave constitutional status to PRIs and ULBs
1996	PESA Act	Extended PRIs to Scheduled Areas based on Bhuria Committee

6. Key Committee Recommendations on Local Governance

● **Balwantrai Mehta Committee (1957)**

– Recommended a 3-tier PRI structure: Zila Parishad, Panchayat Samiti, and Gram Panchayat

- Emphasised the developmental role of Panchayats
- Suggested indirect elections at intermediate and district levels

● **Ashok Mehta Committee (1978)**

- Favoured a 2-tier PRI structure: District and Mandal Panchayats
- Advocated for constitutional recognition of PRIs
- Recommended regular elections and reservation for SC/STs and women
- Supported participation of political parties in Panchayat elections

● **G.V.K. Rao Committee (1985)**

- Proposed PRIs as focal points for rural development
- Recommended strengthening district-level administration
- Called for enhanced devolution of financial powers to PRIs

● **Hanumantha Rao Committee (1984)**

- Stressed integration of district-level planning with state and national planning
- Recommended empowering District Planning Committees

● **Dantwala Committee (1978)**

- Advocated block-level planning and community participation
- Emphasised a bottom-up approach to governance

● **L.M. Singhvi Committee (1986)**

- Recommended constitutional status to PRIs
- Described Gram Sabha as the foundation of grassroots democracy
- Proposed establishment of Nyaya Panchayats for local justice

● **Bhuria Committee (1995)**

- Recommended extending PRIs to Scheduled Areas

- Empowered Gram Sabha to control natural resources and local institutions
- Proposed culturally suitable 3-tier governance for tribal regions

● **Second Administrative Reforms Commission (ARC) (2005-2009)**

- Proposed activity mapping and framework law on devolution
- Recommended abolition of DRDAs and MPLADS
- Called for independent appointments to State Election Commissions

● **Rajamannar Committee (1969)**

- Suggested greater autonomy to states
- Proposed creation of a constitutional Inter-State Council

● **Punchhi Commission (2010)**

- Recommended fixed tenure for Governors
- Urged for clear demarcation of Centre-State powers
- Advocated for regular meetings of the Inter-State Council

● **Rangarajan Committee on Local Finances (2011)**

- Proposed making SFCs regular and binding
- Recommended predictable flow of untied funds to local bodies

● **National Commission to Review the Working of the Constitution (NCRWC) (2002)**

- Recommended strengthening of SFCs and harmonisation of state laws

7. Comparison: Panchayati Raj Institutions (PRIs) vs Urban Local Bodies (ULBs)

Criteria	PRIs (Rural)	ULBs (Urban)
Constitutional Basis	73rd Amendment, Part IX (Articles 243-243O)	74th Amendment, Part IXA (Articles 243P-243ZG)
Structure	3-tier: Gram Panchayat, Panchayat Samiti, Zila Parishad	2-tier or 3-tier: Nagar Panchayat, Municipality, Municipal Corporation
Applicable Area	Rural areas only	Urban areas only
Elections	Conducted by State Election Commissions	Same
Devolution Schedule	11th Schedule – 29 subjects	12th Schedule – 18 functions
Key Planning Body	Gram Sabha (village level assembly)	Ward Committees / Urban Area Committees

Criteria	PRIs (Rural)	ULBs (Urban)
Reservation	SC/ST & 33% for women mandated	Same
Finance Source	Grants from State Finance Commissions, central schemes, local taxes	Grants from State Finance Commissions, property tax, user charges
Challenges	Lack of functionaries, low fund flow, parallel bodies	Revenue shortfall, political interference, staff shortage
Best Practice Example	Kerala's People's Plan Campaign	Ahmedabad Municipal Corporation e-governance

8. The 73rd and 74th Constitutional Amendments: Deepening Grassroots Democracy

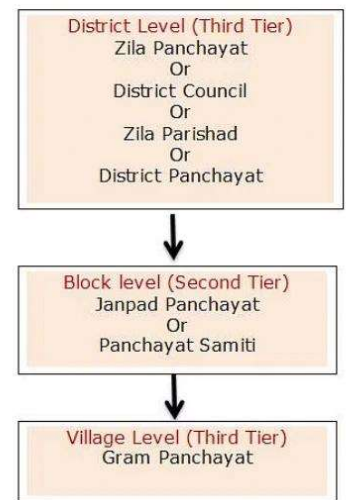
Structure of Panchayati Raj System (Different Level of Panchayati Raj System)

