

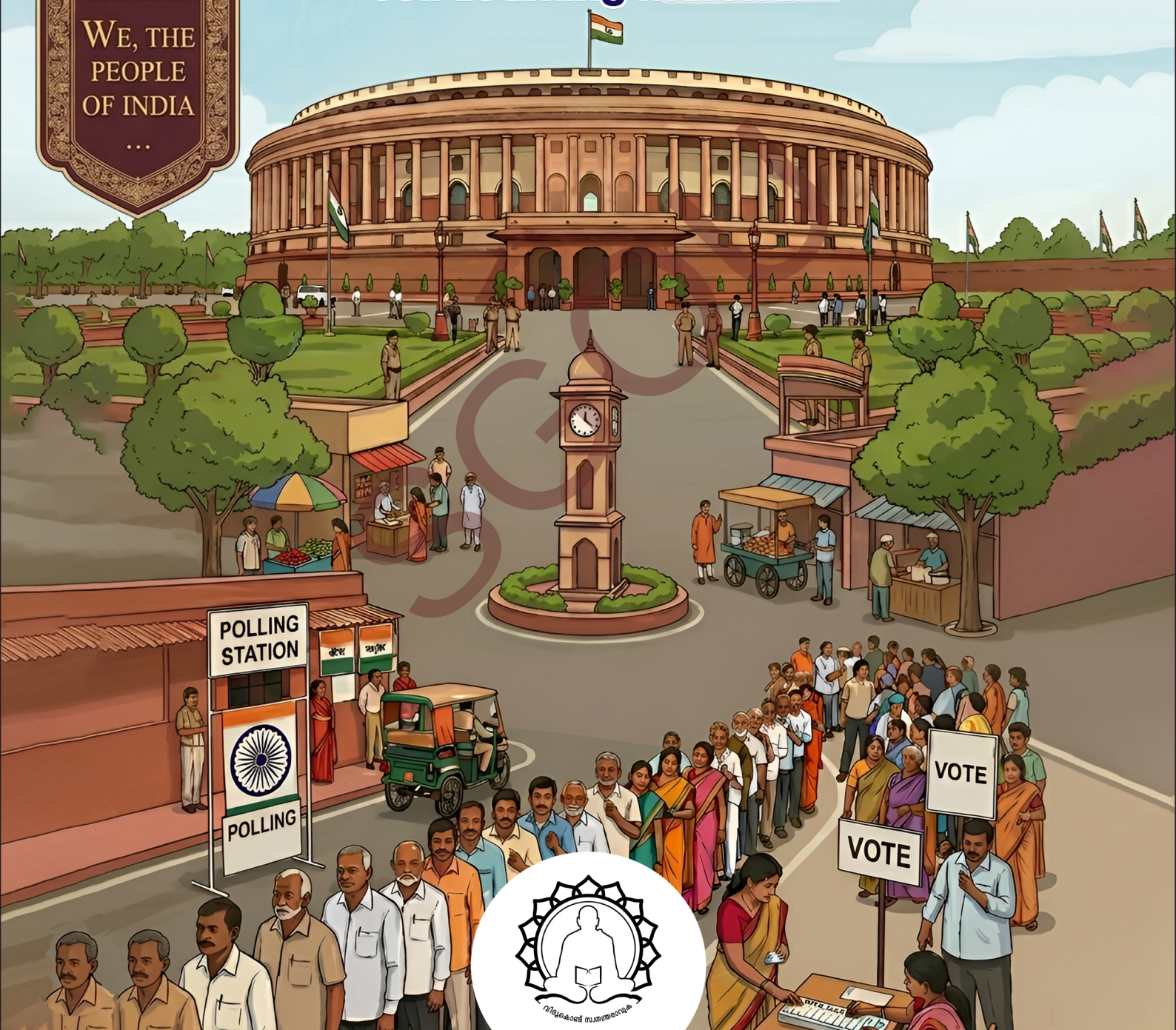
INDIAN GOVERNMENT AND POLITICS

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Regards,
Dr. Jagathy Raj V. P.

01-03-2026

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BLOCK

Introduction to the Indian Constitution



1

UNIT

Making of Indian Constitution

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the historical background, political context, and major influences that shaped the Indian Constitution
- ◆ analyse the role and functioning of the Constituent Assembly, its committees, and key personalities in framing the Constitution
- ◆ evaluate the impact of values such as democracy, justice, and equality in the Indian Constitution
- ◆ explore the challenges involved in the constitution-making process

Prerequisite

In the 1940s, India was on the verge of a new beginning. After years under British rule, people were eager to shape their own future. Everywhere—from crowded cities to quiet villages—citizens wondered how freedom would work in practice. Leaders like Jawaharlal Nehru dreamed of a modern, democratic India; Sardar Patel focused on keeping the country united; and Dr. B.R. Ambedkar worked to ensure justice and equality for all, especially the marginalised. To turn these ideas into reality, the Constituent Assembly was formed. It brought together representatives from all regions, religions, and communities. Over nearly three years, they debated, drafted, and revised ideas through committees and discussions. Each decision helped shape the foundation of the nation. Finally, on 26 November 1949, their hard work produced the Indian Constitution - a document that reflected the hopes and vision of the people and would guide India as a free, democratic, and just nation for generations to come.

Keywords

Constituent Assembly, Drafting Committee, Objective Resolution, Government of India Act, 1935, Sovereignty, Social Justice

Discussion

1.1.1 Introduction

The task of preparing the Constitution of independent India was taken up by the Constituent Assembly. This body, established with the support of the Indian people and in cooperation with the British, commenced its work in December 1946 and concluded it by December 1949. In these three years, it held eleven sessions and worked for 165 days. After long discussions and careful consideration, the Assembly adopted the Constitution on 26 November 1949, and it came into force on 26 January 1950. The draft Constitution initially prepared had 315 Articles and 13 Schedules. By the time it was finally passed, it had grown to 395 Articles and 8 Schedules. This change was the result of detailed debates and revisions. More than 7,000 amendments were suggested, of which 2,473 were actually taken up, debated, and decided. This shows how seriously the Assembly carried out its responsibility. The debates were open, criticism was welcomed, and even lengthy arguments were given space. No one was silenced or rushed, and no views were imposed. The process itself was an exercise in democracy, one that remains a source of pride for the country.

The idea of a Constituent Assembly did not begin in India. Its roots can be traced back to Western political thought of the 17th and 18th centuries. Thinkers like John Locke, who described government as a trust, and Rousseau, who spoke about the general will, laid the foundation for this concept. The Philadelphia Convention of 1776 in the United States reflected these ideas and

later inspired the French National Assembly of 1789. During the 19th century, many European countries adopted a similar method, and after the Second World War, it became common worldwide. India's leaders were also influenced by this tradition. While presenting the Objective Resolution in the Constituent Assembly, Jawaharlal Nehru pointed to the American, French, and Russian experiences as sources of inspiration.

1.1.2 Meaning of the Constituent Assembly

A Constituent Assembly can be understood in different ways. According to Dood, it is a representative body elected or chosen to draft a new constitution or to amend an existing one. Abbe Sieyès described it as a special assembly of representatives trusted by the nation to frame or define the content of its constitution. In simple terms, a Constituent Assembly is a democratic means through which people, acting as a free community, give themselves a constitution. It reflects the basic right of the people to decide the kind of government and political system under which they wish to live. This right to frame a constitution of one's own choice is an essential part of national freedom. The makers of the Indian Constitution did not view the Constituent Assembly as merely a formal body of representatives; they saw it as a symbol of change, as "a nation on the move." Its role was not only to prepare a constitution but also to break free from the shadows of the past—both political and social—and to build a new system of government based on self-rule.



The constitutional expert Sir Ivor Jennings explained that a Constituent Assembly typically arises in three situations: during a significant social revolution, when a nation gains freedom from foreign rule, or when smaller states unite to form a single nation. The Indian Constituent Assembly clearly belonged to the second situation, as its primary task was to end British control and lay the foundation for an independent republic. However, its role was not limited to that alone; it also embodied the spirit of a larger transformation. Pandit Jawaharlal Nehru described it as bringing about a "psychological revolution" in the minds of Indians. For him, the Constituent Assembly was not only a method of drafting a constitution but also a symbol of freedom and a path towards building a new future.

1.1.3 Evolution of the Concept of Constituent Assembly in India

The idea of a constituent assembly, a representative body created to frame the basic law of a nation, has a long history in the West. It has typically emerged in moments of change and revolution. The first well-known examples were the Philadelphia Convention of 1787 in the United States and the French National Assembly of 1789–91. Both were born out of revolutions and marked a clear break from the old order. In India, the demand for such a body naturally arose from the struggle for independence. As early as 1918, the Indian National Congress, at its Delhi session, passed a resolution stating that the principle of self-determination should apply to India. In 1922, Mahatma Gandhi wrote in *Young India* that *Swaraj* would not come as a gift from the British Parliament but as the voice of India expressed through her own freely chosen representatives. Two years later, in 1924, Motilal Nehru introduced a resolution in the Central Legislative Assembly calling for a Round Table Conference to prepare a constitutional scheme while protecting the

rights of minorities. Again, in 1927, at the Bombay Congress session, he urged the Working Committee to draft a constitution in consultation with elected members and party leaders.

This effort led to the All Parties Conference in Bombay in 1928, which appointed a committee under Motilal Nehru's leadership. The committee submitted what came to be known as the Nehru Report in August 1928. It was the first attempt by Indians to prepare a constitution for their own country. The report proposed Dominion Status for India, with a system of responsible government based on the parliamentary model. Meanwhile, the British government presented its own proposals following the Round Table Conferences of 1930–32. These were published in the White Paper of March 1933 but were rejected in India as unsatisfactory. By then, it had become clear that true independence required Indians themselves to draft their constitution. Jawaharlal Nehru gave clear shape to this idea. Writing in 1933, he stated that a genuine political settlement could come only when Indians framed their own constitution in a popularly elected constituent assembly.

The Indian National Congress formally supported this demand in June 1934, declaring that the only real alternative to the British plan was a constitution drawn up by an assembly elected on the basis of adult suffrage. Nehru again explained his vision in his Presidential Address of 1936. The demand was reiterated at the Haripura session of 1938, which insisted on a body free from foreign interference, and at the Ramgarh session of 1940, which stressed that only the people of India could properly frame their constitution through an elected assembly. The British government, for the first time, indirectly accepted the demand in the August Offer of 1940. The Cripps Proposals of 1942 went further by recognising that Indians alone should draft the constitution for a Dominion

that would have complete freedom in internal and external matters. However, Indian leaders rejected the plan, and it failed. Soon after, the Quit India Resolution of 8 August 1942 declared that a provisional government of free India would set up a constituent assembly to prepare a constitution acceptable to all sections of society.

1.1.4 Cabinet Mission Plan and Formation of the Constituent Assembly

After the failure of the Cripps Proposals, fresh efforts were made to bring the Indian National Congress and the Muslim League together. One such effort was the Simla Conference, held under the initiative of Lord Wavell, the Governor-General. When this did not succeed, the British government sent a Cabinet Mission, which included Sir Stafford Cripps, to India in March 1946. The Mission held discussions with Jawaharlal Nehru, other Congress leaders, and leaders of the Muslim League. The Mission explained that its main task was not to write a constitution for India but to create a process by which Indians themselves could prepare one. The Mission accepted that the best way to create such a body would have been through direct elections based on adult franchise. However, it argued that this would cause long delays and was therefore not practical. Since no agreement could be reached between the Congress and the League, the Mission announced its own plan on 16 May 1946, known as the Cabinet Mission Plan.