73rd Amendment Act, 1992 - Panchayati Raj Institutions (PRIs)

- Introduced **Part IX** (Article 243-243O) and **Eleventh Schedule**
- Mandated the **3-tier system**: Gram Panchayat (village), Panchayat Samiti (block), Zila Parishad (district)
- **Gram Sabha** recognised as the foundation of village democracy
- **Reservation** for SC/STs and **33% for women** in seats and chairperson posts
- **State Election Commission (SEC)** to conduct regular elections every 5 years
- **State Finance Commission (SFC)** to recommend financial distribution

74th Amendment Act, 1992 - Urban Local Bodies (ULBs)

- Added **Part IX-A** (Article 243P-243ZG) and **Twelfth Schedule**
- Created 3 categories of ULBs:
 - **Municipal Corporations** (for larger cities)
 - **Municipal Councils** (for smaller urban areas)
 - **Nagar Panchayats** (for transitioning rural-urban areas)
- Introduced **Ward Committees, District Planning Committees (DPCs)** and **Metropolitan Planning Committees (MPCs)**
- Reserved seats for **SCs, STs, and women** similar to PRIs
- Ensured **functional devolution of 18 subjects** via Twelfth Schedule



Function Distribution Table (3Fs: Functions, Funds, Functionaries)

Aspect	PRI (73rd Amendment)	ULB (74th Amendment)
Functions	29 subjects under Eleventh Schedule	18 subjects under Twelfth Schedule
Funds	SFC recommended grants; mostly tied funds	SFC + Finance Commission grants; high tied use
Functionaries	Local staff often on deputation	Very limited technical staff; capacity issues
Planning	District Planning Committees (DPCs)	DPCs + Metropolitan Planning Committees

Aspect	PRI (73rd Amendment)	ULB (74th Amendment)
Bodies		(MPCs)
Elections	Every 5 years by State Election Commission	Same as PRIs under SECs
Reservation	SC/ST + 33% Women	SC/ST + 33% Women

- UP has over **58,000 Gram Panchayats**, 75 Zila Panchayats, and thousands of ULBs
- Initiatives like **Gram Panchayat Development Plan (GDP)** are functional but limited by capacity gaps
- **Varanasi Smart City, Lucknow Nagar Nigam digitisation, and ODOP in PRIs** are emerging examples of active decentralised governance

9. Challenges in PRIs and ULBs: The Unfinished Agenda of Decentralisation

Despite constitutional backing, the Panchayati Raj Institutions and Urban Local Bodies suffer from weak devolution, limited financial autonomy, and persistent political and administrative hurdles. These gaps reduce them to implementers rather than true self-governing institutions.

Incomplete Devolution of Functions, Funds, and Functionaries (3Fs)

- Most states have transferred only traditional civic functions to PRIs and ULBs; developmental areas like agriculture, poverty alleviation, and irrigation remain with line departments.
- Over 90% of the funds devolved are tied to Centrally Sponsored Schemes (CSS), leaving no scope for local innovation.
- Local bodies lack their own technical staff and depend on deputed functionaries who remain accountable to state departments.

Example: In Uttar Pradesh, Gram Panchayats struggle to prepare development plans due to a lack of trained staff, survey tools, and administrative control.

Electoral and Political Challenges

- The practice of proxy representation (such as ‘Pati Panchayat’) undermines women’s empowerment.
- Mandatory seat rotation under Article 243D leads to discontinuity in leadership and project planning.
- Elections are frequently delayed due to political considerations, disrupting democratic accountability.