The Plan rejected the demand for a separate Pakistan but suggested a united India with limited powers for the Centre. The Central Government would control defence, foreign affairs, and communications, while all other subjects would remain with the provinces. Provinces were grouped into three sections:

- ◆ **Section A:** Madras, Bombay, United Provinces, Bihar, Central Provinces,

and Orissa.

- ◆ **Section B:** Punjab, North-West Frontier Province, and Sind.

- ◆ **Section C:** Bengal and Assam.

Each group could draft its own constitution, and later, representatives of all groups and the princely states would frame the Union Constitution. The idea was to keep India united while also giving provinces freedom in matters important to them.

The Plan had two parts. The long-term component dealt with the permanent political structure of India, while the short-term aspect focused on forming an Interim Government until the constitution was ready. The Constituent Assembly was to comprise 389 members—292 from British Indian provinces, 4 from Chief Commissioner's provinces, and 93 from princely states. Seats were allocated according to population, and within each province, communities were assigned seats based on their numbers. Members from British Indian provinces were to be elected through the single transferable vote system. The Plan also required the Assembly to form an Advisory Committee to address citizens' rights, the protection of minorities, and the needs of tribal and excluded areas. On major issues, such as the division of powers between the Centre and provinces, approval had to come from both a majority of members and a majority of each community. Both Congress and the Muslim League had reservations about the Plan. Congress agreed to join the Constituent Assembly, while the League initially rejected it but later decided to contest elections.

The provincial elections of December 1945 played a decisive role in shaping the Assembly. Congress won 925 of the 1,585 seats in the Provincial Legislatures, capturing 85 percent of the non-Muslim seats. The Muslim League, on the other hand, secured almost all the Muslim seats, including all of



them in some provinces. In the July 1946 elections to the Constituent Assembly, Congress won 208 out of 296 provincial seats, while the League won all but seven of the Muslim seats. Smaller groups occupied 16 seats. As a result, Congress held nearly 69 percent of the Assembly seats. After partition, when the number of League representatives was reduced to 28, Congress's share rose to about 82 percent, giving it a dominant position in the Constituent Assembly.

1.1.5 Composition of the Constituent Assembly

The Constituent Assembly was planned to have 389 members in total. Of these, 296 were to come from British India, and the remaining 93 seats were set aside for the princely states. When the Assembly held its first meeting on 9 December 1946, only 211 members were present because the Muslim League decided to boycott the Assembly. The manner in which elections were held also meant that the Assembly was not fully representative of the Indian people. Voting was conducted under the rules of the Government of India Act, 1935, which allowed only a small portion of the population to participate. Most farmers, small shopkeepers, traders, and ordinary working people were excluded because the right to vote was linked to property, tax, and education qualifications. In the 1946 provincial elections, only about 28.5 percent of adults could actually vote.

Yet, despite these limits, the Constituent Assembly became a platform for India's broader democratic aspirations. Over time, it worked to include the concerns of different communities and regions, carrying the spirit of independence. Although it was not elected through universal adult franchise, its debates, openness, and vision provided the Constitution with a strong democratic foundation.

1.1.6 Working of the Constituent Assembly

The Constituent Assembly of India met for the first time on 9 December 1946. This was a turning point in India's history because, for the first time, the people's representatives convened to decide the framework of the country's Constitution. In its first four days, the Assembly dealt with basic formalities such as presenting credentials, signing the register, electing a permanent chairman, and setting up a committee to frame rules of procedure. On 13 December 1946, Jawaharlal Nehru moved the famous Objectives Resolution. It declared that India would be an Independent Sovereign Republic and that the Assembly would prepare a Constitution for its governance. This resolution gave the Assembly a clear purpose and became the guiding principle for its work.

The Assembly met again in January 1947 and formally adopted the Objectives Resolution. In its April–May 1947 session, it discussed reports on the division of powers between the Union and the states, as well as fundamental rights. Later, on 29 August 1947, the Assembly appointed a Drafting Committee to prepare the Constitution. Dr. B.R. Ambedkar was chosen as the Chairman of this committee. The second draft of the Constitution was presented on 21 February 1948. After long debates and careful consideration spanning nearly three years, the Constitution was finally adopted on 26 November 1949. In total, the Assembly met for 11 sessions over 1,965 days and spent 114 days discussing the draft Constitution alone.

1.1.7 Committees of the Constituent Assembly

The Constituent Assembly worked through more than fifteen committees, comprising over eighty members in total.

Some, like the House Committee and Staff Committee, handled smaller, routine tasks. The main work of framing the Constitution came from committees such as the Union Powers Committee, the Union Constitution Committee, the Advisory Committee on Minorities and Fundamental Rights, the Committee on Chief Commissioner's Provinces, the Committee on Financial Provisions, and the Advisory Committee on Tribal Areas. These committees submitted their reports between April and August 1947, and the Assembly discussed and approved their recommendations. Based on these decisions, the Drafting Committee, led by Dr. B.R. Ambedkar, shaped the final Constitution.

The Drafting Committee was formed on 29 August 1947. Dr. Ambedkar served as Chairman, and the other members were Sir Alladi Krishnaswami Ayyangar, N. Gopalaswami Ayyangar, K.M. Munshi, Saiyed Mohammed Sadulla, Sir B.L. Mittar, and D.P. Khaitan. After the first meeting, Sir B.L. Mittar left, and N. Madhava Rao joined on 5 December 1947. The committee worked quickly and efficiently, presenting the Draft Constitution of India in February 1948. It completed its work in less than six months, meeting for a total of 141 days.

1.1.8 Framers of the Constitution

The members of the Constituent Assembly were not chosen purely along party lines. They came from all walks of life and represented almost every section of Indian society. The Assembly included some of the most respected leaders of the time. Jawaharlal Nehru, who later became India's first Prime Minister, was the driving spirit. Dr. Rajendra Prasad served as its President, and Vallabhbhai Patel was another key leader. While these leaders helped shape the basic principles of the Constitution, the actual drafting was done by the Drafting Committee,

chaired by Dr. B.R. Ambedkar. He guided the document through a year of discussions and debates, supported by other committee members, including Alladi Krishnaswami Aiyer, N. Gopalaswami Ayyangar, K.M. Munshi, and T.T. Krishnamachari. As historian Granville Austin noted, Nehru, Patel, Prasad, and Maulana Abul Kalam Azad held significant influence in the Assembly. Even though issues were debated openly, their guidance shaped much of the work.

According to Dr. Subhash Kashyap, while others helped form the Constitution's structure, Nehru provided its vision and philosophy. He set the broad outline and continued to influence the Assembly's decisions throughout its work. Dr. Rajendra Prasad also acknowledged that Nehru and Patel played key roles: Patel focused on the princely states, civil services, and internal administration, while Nehru concentrated on fundamental rights, protection of minorities, and social reforms. Both respected each other's areas and allowed freedom in these domains. The Assembly had eight major committees—Rules, Steering, Advisory, Drafting, Union Subjects, Union Constitution, Provincial Constitution, and States—with around three dozen members. Nehru, Patel, or Prasad chaired each committee, often with the other leaders or Azad present.

Nehru invited Ambedkar to join his Cabinet so he could serve the Scheduled Castes more effectively from within the government. Another important contributor was B.N. Rau, the Constitutional Adviser, whose guidance helped shape key decisions even though he was not a member. Under the Assembly's rules, Dr. Rajendra Prasad was elected permanent President, and V.T. Krishnamachari and H.C. Mookherjee were chosen as Vice Presidents. Prasad, a seasoned leader, earned the respect of all members. He conducted the Assembly's proceedings with fairness, ensuring that legal formalities never slowed the work of making the



Constitution. In many ways, he was even more active in guiding the Assembly than George Washington had been in the American Constitutional Convention.

1.1.9 Conclusion

The Constituent Assembly completed its work in just under three years—two years, eleven months, and eleven days. On 26 November 1949, it proudly announced on behalf of the people of India: "We do hereby adopt, enact, and give to ourselves this Constitution." The Constitution reflected India's commitment to democracy, secularism, and social and economic justice.

The Assembly held a unique position in India's history. It was created with the agreement of the British Government, yet it also expressed the revolutionary spirit of India. While it did not fully represent every individual, it included all major political parties and communities. Initially, it did not have complete legal sovereignty, but in practice, it functioned with full authority. Its task was to create an independent Republic with a new Constitution, yet it also drew guidance from the Government of India Act, 1935, using it as a foundation while shaping the country's future.

The ultimate outcome of the Constituent Assembly, the Constitution of India, adopted on 26 November 1949, is much more than a set of rules. It provides the foundation for running the country and guides how the government operates. It clearly sets out the rights and duties of citizens and the powers of the Centre and the States. At its core, the Constitution reflects the values of democracy, equality, liberty, secularism, and social justice, ensuring that all citizens can play a part in shaping India's future.

While it drew lessons from earlier laws, especially the Government of India Act, 1935, the Constitution went beyond them to meet the needs of an independent India. It also provides mechanisms for bringing about social reforms, protecting minorities, and promoting inclusive development, allowing it to remain relevant as society changes. In this way, the Constitution is more than the work of the Constituent Assembly; it represents the hopes, struggles, and vision of the Indian people. It stands as a lasting symbol of India's journey from colonial rule to a free, democratic Republic, continuing to guide and inspire the nation.

Recap

- ◆ The Constituent Assembly was formed in 1946 to draft the Constitution of independent India.
- ◆ It completed its work in just under three years, adopting the Constitution on 26 November 1949.
- ◆ The Assembly functioned with practical sovereignty despite initial legal limitations.
- ◆ Key figures included Jawaharlal Nehru, Sardar Patel, Dr. B.R. Ambedkar, and Rajendra Prasad.

- ◆ Dr. Ambedkar chaired the Drafting Committee that prepared the final draft of the Constitution.
- ◆ The Constitution drew guidance from the Government of India Act, 1935, but reflected the aspirations of independent India.
- ◆ It established fundamental rights and duties for citizens and defined the powers of the Centre and the States.
- ◆ The Constitution promotes democracy, secularism, equality, liberty, and social justice.
- ◆ Committees such as the Union Powers Committee and Advisory Committee on Fundamental Rights played a vital role.
- ◆ The Constitution remains a living document, adaptable to social changes while preserving India's democratic vision.

Objective Questions

1. When did the Constituent Assembly first meet?
2. Who moved the Objective Resolution in the Assembly?
3. Who was the Chairman of the Drafting Committee?
4. How long did the Constituent Assembly take to complete the Constitution?
5. Which Act provided a framework for drafting the Constitution?
6. Who was the first President of the Constituent Assembly?
7. What percentage of the adult population could vote in the 1946 provincial elections?
8. Name one major committee that influenced the Constitution's final draft.
9. Which session saw the adoption of the Drafting Committee?
10. What key values are reflected in the Indian Constitution?

Answers

1. 9 December 1946
2. Nehru
3. Ambedkar
4. Three years
5. Government of India Act, 1935
6. Rajendra Prasad
7. 28.5%
8. Union Powers Committee
9. 29 August 1947
10. Democracy

Assignments

1. Explain the role of the Constituent Assembly in framing the Indian Constitution.
2. Discuss the contributions of Jawaharlal Nehru, Sardar Patel, and Dr. B.R. Ambedkar to constitution-making.
3. Evaluate the significance of the Objective Resolution in guiding the Assembly's work.
4. Analyse how the Constitution balances the powers of the Centre and the States.
5. Explore the relevance of the Indian Constitution's provisions for social justice and minority protection today.

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UNIT

Preamble and Salient Features

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the significance of the Preamble and its reflection of India's constitutional philosophy
- ◆ analyse the key features of the Indian Constitution
- ◆ evaluate the role of sovereignty, democracy, secularism, and federalism in shaping Indian polity
- ◆ explore the interrelationship between Fundamental Rights, Directive Principles, and Fundamental Duties in maintaining a balanced constitutional framework

Prerequisite

Before studying the Preamble and the key features of the Indian Constitution, imagine a student named Arjun trying to understand how modern India came to be. He travels back to the time when India was under colonial rule and sees the debates in the Constituent Assembly. He watches leaders like Dr. B.R. Ambedkar, K.M. Munshi, and Jawaharlal Nehru discuss the kind of country they wanted to build—a country based on justice, liberty, equality, and fraternity. Arjun notices how these leaders worked to ensure that India would be sovereign, democratic, and secular, giving power to the people while protecting their rights. He sees them carefully balancing the needs of a diverse population, planning for federalism, fundamental rights, duties, and directive principles. Following Arjun's journey, learners can understand the vision behind the Constitution and how the Preamble and its features serve as a guide to governance, ensuring fairness and unity across the nation.

Keywords

Sovereignty, Fundamental Rights, Directive Principles of State Policy, Federalism, Secularism, Fundamental Duties

Discussion

1.2.1 Introduction

The Constitution of India is among the longest in the world. It continued the work of constitutional development that took place during British rule. Much of it was based on the Government of India Act of 1935, from which nearly 250 provisions were borrowed with little or no change. When India became independent, the Constituent Assembly took charge of framing the Constitution and simultaneously acted as the Provisional Parliament under the modified 1935 Act. The Drafting Committee, led by Dr. B. R. Ambedkar, guided the work and presented the draft for discussion. The Assembly debated its provisions for almost a year before reaching an agreement. Leaders such as Jawaharlal Nehru, Sardar Patel, Dr. Rajendra Prasad, and Maulana Azad had a strong influence in the Assembly. Although members expressed their views freely, these leaders shaped the discussions and worked to build broad consensus. Finally, the Constitution was adopted and came into force on 26 January 1950, which was declared Republic Day.

The new Constitution established India as a parliamentary democracy that was federal in structure, republican in spirit, and secular in outlook. The Preamble clearly set out the guiding principles of justice, liberty, equality, and fraternity, providing a vision for the entire Constitution. Along with this, the Constitution outlined its salient features, such as a strong central government, a system of fundamental rights, and the directive principles of state policy. A few members supported the idea of a Gandhian

Constitution, where village panchayats would form the centre of governance. However, the majority of members supported a centralised parliamentary system, which became the foundation of independent India.

1.2.2 The Preamble

The Preamble of a Constitution expresses the basic values and ideas on which the whole document is built. It sets out the goals that the makers of the Constitution wanted the nation to achieve. In the Indian context, the Fundamental Rights in Part III, the Directive Principles of State Policy in Part IV, and the Fundamental Duties in Part IVA are closely linked to the Preamble. Together, they reflect the vision of justice, liberty, equality, and fraternity, providing the foundation of the Constitution.

In simple terms, a Preamble is an opening statement in a law or document. In the case of a statute, it usually comes after the long title and before the main text. It explains why the law has been made and what it aims to achieve. The Preamble, like the long title, is considered part of the statute and can help in understanding its meaning. As Chief Justice Sir James Dyer explained, the Preamble is “a key to open the minds of the makers of the Act, and the mischiefs which they intended to redress.” However, it does not carry the same authority as the main provisions of the law. If the words of the law are clear, the Preamble cannot alter their meaning. But if there is doubt, the Preamble can guide us in understanding the true purpose of the law.



1.2.2.1 Genesis of the Preamble

To understand the Preamble of the Indian Constitution, we need to begin with the Objectives Resolution. This was introduced by Jawaharlal Nehru on 13 December 1946 and adopted by the Constituent Assembly on 22 January 1947. The Assembly, which first met on 9 December 1946, made it its first task to lay down the aims and guiding principles of the future Constitution. The Objectives Resolution became the guiding framework that shaped the Constitution at every stage of its creation.

The Resolution declared India as an Independent Sovereign Republic and outlined the vision for governance. It brought together British India, the princely states, and other willing territories into a Union, where each unit would remain autonomous in its own matters except in areas assigned to the Union. It made clear that all power in independent India would derive from the people. It promised justice—social, economic, and political—equality before the law, equality of opportunity, and freedoms of thought, expression, belief, faith, worship, and association, subject to law and public morality. It also provided safeguards for minorities, tribal and backward communities, and aimed to preserve the unity and integrity of India. At the same time, it placed India within the larger world community, with a role in promoting peace and human welfare.

When the Drafting Committee prepared the Preamble, it drew heavily from this Resolution but limited it to the essential features of the state and its broad social and political goals. Detailed provisions were placed in the main body of the Constitution. The committee replaced the phrase Sovereign Independent Republic with Sovereign Democratic Republic, since independence was already encompassed in the word sovereign. It also added the principle of fraternity, which was not part

of the Resolution, as the committee felt the need for unity and goodwill among India's people was greater than ever. In this way, the Preamble carried forward the spirit of the Objectives Resolution while giving it a more focused form.

1.2.2.2 The Preamble of the Constitution

The Preamble of the Constitution of India reads:

“WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN, SOCIALIST, SECULAR, DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political, LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and opportunity; and to promote among them all,

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY, this twenty-sixth day of November, 1949, do HEREBY

ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.”

The Constituent Assembly discussed the draft of the Preamble only after it had gone through all the other parts of the Constitution. This was to ensure that the Preamble truly reflected the spirit of the final document. During the debate, several amendments were suggested, but none were accepted. Finally, the Assembly passed a motion stating that the Preamble would be a part of the Constitution. The closing words, this twenty-sixth day of November, 1949, record the day on which the Constitution was formally adopted by the Assembly. In recognition of this historic

event, November 26 is now observed as Constitution Day in India.

1.2.2.3 Amendment of the Preamble

The 42nd Amendment Act of 1976 brought two changes to the Preamble. The description of India as a Sovereign Democratic Republic was changed to Sovereign Socialist Secular Democratic Republic. Similarly, the phrase Unity of the Nation was replaced with Unity and Integrity of the Nation.

Because the Preamble is part of the Constitution, Parliament has the power to amend it under Article 368. However, this power cannot be used to change the basic structure of the Constitution. The Supreme Court in the Kesavananda Bharati case (1973) made it clear that while amendments are possible, they cannot damage the core framework of the Constitution. The changes made by the 42nd Amendment were upheld as valid since they did not disturb the basic structure. Instead, they were seen as adding more strength to the values on which the Constitution stands.

1.2.2.4 Essential Ingredients of the Preamble

When we read the Preamble, we can see the purposes it serves: it declares (1) the source of the Constitution, (2) the type of government, (3) the objectives of the political system, and (4) the date of its adoption and enactment.

1. The source of the Constitution: The opening words, “We, the people of India, adopt, enact and give to ourselves this Constitution,” show that the Constitution derives its authority from the people, and power rests with them. This principle is also reflected in many other modern constitutions. Still, some questioned

whether the Constituent Assembly truly represented the will of the people. A member even moved a motion asking that the Draft Constitution be set aside until a new Assembly could be elected on the basis of adult suffrage. The motion failed, as it found no support. To understand why, we need to recall the situation in 1946. India had no experience with adult suffrage. Preparing a full voter list and holding elections on that basis would have taken years. It was considered unwise to delay constitution-making for so long, especially when the need for a home-grown Constitution was urgent. This was why the Cabinet Mission Plan, which provided for an indirectly elected Constituent Assembly, was accepted as the practical solution.

Later, people also asked why the Constitution was not put to a referendum in 1950. The answer was clear: a nationwide referendum involving nearly 180 million voters would have required huge resources and time. Instead, the first general elections of 1951–52 gave the Constitution its popular approval. Some opposition parties had declared that if they came to power, they would replace the Constitution with a new one. However, the people gave them little support. They lost badly, while most members of the Constituent Assembly won seats in Parliament or state legislatures with strong majorities. This result confirmed that the Constitution was indeed an expression of the people’s will. As Dr. B. R. Ambedkar said in 1949 on the floor of the Assembly: “This Preamble embodies what is the desire of every member of the House, that this Constitution should have its root, its authority, its sovereignty from the people. That it has.”

2. Type of Government: The Preamble describes India as a Sovereign, Socialist,



Secular, Democratic Republic. The word Sovereign indicates that India is free and independent in all its decisions. With the Indian Independence Act of 1947, India ended its status as a dependency of the British Empire. Between August 15, 1947, and January 26, 1950, India functioned as a Dominion within the British Commonwealth. When the Constitution came into force in 1950, India became a fully Sovereign Republic, just like the United States or Switzerland. Yet, India chose to remain a member of the Commonwealth of Nations through a voluntary agreement at the London Conference of 1949. This was solely a political choice, not a constitutional requirement, and it did not affect India's sovereignty in any way. India could leave the Commonwealth at any time, as the association carried no legal obligations.

Sovereignty also includes the power to acquire or even relinquish territory if needed. The Constitution makes it clear that ultimate power rests with the people of India. While both the Union and the states share political authority, the Union holds greater powers. Unlike some federations, India does not have dual citizenship—every person is a citizen of India as a whole.

The word Socialist was added in 1976 through the 42nd Amendment. It reflects the goal of ensuring justice—social, economic, and political—for all citizens. Some critics argued that socialism is a vague term that can mean different things. The Janata Government later tried to define it in the 45th Amendment Bill as freedom from all forms of exploitation, but the proposal was not accepted. As a result, the word remains in the Constitution without a precise definition.

The word Secular was also inserted by

the 42nd Amendment. It confirms that the State has no religion of its own and treats all religions equally. Every person has the right to follow, practise, and spread their faith freely. Interestingly, the framers of the Constitution had not originally included this term. Dr B. R. Ambedkar felt that secular values were already covered under the Fundamental Rights, such as the right to freedom of religion and equality before the law. Later, an attempt was made in the 45th Amendment Bill to define secularism as equal respect for all religions, but this was not accepted. Even without a definition, the principle of secularism forms a strong part of Indian constitutional life.

The word Democratic means that the government is chosen by the people and is responsible to them. In the narrow sense, it refers to elections and representative government. In the broader sense, it includes social and economic democracy as well, not just political rights. The Constitution adopts this broader meaning.

The word Republic means that India has an elected head of State rather than a hereditary monarch. In countries like Britain, the monarch remains hereditary, but real power lies with the elected representatives. In a republic, however, the head of the State is always elected for a fixed term. For example, the President of the United States is elected for four years, while Switzerland has a seven-member executive council chosen for the same duration. India follows the republican system by electing a President from among its citizens at regular intervals to serve as the head of the State.