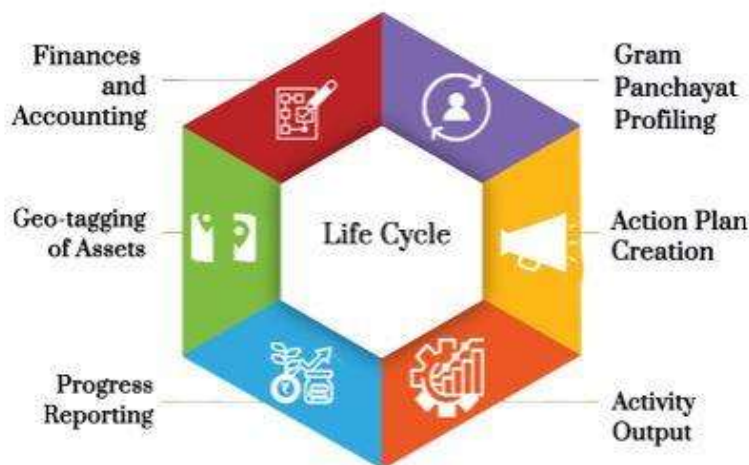
Example: Haryana’s educational qualification requirement (Rajbala case, 2015) disqualified many women and SC/ST candidates from contesting elections.

Weak Institutional and Structural Capacity

- Around 35% of Panchayats in India do not have functional office buildings (Second ARC report).
- Gram Sabha meetings are either irregular or manipulated, reducing their role to mere formalities.
- In urban areas, Ward Committees are largely inactive or absent.

Example: In Bundelkhand (UP), Gram Sabha records are often filled out without real community participation.

Parallel Power Structures and Traditional Bodies



- In Maharashtra, traditional institutions like Gavkhis dominate over elected Panchayats in rural regions.
- In Haryana and Western UP, Khap Panchayats continue to exert informal authority over social norms and governance issues.
- In tribal areas of Karnataka, Community Vigilance Committees (CVCs) function with more power than elected bodies.

Fiscal Constraints and Poor Revenue Mobilisation

- Panchayats and municipalities lack autonomy to raise local taxes or collect service charges efficiently.
- State Finance Commissions are either not regularly constituted or their recommendations are not implemented.
- Borrowing rights of local bodies are restricted, and untied funds are minimal.

Data Point: As per the Devolution Index, more than 92% of states have a score below 0.5, reflecting the poor transfer of power and resources.

Urban Local Bodies: Weakest Link in Urban Governance

- Rapid urbanisation is not matched by functional empowerment of municipalities.
- Overlapping functions between municipal bodies and parastatal agencies create institutional confusion.
- Municipal Corporations in Smart Cities like Varanasi and Lucknow lack autonomy to implement major infrastructure projects.

Example: In Varanasi, sanitation, water, and tourism are managed by various state agencies, while the elected ULB has limited say.

10. Challenges in Indian Federalism: The Tensions Within Unity

India's federal design, though structurally strong, is under increasing pressure from political centralisation, fiscal imbalance, and institutional conflicts. The evolving nature of Centre-State relations in recent years reveals a trend of confrontation rather than cooperation, particularly visible during national crises and politically sensitive legislation.

Political and Institutional Centralisation

- Article 356 continues to be viewed as a political tool, used to dismiss elected governments. Though judicial review has increased post the S.R. Bommai case, misuse remains a concern.
- Governors have withheld assent to state legislation under Article 200 for prolonged periods. This includes the NEET exemption bill (Tamil Nadu) and reservation bills (Chhattisgarh, Jharkhand), without explanation or timeline.
- Centre's interpretation of Articles 256 and 365 leads to increased pressure on non-aligned states to follow central directives even in State List subjects.

Fiscal Centralisation under GST

- GST replaced states' indirect taxation powers, leaving them dependent on the GST Council and Union government for compensation.
- The Centre delayed GST compensation during the pandemic and asked states to borrow, triggering concerns about fiscal federalism.

Recent protests from states like Kerala, Tamil Nadu, and West Bengal on fuel taxation autonomy, and growing demand to relook at the GST structure, reflect tensions within the fiscal compact.

Administrative Overreach and Centralised Planning

- Planning remains highly centralised through NITI Aayog. States have little say in vertical fund flows or centrally sponsored schemes.
- Central deputation of IAS/IPS officers without state consent, as seen in the 2021 West Bengal Chief Secretary dispute, undermines administrative federalism.

Erosion of Cooperative Federalism During Crises

- During COVID-19, the Centre invoked the Disaster Management Act (2005), bypassing state inputs in vaccine distribution, lockdown policies, and disaster financing.
- States complained of biased allocation of oxygen and vaccines, especially those ruled by opposition parties.