3. **Objectives of the Political System:** The Preamble lays out the main goals of India's political system: Justice, Liberty, Equality, and Fraternity. Justice means

balancing individual actions with the needs of society. It aims for the common good and covers social, economic, and political life. Liberty in the Preamble is both negative and positive. It not only means freedom from arbitrary restrictions but also creating conditions that allow individuals to develop their personalities fully. Liberty is closely connected with equality. Equality does not mean that all people are identical in abilities or appearance. It means equality of status and opportunity. Discrimination based on religion, race, gender, colour, or place of residence is not allowed. Practices like untouchability and hereditary titles have been abolished. Equality of opportunity is also protected through the rule of law and fair access to public jobs. Fraternity stresses a spirit of brotherhood, which protects both the dignity of individuals and the unity of the nation. Respect for human dignity is a moral duty of the State, and it ensures people can live with self-respect. By highlighting “dignity of the individual,” the Constitution rejects totalitarian ideas and affirms that every person is valuable. The words “Unity and Integrity” are included to discourage regionalism, communalism, and separatist tendencies, helping the country remain united while following the principles of secularism.

4. **Date of Adoption and Enactment:** The last part of the Preamble mentions the date 26th November 1949, when the Constituent Assembly formally adopted and enacted the Constitution for the nation. However, it came into effect only on 26th January 1950. Earlier, a member of the Assembly, Santhanam, proposed that the Preamble should become effective on 26th November 1949, but the Assembly decided not to accept this suggestion.

1.2.2.5 Significance of the Preamble

The Preamble, carefully crafted by the founding fathers, is highly valued by scholars and experts. It has been referred to as a “jewel” of the Constitution. Pandit Thakurdas Bhargava, a member of the Constituent Assembly, described it as “the most precious part of the Constitution, the soul of the Constitution, and a key to the Constitution.” It expresses the political, moral, and social values that the Constitution aims to uphold. The Preamble reflects the determination of the Indian people to come together and build a new, independent nation based on justice, liberty, equality, and fraternity. It sets out the key principles of the Constitution and, as K. M. Munshi said, acts as “the horoscope of our Sovereign Democratic Republic.”

The Preamble also captures the essence of India’s political system, illustrating its philosophy and structure. It draws ideas from two major revolutions: the Russian Revolution, which inspired social, economic, and political justice, and the French Revolution, which contributed the values of liberty, equality, and fraternity.

1.2.3 Salient Features of the Constitution

Dr. Subhash Kashyap explains that the Indian Constitution is one of the most wide-ranging and unique documents in the world. It cannot be categorised into any single type, as it brings together different features to suit India’s needs. It contains both rigid parts that are difficult to amend and flexible parts that can be adjusted over time. It exhibits characteristics of both federal and unitary systems, and it draws from parliamentary as well as presidential practices. At its core, the Constitution seeks to protect the rights of individuals while also addressing the

social and economic needs of the people and ensuring the safety of the nation. It also finds a middle path between the authority of Parliament and the power of the judiciary.

The following are the outstanding features of the Indian Constitution:

1. ***A Written Constitution:*** India has a written Constitution that was formally adopted when the Republic was established. At the time it came into force, the Constitution had 395 Articles grouped into 22 Parts, along with 12 Schedules and 3 Appendices. In print, it filled 319 octavo pages. Like the United States, Canada, and France, India also chose to frame its governance through a written Constitution, but its size and content make it quite distinct from those other documents.
2. ***The longest known Constitution:*** The Constitution of India is the longest and most detailed written constitution in the world. When it was first adopted, it contained 395 Articles and 8 Schedules. Later amendments increased the number of Schedules to 12, although the Articles remained unchanged. The framers aimed to ensure that every aspect of administration and governance was clearly articulated. Unlike other countries, where many practices are left to traditions or conventions, India opted to specify them explicitly. For comparison, the U.S. Constitution has only 7 Articles, the Australian Constitution 128, and the Canadian Constitution 147. India's Constitution, on the other hand, originally spanned 22 Parts with 395 Articles and 8 Schedules. Over the years, it has expanded even further, with amendments adding new provisions and removing some older ones.

There are several reasons for this level of detail. The Constituent Assembly sought

to incorporate lessons from constitutions around the world while avoiding their weaknesses. The Constitution also addresses both the Union and the States, unlike the U.S., where states have their own constitutions. It explains in detail how legislative, administrative, and financial powers are shared between the Union and the States. India's diversity and size also necessitated the inclusion of special provisions. For instance, there are separate sections dealing with Scheduled Castes and Tribes, official language, and emergencies. Certain regions, such as Nagaland, Assam, Manipur, Sikkim, and Mizoram, have special protections due to their unique needs.

The Constitution also contains a comprehensive chapter on Fundamental Rights, with clear rules and limitations. It introduces Fundamental Duties and Directive Principles of State Policy, which, while not enforceable in court, guide the government in shaping policies.

Some have questioned why the framers created such a massive document instead of keeping it short and simple. The reason lies in India's history. The British had already provided India with lengthy and detailed laws, such as the Government of India Acts of 1919 and 1935. The 1935 Act was the longest law ever passed by the British Parliament. Following this precedent, the framers designed the Indian Constitution not only as a framework of governance but also as a detailed legal code encompassing every important aspect of national and state administration.

3. ***Popular Sovereignty:*** The Constitution makes it clear that the people are the true source of power in India. The Preamble begins with the words, "We, the people of India, having solemnly resolved

to constitute India into a Sovereign, Socialist, Secular, Democratic Republic.” This spirit permeates the Constitution and is particularly evident in the provisions regarding elections. Article 326 states that elections to the Lok Sabha and the State Legislative Assemblies shall be held on the basis of adult suffrage. This means that governments at both the Centre and the States are chosen by the people and derive their authority from them. The executive, in turn, is accountable to the legislature, and through it, to the people themselves. In this manner, the Constitution ensures that it is the will of the people that ultimately shapes and directs the functioning of the state.

4. ***Sovereign Democratic Republic:*** The Preamble of the Constitution describes India as a Sovereign Democratic Republic. India is sovereign because it is now a completely independent nation, free from the Dominion Status established under the Independence Act of 1947. Being sovereign means India has full control over its own affairs, both domestically and in its relations with other nations. The term Democratic indicates that power lies with the people. Through the system of universal adult franchise, every adult citizen has the right to vote and elect representatives to the Parliament and State Legislatures in elections held every five years. The term Republic clarifies that India is not ruled by a hereditary monarch, like the Queen in Britain, but by a President who is indirectly elected by the people.
5. ***Both Rigid and Flexible:*** The Indian Constitution is both rigid and flexible. The process of making changes to it is not as easy as in England, nor as strict as in the United States. England has no written Constitution, so constitutional laws can be changed in the same way as any other
- law. In contrast, the U.S. Constitution is very difficult to amend—it requires a two-thirds majority in Congress and approval from three-fourths of the states.
- India has chosen a middle path. Some parts of the Constitution can be amended only if at least half of the State Legislatures agree. Most changes, however, can be made in Parliament if two-thirds of the members present support it, provided this number also constitutes a majority of the total strength of the House. At the same time, there are certain matters that Parliament can change with a simple majority, just like passing an ordinary law, because the Constitution itself states that these are not to be treated as formal amendments. The fact that the Constitution has already been amended 106 times in 75 years demonstrates its capacity for flexibility. Nevertheless, its basic structure remains protected and cannot be altered.
6. ***Cabinet Government:*** The Constitution establishes a Cabinet system of government at both the Centre and in the States. In this system, the executive is always answerable to the legislature. The Cabinet is led by the Prime Minister, who collaborates with senior ministers to frame and implement government policies. Here, the Head of State holds a position of respect and dignity, but real powers are exercised by the Cabinet. All actions taken in the name of the Head of State are the responsibility of the Cabinet. The Prime Minister plays a key role in keeping the Cabinet united and ensuring that decisions are made collectively. The real strength of this system lies in the fact that the executive cannot act independently without accountability. It is under the constant scrutiny of the legislature, and if it fails in its duty or acts against the will of the

elected representatives, it can be removed through a vote of no confidence.

7. **Secular State:** The word secular was added to the Preamble to describe India as a Sovereign Democratic Republic, making it clear that the country is firmly committed to secularism. This concept has two facets. On one side, it rejects the model of a state that identifies itself with any one religion, such as Pakistan calling itself an Islamic State. In India, the state has no official religion.

On the other side, secularism means that the state treats every citizen equally, regardless of their faith. It provides everyone with the same rights and opportunities. As Prof. Alexandrowicz explained, India as a secular state guarantees freedom of religion to all people and does not confer special status to any faith. The Constitution makes it clear that there will be no discrimination based on religion, caste, gender, colour, or belief. Every citizen is equal before the law, and religious minorities have the right to preserve their language and establish their own educational institutions.

One of the strongest indicators of India's secular character is the abolition of communal electorates. Instead, elections are based on universal adult franchise and joint electorates, ensuring that people participate in democracy as equal citizens, not divided by religion.

8. **A Federal System with Unitary Bias:** The Indian Constitution is remarkable because it establishes a strong federal system while also allowing the Union government to maintain firm control when necessary. India is divided into states, each with its own powers, but the Constitution grants the Union the final say

in many important matters. For example, it controls subjects not listed for the states, can change state boundaries, and appoints Governors as its representatives. During emergencies, the Centre can even take over the administration of a state. Federalism in India was not a sudden idea after independence; it grew from earlier governance systems under British rule and was seen as the best way to manage a country with diverse languages, cultures, and religions. The framers of the Constitution aimed to protect this diversity while also ensuring that the country remained united. They ensured that when conflicts arise, the unity of the nation would take priority, creating a strong and lasting Union.

9. **Universal Franchise without Communal Representation:** India took a bold step by introducing universal adult suffrage under Article 326. Despite the country's large population, widespread illiteracy, and vast size, every adult citizen was given the right to vote, without any restrictions based on gender, property, or taxes. This made India's voting system more inclusive than those in England or the United States. The Preamble declares that the Constitution is "adopted and given by the people of India," and this principle of popular sovereignty would have been meaningless without providing all eligible citizens with a real voice. To facilitate this, the Constitution established an independent Election Commission to ensure free and fair elections.

Another important step was the elimination of communal representation, which had fueled division and contributed to the partition of India. The Constitution allows reserved seats only for scheduled castes, scheduled tribes, and Anglo-Indians—and even these are temporary measures—ensuring that the focus

remains on equality and fairness for all citizens.

10. *Compromise between Judicial Review and Parliamentary Supremacy:*

In India, Parliament is not all-powerful like the British Parliament, and the courts are not completely supreme like in the United States, where judicial review has no limits. The Constitution balances these two extremes. Courts can declare a law unconstitutional if it exceeds the powers granted to the legislature or violates fundamental rights. However, they cannot question the reasoning or policy behind a law. Fundamental rights, such as liberty and property, can still be regulated by Parliament. Most parts of the Constitution can also be amended by Parliament with a special majority, providing a means to correct any instances where courts become too strict. Jawaharlal Nehru captured this idea clearly: no court can override the will of Parliament, which represents the people. Courts can point out mistakes, but when it comes to the nation's future and social reforms, Parliament has the final say.