Regionalism, Identity Politics, and Border Disputes

- Assam-Mizoram border clash in 2021, and long-standing conflicts like Nagaland-Manipur and Karnataka-Maharashtra, remain unresolved due to weak conflict-resolution institutions.
- Gorkhaland, Bodoland, and recent demands for Bhil Pradesh or Harit Pradesh highlight perceived neglect and absence of decentralised state restructuring.

Social and Cultural Frictions in the Federal Space

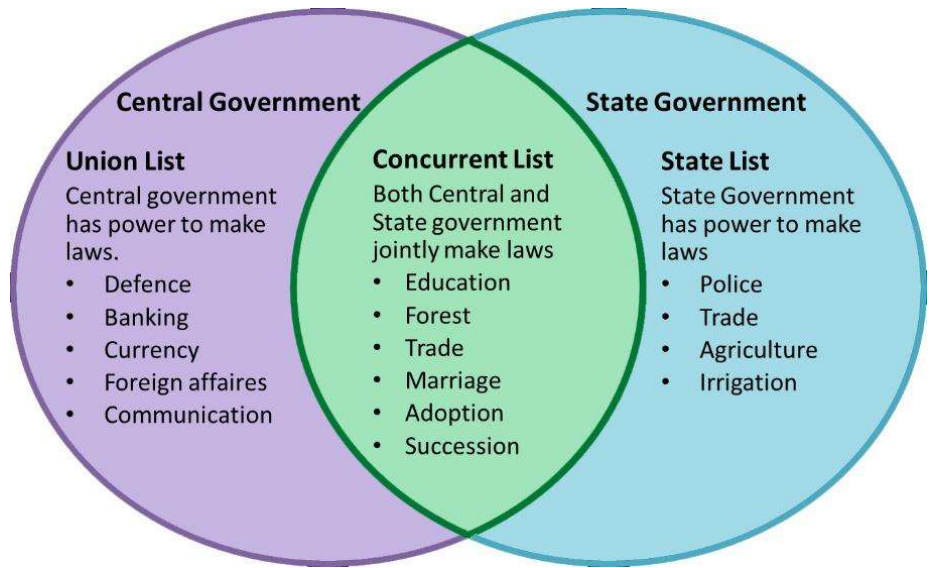
- Language-based conflicts resurface periodically. The recent controversy over Hindi imposition in the New Education Policy saw strong opposition from southern states.
- Central laws such as CAA and farm laws were passed without state consultation, provoking widespread protests and resolution opposition from state assemblies.

Recent Flashpoints Weakening Federal Ethos

Farm Laws (2020) were passed under the Concurrent List, bypassing agriculture as a State subject. Though later repealed, they were seen as a violation of federal spirit, as no state consultation was undertaken.

Delhi GNCTD (Amendment) Act, 2021 reduced the elected government’s powers and increased the authority of the Lieutenant Governor. This reversed the 2018 Supreme Court ruling that had upheld the primacy of the elected government in Delhi’s day-to-day affairs.

One Nation One Ration Card (ONORC) scheme faced challenges in implementation, particularly from Tamil Nadu and Chhattisgarh, over issues of data integration, state-specific PDS innovations, and federal overreach into state-administered welfare.



Constitutional Article vs Federal Challenge Table

Article	Provision	Federal Issue
Article 154	Executive power of the state vests in the Governor	Governor acting as Centre’s agent
Article 200	Bills reserved for President's assent	Delay or veto of state legislation
Article 256	Compliance with Union laws	Enables Centre to direct state executives

Article	Provision	Federal Issue
Article 356	President's Rule	Political misuse to topple state governments
Article 360	Financial Emergency	Potential for fiscal takeover of states
Article 365	Effect of failure to comply with directions	Indirect coercion of state policies
Article 263	Inter-State Council	Rarely convened, limited role in dispute resolution
Article 280	Finance Commission	Centre can dilute recommendations affecting state finance
Article 312	All India Services	Dual control over IAS/IPS limits state autonomy