11. *Single Citizenship:* India, though a federal country, does not allow dual citizenship like the United States. Every citizen of India, regardless of which state they come from, holds a single citizenship of the country. In the U.S., by contrast, individuals are citizens of both their state and the nation, with different rights and duties in each. India chose single citizenship to create a stronger sense of unity among its people, who are diverse in language, religion, culture, and background. This helps build a shared national identity and keeps the country connected as one.

12. *Independence of Judiciary:* The framers of the Constitution understood that democratic freedoms would mean little without an independent system to protect them. Government officials could not be relied upon to act fairly in disputes involving the state, and a judiciary controlled by the Centre or States could not be trusted to resolve conflicts between them. For this reason, an independent judiciary was made a key part of the Constitution, with judicial independence as a fundamental principle.

13. To secure this independence, the Constitution clearly separates the judiciary from the executive. It also sets rules to support judges' autonomy. Strict qualifications are required for their appointment, and the Chief Justice of India must be consulted for all Supreme Court and High Court appointments. Judges receive high salaries, their service conditions cannot be lowered, and their conduct is protected from discussion in the legislature. They can be removed only for proven misconduct, and even then, both Houses of Parliament must approve their removal with a two-thirds majority of members present and voting, along with an absolute majority of the total membership.

14. *Fundamental Rights:* Like the Constitution of the United States, the Indian Constitution sets out a special chapter that guarantees fundamental rights to all citizens. These rights are protected by law and cannot be ignored. Both the government and the legislature must respect them. If any right is violated, citizens can approach the courts for protection. Any law or government order that contravenes these rights can be declared invalid.



15. Fundamental Duties: The 42nd Amendment Act of 1976 added a new feature to the Constitution: Article 51A, which introduced Fundamental Duties. These duties were included to balance the rights of citizens with their responsibilities. While they cannot be enforced in a court of law, they encourage people to be aware of their civic obligations. This addition helped fill an important gap in the original Constitution by linking individual freedoms with a sense of responsibility toward the nation.

16. Directive Principles of State Policy: The Directive Principles of State Policy are a special feature of the Indian Constitution, inspired by the Irish model. They guide the government in making policies while also assuring people what they can expect from the state. These principles encourage both the Central and State governments to create a fair and just society, where social, economic, and political justice shapes the way all institutions function.

Recap

- ◆ The Preamble expresses the philosophy and vision of the Indian Constitution.
- ◆ India is described as a Sovereign, Socialist, Secular, Democratic Republic.
- ◆ Sovereignty indicates that India is fully independent in its internal and external affairs.
- ◆ Democracy in India is based on universal adult suffrage and elected representatives.
- ◆ Secularism ensures equal treatment of all religions by the state.
- ◆ Federalism divides powers between the Centre and the States while retaining a unitary bias.
- ◆ Fundamental Rights are enforceable in courts and protect citizens' freedoms.
- ◆ Directive Principles guide government policies to achieve social, economic, and political justice.
- ◆ Fundamental Duties encourage citizens to contribute responsibly to national development.
- ◆ The Constitution combines rigidity and flexibility to adapt to the changing needs of governance.

Objective Questions

1. What is the opening word of the Preamble to the Indian Constitution?
2. Which amendment added the term 'Socialist' to the Preamble?
3. Which amendment introduced the word 'Secular' in the Preamble?
4. Which article provides for universal adult suffrage in India?
5. Which document inspired the Directive Principles of State Policy?
6. Who is called the Chief Architect of the Indian Constitution?
7. What type of government system is established at the Centre in India?
8. Which body is the guardian of the Indian Constitution?
9. Which concept ensures equal treatment of all religions by the state?
10. Which article introduced Fundamental Duties in the Constitution?

Answers

1. We, The People of India
2. 42nd Amendment
3. 42nd Amendment
4. Article 326
5. Irish Constitution
6. Dr. B.R. Ambedkar
7. Cabinet
8. Supreme Court
9. Secularism
10. Article 51A

Assignments

1. Explain the significance of the Preamble in the Indian Constitution.
2. Discuss how the Constitution balances individual rights and state responsibilities.
3. Analyse the impact of secularism on Indian democracy.
4. Evaluate the federal structure of India and the role of the Union in maintaining unity.
5. Explore the relevance of Fundamental Duties and Directive Principles in modern India.

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UNIT

Fundamental Rights, Fundamental Duties and Directive Principles of State Policy

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the concept and significance of Fundamental Rights, Fundamental Duties, and Directive Principles in the Indian Constitution
- ◆ analyse the relationship between citizens' rights and duties and how these influence governance and social development
- ◆ evaluate the effectiveness of Directive Principles in guiding state policies and promoting socio-economic justice
- ◆ explore the historical and philosophical foundations of rights, duties, and directives in India, including their relevance to modern democracy

Prerequisite

Ravi, a final-year undergraduate student, often wondered why citizens in India enjoy so many rights but are also expected to perform duties. One evening, while reading the Constitution, he noticed that Part III detailed Fundamental Rights, which offer protection and equality, while Part IV listed Directive Principles that guide state policies. He learned that Fundamental Duties, added later through the 42nd Amendment, remind citizens of their obligations toward society. Curious about their connection, Ravi discussed with his professor how rights and duties complement each other, noting Gandhi's belief that "the source of rights is duty." He also explored how Directive Principles aim to create a welfare state, ensuring justice, equality, and social security. By understanding these provisions, Ravi realised that the Constitution not only empowers citizens but also calls for responsible participation in nation-building.

Keywords

Welfare State, Social Justice, Economic Democracy, Citizen Obligations, Equality, Equality before law

Discussion

1.3.1 The Fundamental Rights

Rights are the basic needs of social life that help every person live with dignity and reach their full potential. They are called Fundamental Rights because they are written into the Constitution, the highest law of the country. These rights can be protected through the courts, which means that if a citizen feels their rights are violated, they can seek justice. Fundamental Rights are meant for all citizens and must be respected by every level of government—central, state, and local.

Granville Austin called the Indian Constitution a social document at its core. Its main purpose was to bring change to the existing social order. This vision is clearly reflected in two important parts—the Fundamental Rights and the Directive Principles of State Policy, which are seen as the moral foundation of the Constitution. The Fundamental Rights demonstrate two things: India's acceptance of certain liberal values that had grown in the West, and its own struggle for political freedom during colonial rule. Adopted from the Constitution of the USA and found in Part III of the Indian Constitution, these rights protect citizens by providing both basic freedoms and legal safeguards against the power of the state. India was not the first country to include such rights; many nations had already placed similar guarantees in their constitutions after the First World War. The French Declaration of the Rights of Man, the American Bill of Rights, and the Universal Declaration of

Human Rights inspired the makers of the Indian Constitution. From these sources, they chose the rights that best suited the social and political needs of India.

1.3.1.1 Evolution of Fundamental Rights in India

The idea of civil rights in India dates back to the 19th century. When the Indian National Congress was founded in 1885, Indians sought the same rights and privileges that the British enjoyed in India and in England. They aimed to end the unfair treatment that accompanied colonial rule. A significant step in this direction was the Swaraj Bill of 1895, inspired by Lokamanya Tilak. It envisioned a constitution that would guarantee every citizen basic rights such as freedom of expression, security of one's home, the right to property, and equality before the law. The Bill also addressed rights such as free speech, protection against arrest without proper authority, and free state education. Between 1917 and 1919, Congress passed several resolutions reiterating the demand for civil rights and equal status with the British.

Annie Besant's Commonwealth of India Bill further reinforced this idea. It listed fundamental rights similar to those found in the Irish Free State Constitution of 1921. In 1927, during its Madras session, Congress resolved that any future constitution of India must begin with a clear declaration of rights. This initiative was carried forward in 1928 by the Motilal Nehru Committee, which

pointed out that the situation in Ireland was quite similar to that in India and stressed that rights must be guaranteed in a manner that could never be rescinded. In 1931, the Congress meeting at Karachi adopted a resolution on Fundamental Rights alongside principles of economic and social reform, shaping it into both a rights charter and a social justice programme.

The final significant step before independence was the Sapru Report of 1945. Headed by Sir Tej Bahadur Sapru, the committee of intellectuals reiterated the call for fundamental rights to be incorporated into the Constitution. They argued that such rights were essential not only to reassure minorities but also to guide legislatures, governments, and courts. A notable feature of the Sapru Report was the distinction it made between rights that could be enforced in court (justiciable) and those that could not (non-justiciable).

1.3.1.2 Salient Features of Fundamental Rights

The Fundamental Rights in the Indian Constitution possess certain key features that make them distinctive. To begin with, they are an inseparable part of the Constitution. They cannot be removed or altered by ordinary laws, and if any law passed by Parliament or a state contravenes these rights, it becomes invalid. The Constitution provides a very detailed treatment of Fundamental Rights. Each right is clearly explained, and the limits within which it can be exercised are also outlined. This makes the chapter on rights one of the most comprehensive parts of the Constitution. These rights can be categorised into two types. Some impose restrictions on the state, such as Article 18, which prevents the government from conferring special titles, and Article 17, which abolishes untouchability. Others directly grant citizens certain freedoms, such as equality, liberty,

and the right to express their views and practise their religion.

Another important feature is that these rights are enforceable in courts. If a person's rights are violated, they can approach the High Court or the Supreme Court. The courts can annul laws or government orders that contradict the rights guaranteed in the Constitution. At the same time, these rights are not absolute; they are subject to reasonable restrictions for the good of society. For example, freedom of speech cannot be used to harm public order or national security, and the right to equal opportunity in employment permits reservations for disadvantaged groups. During an emergency, some or all Fundamental Rights can be suspended by the President. In such circumstances, individuals may also lose the right to approach the courts for enforcement of their rights.

Some rights are meant only for citizens of India, such as equality of opportunity in public employment. Others, including the right to life, the freedom of religion, and protection against exploitation, apply to everyone, including foreigners. The Constitution of India does not recognise rights outside those listed in Part III. Unlike the American Constitution, it does not allow courts to enforce rights not mentioned in the text. Finally, Fundamental Rights can be amended through changes to the Constitution, but they cannot be completely revoked, as that would undermine the basic structure of the Constitution. As D. D. Basu explains, the special value of Part III is that it creates a balance between protecting individual freedoms and safeguarding the interests of society as a whole.

1.3.1.3 Classification of Fundamental Rights

Part III of the Indian Constitution lays down the Fundamental Rights of the people. Compared to other written constitutions in



the world, these provisions are broader in scope and more detailed. They aim to protect individual freedom and ensure fairness in society.

When first written, the Constitution listed seven groups of Fundamental Rights. These were:

1. Right to Equality
2. Right to Freedom
3. Right against Exploitation
4. Right to Freedom of Religion
5. Cultural and Educational Rights
6. Right to Property
7. Right to Constitutional Remedies

Later, through the 44th Amendment of 1978, the Right to Property was removed from this list. Today, six groups of rights remain as Fundamental Rights, forming the backbone of personal liberty and democratic life in India.

1. Right to Equality: Articles 14 to 18 of the Indian Constitution lay down the Right to Equality. Since equality forms the foundation of any true democracy, the Constitution has rightly placed it at the very heart of India's political system.

Equality Before Law: Article 14 of the Constitution provides that “the state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.” This means that Article 14 addresses two important aspects in relation to the concept of equality.