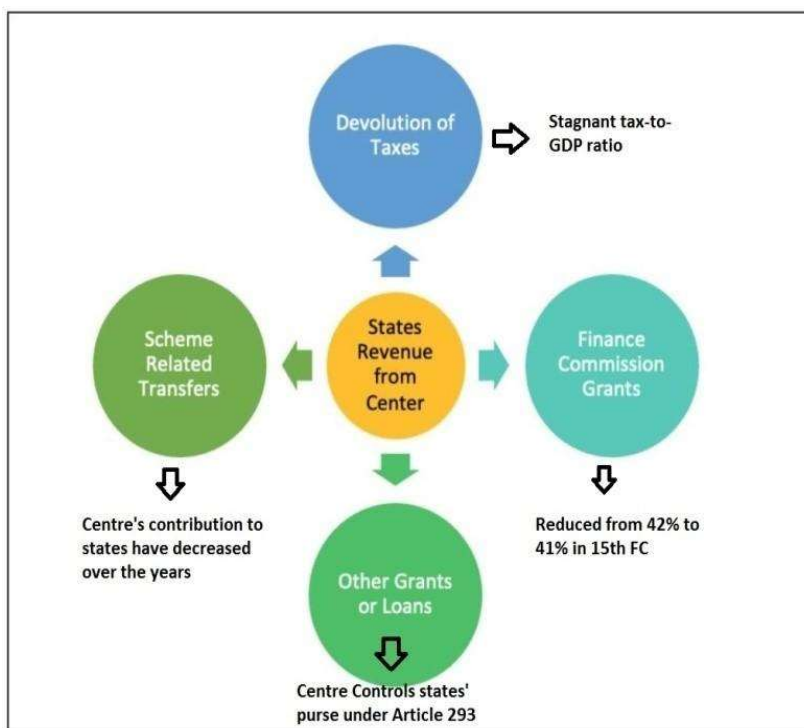
11. Way Forward and Reform Measures: Strengthening Indian Federalism and Decentralisation

India’s federal framework, though resilient, needs systematic reforms to align with the demands of cooperative and competitive governance. Strengthening decentralisation, empowering states, and activating institutional mechanisms are critical for inclusive development, national unity, and democratic legitimacy.

Reforming Centre-State Relations

To address the growing concerns of centralisation and political interference, the following steps are necessary:

- Make the **Inter-State Council (Article 263)** a permanent, constitutionally empowered body with regular meetings and binding recommendations in legislative and administrative coordination.
- Define the role of the **Governor** clearly through constitutional amendment. Fixed tenure, consultation with the Chief Minister before appointment, and limitations on discretionary powers were all proposed by the **Punchhi Commission**.
- Review the use of **Article 356**. Its invocation should require mandatory judicial approval or clearance from the Inter-State Council.
- Abolish or amend **Article 365** to prevent misuse of central directives as grounds for state action suspension.
- Equal representation of states in the **Rajya Sabha** should be considered to reflect true federal parity, as proposed by the **Sarkaria Commission**.



Fiscal Federalism and Revenue Autonomy:

The imbalance in taxation powers and resource allocation must be corrected through the following reforms:

- Amend **Article 280** to give the Finance Commission a mandate to review not just state needs, but also the **fiscal behaviour of the Centre**.
- Mandate the regular constitution of **State Finance Commissions** with timelines for report submission and implementation tracking.
- Introduce a new formula for **untied grants** to local bodies, linked to performance, digital transparency, and SDG compliance.
- States should be empowered to design their own taxes within the State List, and the **GST Council** should adopt consensus-based decision-making to address state concerns.
- Promote the use of **municipal bonds, congestion charges, and land value capture finance** in urban local bodies to reduce dependency on higher levels of government.

Strengthening Local Governance:

True democratic decentralisation must be rooted in political, functional, and fiscal empowerment of Panchayati Raj Institutions and Urban Local Bodies.

- Enforce the **3Fs** principle (Functions, Funds, and Functionaries) through state legislation and activity mapping. This was strongly supported by the **Second Administrative Reforms Commission (ARC)**.
- Empower **Gram Sabhas** through legal mandates, citizen charters, and participatory planning tools like GPDPs and social audits.
- States should be encouraged to create a **separate bureaucratic cadre** for Panchayats (as in Karnataka) to prevent dominance by state officials on deputation.
- Launch a **National Capacity Building Programme** for elected representatives of PRIs and ULBs, especially women, SC/ST members, and youth leaders.
- Digitise the functioning of local governments, ensuring e-governance, real-time fund tracking, and integration with state data portals.