The idea of equality before the law originates from English Common Law, while the phrase equal protection of laws comes from the American Constitution. At first glance, they may appear similar, but they

carry different meanings. Equality before the law is a negative concept; it means that no one enjoys special privileges and all people, regardless of their position, are equally bound by the law. Equal protection of laws, on the other hand, is a positive concept. It asserts that people in similar situations must be treated in the same way by the law.

The principle of equality before the law is linked to Dicey's Rule of Law. It reminds us that no person, however high their status, is above the law. Nonetheless, both England and India recognise certain exceptions for public reasons. For instance, the President of India and State Governors cannot be taken to court for actions carried out in the course of their official duties, and no criminal case can be filed against them while they are in office.

The idea of equal protection of laws takes this a step further. It means that the law must apply fairly to people in similar circumstances. This does not imply that everyone is treated in exactly the same way. For example, different professions may be taxed at different rates, or certain properties may be exempt from tax. Such distinctions are valid if they are based on a fair and reasonable foundation, rather than arbitrary or unjust grounds. The guarantee of equal protection, therefore, ensures that there is no unjust discrimination, either in the creation of laws or in their implementation.

Prohibition of discrimination on grounds of Religion, Race, Caste, Sex or Place

of Birth: Article 15 of the Constitution clearly states that no citizen should face discrimination from the State on the basis of religion, race, caste, sex, or place of birth. It also ensures that every citizen has equal access to public spaces such as shops, restaurants, wells, tanks, bathing ghats, roads, and other places meant for public use. The Article makes a clear distinction between discrimination based on place of birth and

the use of residence as a valid condition for certain purposes. For example, residence can be considered for public employment without being treated as discrimination in the same sense as caste or religion. In this way, the Article protects citizens from unfair treatment while also recognising certain practical requirements. The real strength of Article 15 lies in its stance against all forms of unequal treatment by the State. It promotes the idea of one citizenship for the entire country and discourages narrow divisions based on provincial identity or birthplace.

At the same time, the Constitution recognises that some groups need additional support. Article 15 allows the State to make special provisions for women and children, as well as for the advancement of socially and educationally backward classes, including Scheduled Castes and Scheduled Tribes. Such measures are not considered violations of equality, but rather a step towards ensuring fairness and justice for all.

Equality of Opportunity in Matters of Public Employment: Article 16 of the Constitution gives every citizen the right to equal opportunity in public employment. This means the State cannot deny anyone a job or promotion in government services on the basis of religion, race, caste, sex, descent, place of birth, or residence.

At the same time, the Constitution allows for certain exceptions. Parliament may set residence requirements for specific jobs under a state or local authority. The State can also reserve jobs for socially and educationally backward classes who are not adequately represented in public services. In addition, the Constitution directs the government to consider the claims of Scheduled Castes and Scheduled Tribes while making appointments, as long as this does not harm the efficiency of the administration (Article 335).

Abolition of Untouchability: Article 17 of the Constitution ends the practice of untouchability and makes it a punishable offence. It gives Parliament the power to create laws defining the penalties for such acts. Using this power, Parliament passed the Untouchability (Offences) Act in 1955, which was later amended and renamed the Protection of Civil Rights Act in 1976. This law strengthened the legal measures to protect citizens from discrimination and promote social equality.

Abolition of Titles: During British rule, the government awarded many titles each year, mainly to political supporters and officials, creating a small class of nobility. After independence, India could not accept these titles except as a recognition of real merit. To prevent this, Article 18 of the Constitution abolished all titles and forbade the State from granting any new titles. The only exceptions are for academic or military achievements.

In 1954, the Indian government introduced four civilian honours: Bharat Ratna, Padma Vibhushan, Padma Bhushan, and Padma Shri. These awards were intended only as recognitions of achievement and were not meant to be added to the recipients' names. Some people argued that these awards contradicted Article 18. Acharya Kripalani protested, and the Janata government temporarily stopped awarding them. However, the practice was later resumed by Mrs Gandhi when she returned to power.

2. Right to Freedom: M.V. Pylee points out that personal liberty is the most important of all fundamental rights. Articles 19 to 22 of the Constitution cover this right in different ways, together forming a kind of charter of personal freedoms. These rights support the idea of liberty that the Preamble promises. Originally, Article 19 listed seven freedoms for citizens, but the right to acquire, hold,

and dispose of property was removed by the 44th Amendment in 1978. Today, six key freedoms remain, which form the foundation of personal liberty in India. They are:

- ◆ Freedom of Speech and Expression
- ◆ Freedom of Assembly
- ◆ Freedom of Association
- ◆ Freedom of Movement
- ◆ Freedom of Residence and Settlement
- ◆ Freedom of Profession, Occupation, Trade or Business

Limitations upon the Freedoms

The Constitution grants important freedoms, but these are not without limits. Each freedom is balanced with the larger interest of society to ensure they are used responsibly. For example, freedom of speech and expression allows people to share their thoughts, but it cannot be used to spread false accusations, insult the court, harm public morals, disturb the peace, threaten the country's security, spoil relations with other nations, or provoke violence.

Similarly, people are free to gather for meetings and protests, but such gatherings must be peaceful and unarmed. The State can intervene to regulate them if public order is at risk. Citizens also have the right to form groups, associations, or unions, but this right can be limited if it threatens peace, morality, or the unity of the nation.

The Constitution allows every citizen to travel freely across India and to live anywhere in the country. However, this right can be restricted in the interest of public welfare or to protect the culture and resources of Scheduled Tribes. Likewise, people are free to choose any profession, trade, or business,

but this is subject to certain regulations, such as requiring proper qualifications or allowing the State to manage specific trades for the benefit of all.

Protection in Respect of Conviction for Offences: Article 20 of the Constitution protects individuals from being punished unfairly. It sets out four clear safeguards. First, no one can be punished for an act that was not a crime at the time it was committed. Second, a person cannot receive a punishment heavier than what the law allowed when the offence was committed. Third, once a person has been tried and punished for an offence, they cannot be tried for the same matter again. Fourth, an accused person cannot be forced to speak against themselves in a case.

Protection of Life and Personal Liberty: Article 21 of the Constitution states that no person can be deprived of life or personal liberty except in accordance with the law. Over the years, this right has been given a broader interpretation by the Supreme Court. In 1992, in the case of *Mohini Jain v. State of Karnataka*, the Court declared that the right to education is part of the right to life. The judges observed that life and dignity cannot be complete without education. With this judgment, the Court transformed what was previously only a Directive Principle into a fundamental right.

To clarify this, the 86th Constitutional Amendment of 2002 added Article 21A, which requires the state to provide free and compulsory education to all children between six and fourteen years of age. The 44th Amendment further strengthened this right by stating that life and liberty cannot be suspended, even during an emergency. This distinction makes Article 21 different from other fundamental rights, which can be suspended when an emergency is declared. The Supreme Court has also recognised the right to compensation when Article 21 is violated. In cases such as *Nilabati Behera*

and D.K. Basu, the Court held that a person who has been wrongfully deprived of life or liberty can seek monetary compensation. It has also been suggested that this right to compensation should be explicitly included in the Constitution.

Protection against Arrest and Detention: Article 22 of the Constitution lays down certain rights for individuals who are arrested. It states that a person must be informed of the reasons for their arrest, must have the opportunity to consult and be defended by a lawyer of their choice, and must be brought before a Magistrate within twenty-four hours. No one can be held in custody for longer without the Magistrate's approval. However, the Constitution makes two exceptions: these rights do not apply to an enemy alien or to a person who is arrested under a law that permits preventive detention.

3. Right Against Exploitation: Articles 23 and 24 of the Constitution protect individuals from exploitation. They prohibit practices such as human trafficking, begar (forced labour without pay), and any form of compulsory work done under duress. They also make it illegal to employ children under the age of 14 in factories, mines, or other hazardous jobs.

Before independence, many poor and backward communities were forced to work without wages. In villages, landless peasants had to work on landlords' lands for most of the year without being paid. This was called begar. Women from weaker sections were also bought and sold, and children were made to work in industries because they could be paid less and made to work longer hours. The Constitution has put an end to these practices. It clearly states that no one should be forced to work against their will. To strengthen this, Parliament passed the Bonded Labour System (Abolition) Act, 1976, which helped end bonded and forced labour and provided protection to the weaker

and poorer sections of society.

4. Right to Freedom of Religion: India is a secular country, which means the state treats all religions equally and does not favour any particular faith. The Constitution protects this principle through Articles 25 to 28. Article 25 gives every person the freedom to follow their religion, to believe what they wish, and to practise and share their faith. This freedom is limited only by concerns for public order, morality, and health. Article 26 allows religious groups to manage their own affairs. They can set up and run institutions for religious or charitable purposes, manage their religious matters, own property, and use it according to the law.

Article 27 protects religious activity by exempting funds used for a religion from taxes. Article 28 ensures that schools fully funded by the state cannot give religious instruction. Even in private schools that receive state aid, students cannot be forced to receive religious teaching without their consent, or in the case of minors, the consent of their guardians. These rules show that India's government remains neutral and secular, while religious institutions can continue their practices freely, even if they receive state support.

5. Cultural and Educational Rights: The Constitution gives minorities the right to keep and promote their own language, script, literature, and culture. Article 29 ensures that no one can be denied admission to a state-supported school or college because of their religion, race, caste, or language. Article 30 allows minorities, whether based on religion or language, to set up and manage their own educational institutions. The state must treat these institutions fairly and cannot discriminate against them simply because they are run by minority communities. These provisions protect minority rights and create new opportunities for them to preserve their identity and education.



1.3.2 Fundamental Duties

A duty is simply an obligation. We have a duty whenever we are expected to do—or avoid doing—something. Duties represent what we owe to others as members of society. For instance, my right to live comes with the responsibility to allow others to enjoy the same right. In this way, rights and duties are two sides of the same coin. From our own perspective, they are rights; from the perspective of others, they are duties. Rights and duties are closely interconnected. One person's duty becomes another person's right. In a democracy, rights are not favours granted by the government; they are legitimate claims that benefit both the individual and the community. However, enjoying rights also entails taking on responsibilities. People often focus more on their rights than on their duties, yet we can exercise our rights only as part of a society. The laws and authority of the state protect our rights, and in return, we owe the state certain duties.

Laski explained this connection in three ways. First, citizens should use their rights in ways that benefit society. Second, enjoying our rights requires allowing others to enjoy theirs. Third, since the state protects our rights, we have duties towards it. Mahatma Gandhi placed even greater importance on duties than on rights. For him, rights offered the opportunity for self-growth, which could only occur through serving others and fulfilling our duties. He believed that the right to perform one's duties was the most meaningful right. A right without the willingness or ability to carry out its corresponding duty loses its value. As Gandhi said in 1925: "The true source of right is duty; if we all do our duties, rights will naturally follow." This is echoed in the Bhagavad Gita: "Action is yours; the results are not. Action is your duty; the fruit is your right."

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For example, the U.S. Constitution highlights individual freedoms without mentioning responsibilities. Japan, while following the Western democratic model, includes some basic duties for its citizens. Socialist constitutions, on the other hand, treat rights and duties equally. The Soviet Constitution, for instance, links citizens' freedoms with their obligations. It guarantees the right to work but also expects every able-bodied citizen to perform their job responsibly and in a socially useful manner. Citizens must respect the rights of others, oppose anti-social behaviour, follow the law, uphold social standards, and protect both property and nature. Similarly, the Yugoslav Constitution stresses that rights and freedoms are realised when citizens fulfil their duties towards one another. In these systems, individual rights are closely connected to social responsibility, demonstrating that privileges and obligations go hand in hand.

The Constitution of India did not originally include a section on fundamental duties. While citizens were granted fundamental rights under Part III, there was no mention of their responsibilities. The idea of adding fundamental duties became significant during the emergency of 1975. A committee led by Sardar Swaran Singh was set up to suggest how these duties could be included. The committee emphasised that along with enjoying rights, citizens should also understand their responsibilities. They suggested that Parliament could enact laws to ensure these duties are observed, including making the payment of taxes a fundamental duty.

1.3.2.1 Forty-Second Amendment Act and Fundamental Duties

The 42nd Amendment in 1976 added fundamental duties to the Indian Constitution under Article 51-A. It lists 11 duties that every

citizen should follow. Under this Article, it shall be the duty of every citizen of India:

- a. to abide by the Constitution and respect the National Flag and the National Anthem;
- b. to cherish and follow the noble ideas which inspired our national struggle for freedom;
- c. to protect the sovereignty, unity, and integrity of India;
- d. to defend the country;
- e. to promote the spirit of common brotherhood among all the people of India;
- f. to preserve the rich heritage of our composite culture;
- g. to protect and improve the natural environment;
- h. to develop the scientific temper and spirit of inquiry;
- i. to safeguard public property;
- j. to strive towards excellence in all spheres of individual and collective activity.

1.3.2.2 Critical Appraisal of Fundamental Duties

Fundamental Duties are listed in Article 51A (Part IV) of the Constitution, immediately following the Directive Principles of State Policy. Their placement here rather than after the Fundamental Rights indicates that the 42nd Amendment intended these duties to be treated like Directive Principles, not as enforceable rights. Legally, these duties function much like the original Directive Principles. Just as the directives are meant for the State without any penalties, Fundamental Duties are addressed to citizens but do not carry legal punishment if ignored.



in three ways: first, they set certain goals, especially in the economic field, that the government should aim to achieve; second they provide direction to lawmakers and administrators on how to use their powers responsibly; and third, they highlight certain goals for citizens that cannot be enforced in court like Fundamental Rights, but that the State should try to secure through its policies. The State is expected to follow these principles in both making laws and running the country. They reflect the Constitution's vision of India as a 'Welfare State' rather than just a 'Police State,' and most of them focus on promoting economic and social democracy, as promised in the Preamble.

1.3.3.1 Philosophical Bases of the Directive Principles

In summary, the inclusion of Fundamental Duties in the Constitution was intended to balance citizens' freedoms with their responsibilities and to address a gap in the original framework.

1.3.3.2 Directive Principles: Meaning and Nature

The Directive Principles of State Policy are a special feature of the Indian Constitution, as Dr. Ambedkar pointed out. They are broad guidelines meant to help the government

create policies and laws that reflect the country's ideals and goals. These principles set a direction for the State, showing what it should aim for while governing the nation. They have been described as expressions of the country's hopes and aspirations. L.M. Singhvi called them the heart of the Constitution, reflecting its commitment to social justice and democratic socialism. They set the goals of a welfare state rather than just a government that regulates or controls.

Dr. Ambedkar also compared the Directive Principles to the "Instruments of Instructions" used under the Government of India Act, 1935, with the difference that these are addressed to India's legislature and executive. They guide lawmakers and administrators, helping them make decisions that move the country toward the ideals of justice, liberty, equality, and fraternity outlined in the Preamble. Although these principles are not legally enforceable in courts, they are considered essential for good governance. While Part III of the Constitution builds the foundation of political democracy, the Directive Principles provide the roadmap for achieving social and economic democracy in India.

1.3.3.3 Classification of Directive Principles

To better understand the scope of the Directive Principles, it helps to group them into related categories. Dr M. P. Sharma suggested classifying them ideologically as socialistic, Gandhian, and liberal-intellectual, and they can be summarised as follows:

1. **Building a Welfare State:** Many Directive Principles focus on creating a Welfare State that fulfils the ideals in the Preamble. For example, Article 38 asks the state to promote the welfare of the people and ensure social, economic, and political justice. Article 39 focuses

on providing adequate livelihood, fair distribution of resources, prevention of wealth concentration, equal pay for men and women, protecting workers' health and strength, and safeguarding children and youth from exploitation. Article 41 supports the right to work, education, and public assistance in cases of unemployment, sickness, old age, or disability. Article 42 ensures fair working conditions and maternity benefits. Article 43 encourages a decent standard of living and leisure for workers. Article 46 emphasises the education and economic development of weaker sections, especially scheduled castes and tribes. Article 47 focuses on improving nutrition and public health.

2. **Culture and Education:** Some principles guide the state in education and culture. Article 45 calls for free and compulsory education for children up to 14 years. Article 49 focuses on protecting monuments and sites of historical and artistic importance.

3. **Gandhian Principles:** A few directives reflect Gandhian ideas. These include organising village Panchayats for local self-government (Article 40), early childhood care for children up to six years (Article 45), promoting cottage industries (Article 43), protecting cows and other useful animals (Article 48), and improving public health while discouraging alcohol and drugs (Article 47).

4. **International Peace and Security:** Article 51 asks the state to promote world peace, maintain fair relations with other countries, and settle disputes through arbitration.

5. **Other Important Principles:** These include separating the judiciary from the executive (Article 50), working toward



a uniform civil code (Article 44), and encouraging scientific approaches in agriculture and animal husbandry.

- 6. Amendments Strengthening Social Justice:** The 42nd Amendment added new directives to strengthen social justice. Article 39A requires free legal aid for the poor. Article 43A encourages worker participation in industry management. Article 48A focuses on protecting the environment, forests, and wildlife. The 44th Amendment added a provision to Article 38 to reduce income and opportunity inequalities among individuals and groups. Together with the removal of the right to property as a

fundamental right, these changes aimed to promote fairness, equal opportunity, and social justice without the need to nationalise industries.

These principles guide the state in building a society based on justice, equality, and welfare while giving shape to the ideals of the Constitution.

In short, Directive Principles set out the responsibilities of the state toward its citizens. They provide a roadmap for creating social and economic justice. While fundamental rights protect political democracy in India, the Directive Principles guide the country toward economic democracy, which helps sustain political freedom.

Recap

- ◆ Fundamental Rights protect individual freedoms and ensure equality before the law.
- ◆ The Constitution allows citizens to approach the Supreme Court for the enforcement of Fundamental Rights.
- ◆ Fundamental Duties were added through the 42nd Amendment to promote civic responsibility.
- ◆ Rights and duties are interconnected; one's duty often safeguards another's right.
- ◆ Directive Principles guide the state in policy-making to achieve social, economic, and political justice.
- ◆ Directive Principles are not legally enforceable but influence legislation and governance.
- ◆ Gandhian ideals, such as village panchayats and cottage industries, are reflected in Directive Principles.
- ◆ Fundamental Duties include respecting the Constitution, promoting unity, and protecting the environment.

- ◆ The 44th Amendment emphasised reducing social and economic inequalities through Directive Principles.
- ◆ Courts consider Directive Principles while interpreting laws to harmonise them with Fundamental Rights.

Objective Questions

1. Which Article guarantees Fundamental Rights in India?
2. Which Article provides the right to constitutional remedies?
3. Which Amendment introduced Fundamental Duties?
4. How many Fundamental Duties are currently listed?
5. Under which part of the Constitution are Directive Principles included?
6. Which Directive Principle deals with promoting international peace?
7. Which Gandhian principle is reflected in Article 40?
8. Which Article aims at securing free and compulsory education for children?
9. Which Article emphasises the protection of the environment, forests, and wildlife?
10. Who described Directive Principles as “life-giving provisions of the Constitution”?

Answers

1. Article 12–35
2. Article 32

3. 42nd Amendment
4. Eleven
5. Part IV
6. Article 51
7. Village Panchayats
8. Article 45
9. Article 48A
10. L.M. Singhvi

Assignments

1. Discuss the significance of Fundamental Rights in protecting citizens against state action.
2. Explain how Fundamental Duties promote responsible citizenship.
3. Analyse the role of Directive Principles in shaping India's welfare policies.
4. Compare and contrast Fundamental Rights and Directive Principles with respect to enforceability and state obligations.
5. Reflect on Gandhi's idea that "the source of rights is duty" and its relevance in modern India.

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BLOCK

Party System in India



UNIT

Evolution and Nature

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the meaning, nature, and evolution of the party system in India
- ◆ analyse the role of national and regional parties and their influence on state and national politics
- ◆ evaluate the impact of leadership, ideology, and factionalism on party functioning and political stability
- ◆ explore the challenges, trends, and emerging patterns within the Indian party system

Prerequisite

Imagine a young student, Rithu, who always wondered why people vote for certain leaders rather than ideas. She observed her grandparents discussing national and regional issues and how sometimes parties with popular leaders won even when their policies were unclear. Curious, Rithu started reading about elections, noticing how parties rely on charismatic leaders, regional strength, and current issues more than ideology. She saw that in some states, a single party dominates, while in others, several parties compete for power. She also realised that internal divisions within parties and alliances across communities shaped who came to power. Through these observations, Rithu understood that political parties are not just about elections—they connect citizens to the government, represent diverse interests, and influence the direction of the country.

Keywords

Political Parties, National Parties, Regional Parties, Leadership, Factionalism, Ideology, Coalition Politics

Discussion

2.1.1 Introduction

In a democracy, different institutions shape the way the system works. Among them, political parties play a central role. They provide people with the opportunity to participate in law-making by choosing candidates who sit in legislatures. Parties also bring people together in public life and encourage them to engage in political activities. Through this, they convey the concerns of citizens into the larger political process. Political parties are an important part of any political system. They unite leaders, supporters, ideas, and programmes. Some people formally join a party, while others support it without being official members. Parties can differ from one another based on their leaders, policies, beliefs, and the way they are organised. What makes a political party different from other groups is its primary aim of winning power. In contrast, groups such as pressure groups, interest groups, or civil society organisations usually do not seek power directly, although sometimes they may contest elections. Political parties serve as a link between people, the state, and society. They convey the concerns of different social groups to decision-makers and shape debates and policies in the political system. This is why political parties are regarded as a necessary part of any democratic system.

Bagehot pointed out that party government is the lifeline of representative rule. Harold Laski argued that in a modern state, there can be no real substitute for parties, except dictatorship. Lord Bryce also noted that no

large and free country has ever managed to run its government without them, and nobody has shown how representative government could work in their absence. Political parties give shape and direction to the scattered opinions of voters. They are not always seen as part of government itself, but they work behind it, guiding and influencing decisions. Their role is to connect the people with the legislature and the executive. In practice, the functioning of a representative government depends greatly on the kind of political parties that exist within it.

2.1.2 Evolution of the Party System in India

Political parties in India began to emerge during the freedom struggle. At that time, they were closely linked with the national movement and also contested elections to the legislative assemblies, though only under a limited voting system. After Independence, the Congress became the most powerful party. During the freedom struggle, Congress functioned as a movement, but once Independence was achieved, it transformed into a party whose main role was to fight elections and form governments. Over time, the party system in India has kept changing. It was never a pure one-party system, but in the 1950s and 1960s, Congress enjoyed clear dominance, while other parties had only limited support in many states. Since then, India has seen three broad patterns of party systems: *one-party dominance*, a *two-party or bipolar system*, and a *multiparty or multi-polar system*.