Judicial and Legislative Safeguards:

To restore federal balance and accountability:

- Require **pre-legislative consultation with states** before passing major laws in the Concurrent List. This is critical in sectors like education, environment, and health.
- Use **Article 131** and **Article 263** for timely resolution of inter-state disputes and border conflicts through structured mechanisms.
- Mandate time-bound assent to state bills by Governors under **Article 200**, failing which automatic assent should be deemed granted.
- Consider empowering a **Federal Tribunal or Constitutional Bench** to review Centre-State conflicts and complaints against legislative or executive overreach.

Modernising Planning and Development Architecture

- Make **NITI Aayog** a statutory body under Parliament with equal state representation and powers to monitor decentralised planning.
- Restructure **District Planning Committees (DPCs)** and **Metropolitan Planning Committees (MPCs)** for integrated urban-rural planning.
- Adopt **region-specific development models** such as Bundelkhand Development Authority or North-East Regional Councils, with localised authority and financial autonomy.

Encouraging Competitive Federalism

While cooperative federalism is key to national cohesion, competitive federalism must be fostered through transparent benchmarking, data-led governance, and recognition of high-performing states and districts.

- Create **ranking systems** for Panchayats and Municipalities (like Swachh Survekshan) with fiscal and award incentives.

- Encourage **state innovation missions** in education, agriculture, and healthcare linked to local planning authorities.
- Promote inter-state knowledge sharing platforms and innovation hubs led by DMs and CEOs of local bodies.

12. Conclusion, Case Study References, and Answer Writing Strategy

Conclusion: Building a Balanced and Cooperative Federation

"As B.R. Ambedkar warned, federalism in India must not become a fiction. True cooperative federalism is essential to uphold constitutional morality and inclusive development."

India's strength lies in its diversity, and federalism is the architecture that accommodates that diversity within a democratic framework. The Centre must act as an enabler, not an enforcer, while states must use their autonomy to innovate and deliver responsive governance. Effective decentralisation at the local level is essential to convert constitutional ideals into citizen-centric governance. The future of Indian federalism depends on restoring cooperative practices, building institutional trust, and empowering the third tier of governance as the true foundation of India's democracy.

Key Case Studies to Use in Answers

Odanthurai, Tamil Nadu

A village panchayat that achieved energy self-sufficiency through a windmill project, showcasing financial innovation, decentralised planning, and sustainability at the grassroots.

Assam-Mizoram Border Dispute (2021)

A violent interstate clash revealing the absence of institutionalised dispute resolution under Article 263. Highlights the urgency for an empowered Inter-State Council.

GNCTD Amendment Act, 2021

Redefined Delhi's "government" as the Lieutenant Governor, reversing Supreme Court precedent. It demonstrates the increasing centralisation of power and erosion of elected government autonomy.

COVID-19 and Disaster Management Act

Used by the Centre to bypass states on lockdowns, vaccine distribution, and relief planning. It exemplifies the shift from cooperative to coercive federalism during crises.

Farm Laws (2020-2021)

Passed without consultation despite agriculture being a State subject. Their eventual repeal reflects the cost of bypassing states in legislative processes.

ODOP and Urban Decentralisation in Uttar Pradesh

The One District One Product initiative promotes bottom-up industrial development. It is a positive example of decentralisation contributing to economic empowerment.

Mains Keywords

1. **Constitutional Federalism**
Denotes India's federal structure as mandated by the Constitution, blending unity with diversity.
2. **Asymmetric Devolution**
Highlights the unequal distribution of powers and resources across states and local bodies.
3. **Three Fs of Decentralisation**
Refers to **Functions, Finances, and Functionaries**—the core of effective local governance.
4. **Democratic Deepening**
Reflects the impact of PRIs and ULBs in extending participatory democracy to the grassroots.
5. **Substantive Democracy**
Goes beyond formal elections to ensure empowerment of marginalised groups at local levels.
6. **Fiscal Federal Friction**
Describes tensions due to GST compensation issues and limited revenue powers of states.
7. **Fragmented Functionalism**
Refers to the poorly defined roles and overlapping responsibilities across the three tiers.
8. **Institutional Federal Deficit**
Signifies weak implementation of bodies like Inter-State Council and State Finance Commissions.
9. **Proxy Participation Syndrome**
Describes cases where elected women representatives are sidelined by male relatives (e.g., Pati Panchayat).
10. **Decentralisation Dividend**
Captures the socio-economic gains from empowering local governments through devolution.