Classification of Political Parties in India

In India, political parties can be grouped in different ways. Based on their reach, they are divided into four types: national parties, trans-regional parties, regional parties, and local parties. Based on their outlook, some parties follow left, right, or centre positions, while others are built mainly around a leader. The left includes communist and socialist parties, while the right includes traditional groups linked with religion or caste.

In 1953, Pandit Nehru described the situation of political parties in the country. He explained that apart from Congress, other parties could be placed in four groups. The first consisted of those with an economic ideology. The second was the Communist Party and its related organisations. The third included communal parties that went by different names but mainly worked with narrow religious or community interests. The fourth comprised local or provincial parties with limited influence. So, according to Nehru, political parties in India could be classified into four broad categories: parties based on economic ideology, the Communist Party, communal parties, and local parties.

We can classify Indian parties in the following way:

1. All-India Political Parties (National Parties): National parties are those political parties that have support across the country, not just in one state or region. To be recognised as a national party, a party must secure at least six per cent of the valid votes in Lok Sabha or State Assembly elections in four or more states and also win at least four seats in the Lok Sabha. Alternatively, a party can achieve national party status by winning at least two per cent of the total Lok Sabha seats, with members elected from at least three different states. This means the party should have at least 11 MPs in the Lok

Sabha. A party that is recognised as a state party in at least four states can also be granted national party status.

National parties raise issues of national importance and contest elections across state boundaries. In the first general election of 1952, 14 parties claimed to be national parties. From the second general election in 1957 onwards, the Election Commission applied a formula based on votes and seats to determine their status. Since then, the number of recognised national parties has varied between four and nine until 2010. By the time of the 18th Lok Sabha elections, six parties held the status of national parties. These parties draw support from different sections of society and field candidates across many states.

2. Regional Parties (State Parties):

The second type of parties in India is regional parties. These parties represent the language, culture, and history of a particular region. Their main focus is to advocate for the people of their state or area, cutting across caste and religion. Their support and strength are limited to a specific region. Some well-known regional parties include the DMK and AIADMK in Tamil Nadu, Telugu Desam in Andhra Pradesh, National Conference in Jammu and Kashmir, Shiv Sena in Maharashtra, Biju Janata Dal in Odisha, and Assam Gana Parishad in Assam.

According to the Election Commission, a party can be recognised as a state party if its candidates collectively win at least eight per cent of the valid votes in the state or six per cent of the votes along with one Assembly seat for every 25 seats in that state. State parties enjoy certain benefits, such as the ability to join all-party meetings held by the Election Commission or governments,

use a permanent election symbol for all their candidates, and receive airtime on All India Radio and Doordarshan to communicate with voters during elections.

3. **Communal Parties:** The third group of parties includes those that accept members from only one religious or ethnic community. Their main goal is to protect and promote the interests of that community. These parties do not attempt to bring together people from different groups but instead focus on the needs and concerns of their own members. They typically gain support by appealing to the identity and sentiments of their community. Examples include the Muslim League in Kerala and the Akali Dal in Punjab.
4. **Ad hoc Parties:** The last type of parties are those formed around a strong leader or focused on local or state issues. These parties usually do not last long. Some appear for a short time and then disappear, or they may join with other parties. Examples of such parties include the Bangla Congress, Kerala Congress, and Charan Singh's BKD.

2.1.3 Nature of the Party System in India

India has many political parties, but its party system is still developing. In many cases, parties focus more on popular leaders than on clear programmes. Personal influence has become the centre of party politics. Most parties face internal divisions and have lost some credibility with the public. Despite this, the Indian party system is gradually taking shape and has some key features that make it distinctive. As the largest democracy in the world, the features and characteristics of the party system undergo periodic changes according to generational shifts and the priorities that people place

on political parties. The general nature and characteristic features of the party system in India are as follows:

1. **One Party Dominance System :** Prof. Rasheeduddin Khan noted that India's party system is different from that of many other countries. For many years, it revolved around the Indian National Congress, so it is described as a system dominated by one party. Even though several parties existed, this did not create a true multi-party system. Congress remained the main political force, even when its support fluctuated.

India's system is not like the two-party model in Britain or the United States. At the same time, it is unlike the multi-party systems in countries such as France or Italy. In India, Congress stood above all other parties and shaped national politics after independence. From 1947 onwards, this "Congress system" went through three stages. Between 1947 and 1967, Congress was at its strongest. From 1967 to 1977, the party weakened, broke into groups, and power became concentrated in a small circle of leaders. The third stage, from 1977 to the late 1980s, saw a new phase under Indira Gandhi, when Congress (I) became the centre of politics. Despite losing in elections like 1967, 1977, 1989, and 1996, Congress continued to control power at the centre and in most states.

Rajni Kothari described this pattern as a "one-party dominance system" or the "Congress system." According to him, Congress was able to bring together different groups and interests under one umbrella. Factions inside the party competed with each other but usually reached compromises that helped maintain the stability of the system. Opposition parties worked outside the

system but influenced Congress through its internal leaders, acting like pressure groups. At times, even the ideas and policies of the opposition were absorbed by Congress, which helped keep the party strong. This flexibility allowed Congress to remain dominant during the leadership of both Jawaharlal Nehru and Indira Gandhi.

2. **A Multi-Party System:** After the break-up of the Congress system in 1967, Indian politics moved towards a multi-party set-up. A number of parties began to play an active role both at the Centre and in the states. Yet, Congress continued to hold a dominant position at the national level until 1989, except during the short period of 1977–79. The party itself functioned like a loose coalition, bringing together many groups, leaders, and interests under one umbrella.

In elections, Congress rarely managed to secure more than half of the votes, with a large share going to opposition parties. At the state level, Congress's hold was regularly challenged by strong regional and local parties. In states such as Tamil Nadu, Uttar Pradesh, Bihar, and West Bengal, Congress gradually lost ground and ceased to be a leading political force.

3. **Weakness of the Non-Congress Parties:** Up to the fourth general elections, India did not have a strong opposition to Congress. Instead, there were several small parties and independent leaders who were divided among themselves. Many of them disagreed on policies and ideologies, which kept the opposition weak and scattered. After the fourth general elections, opposition parties became more visible and active. However, since there were too many of

them and none had the numbers to form a government on their own, politics at both the Centre and the states became unstable. This led to coalition governments, many of which were formed for short-term gains and could not last long.

4. **Reliance on Powerful Personalities:**

Most political parties in India have established organisations, but their real strength lies in the popularity of certain leaders. Leadership is usually centred around one powerful personality rather than a collective team. For instance, in Tamil Nadu, the ADMK continued to look up to M.G. Ramachandran, and in Andhra Pradesh, the Telugu Desam depended on N.T. Rama Rao, even during their illnesses. This demonstrates that many parties survive and grow mainly because of the personal appeal and influence of their leaders.

5. **Lack of Ideological Commitment:**

In India, political parties speak about ideology, but their real aim is to gain power. For this, they do not hesitate to set aside their stated principles when necessary. Over time, even parties like the CPI(M) and the BJP have focused less on strict ideology and more on current issues and practical politics. This has made Indian politics more about immediate concerns than long-term doctrines. The National Front Government at the Centre during 1989-1991 is a clear example, as it brought together support from both the CPI(M) on the left and the BJP on the right. Since the 1971 elections, success in politics has depended more on addressing the issues that people care about at the moment rather than on ideological strength.

6. **Emergence of Regional Parties:** In India, national parties have lost ground in



many states, while regional parties have become stronger and more influential. In Tamil Nadu, the DMK and ADMK are the main parties. Punjab is led by the Akali Dal, Assam by the AGP, Jammu & Kashmir by the National Conference, and the Shiv Sena has grown into a major force in Maharashtra. Some regional parties, such as the DMK, Shiromani Akali Dal, and National Conference, were formed soon after independence, while others, including the Telugu Desam, Samajwadi Party, Assam Gana Parishad, and Aam Aadmi Party (AAP), have emerged more recently. Today, 15 of India's 28 states—including Assam, Sikkim, Tamil Nadu, Odisha, Uttar Pradesh, Bihar, Haryana, Goa, Andhra Pradesh, Mizoram, Meghalaya, Manipur, Maharashtra, Punjab, and Jammu & Kashmir - have strong regional parties. These parties focus on representing and protecting the culture, language, or religious identity of their regions.

7. The Common Socio-economic Background of Party Leaders:

The leaders of India's political parties share many commonalities. Most non-Congress leaders who left the party came from similar social backgrounds, had comparable education, and shared experiences in the freedom movement. Many belonged to the upper or upper-middle classes and studied in Western-style schools in India or abroad. This was true for leaders in Congress as well as for parties on the left and right. Even today, party leadership is dominated by middle-class groups and landowning upper and middle castes.

8. Factions within Political Parties:

Most political parties in India have internal divisions, or factions. In non-

communist parties, these are usually led by community, caste, or religious leaders who gather support from their followers. These leaders compete for influence within the party and the government, forming temporary alliances to keep rivals out of power. Such alliances are based on convenience rather than ideology and can change frequently, keeping the party in a state of constant flux. In communist parties, factions typically arise from differences in ideology, though personal, caste, or regional loyalties can also cause divisions, even when the party officially adheres to a common ideology.

9. Distinctive Party Systems in the States:

The party system in each Indian state differs from the national system. Every state has its own political dynamics. In some states, such as Uttar Pradesh, Delhi, Madhya Pradesh, Gujarat, and Rajasthan, the BJP has been the strongest party in a multi-party setup. In others, like Punjab, West Bengal, Tamil Nadu, and Jammu & Kashmir, politics is mainly dominated by two parties competing closely. There are also states where several parties are strong, preventing any single party from dominating, thereby creating a true multi-party system.

10. The Use of Extra-Constitutional Means to Power:

Elections and campaigning are intended to help parties win seats, but very few succeed by relying solely on these formal methods. Consequently, parties from all sides attempt to capitalise on public dissatisfaction to gain support. They may employ extra-parliamentary actions such as civil disobedience, protests, strikes, and rallies to challenge the party in power. At times, these activities can even escalate into violence

Recap

- ◆ Political parties are essential institutions in a democracy, linking citizens to the legislature and executive.
- ◆ The Indian National Congress was the dominant party after independence, shaping early Indian politics.
- ◆ Indian parties can be classified as national, regional, communal, or personality-based parties.
- ◆ All-India parties have wide support across states and contest elections on national issues.
- ◆ Regional parties focus on local or state issues and protect ethnic, linguistic, or religious identities.
- ◆ Many parties in India depend on charismatic leaders for their survival and influence.
- ◆ Factions within parties arise from caste, community, regional, or ideological differences.
- ◆ Indian politics has shifted from ideology-driven to issue-based campaigns, especially since the 1970s.
- ◆ Coalition governments and alliances have become common due to the presence of multiple strong parties.
- ◆ State-level party systems vary from one-party dominance to competitive two-party or multi-party systems.

Objective Questions

1. What is the main purpose of a political party?
2. Name two early regional parties formed soon after independence.
3. Which party dominated Indian politics after independence?
4. What is the key feature of national parties?



5. Name one personality-based party in India.
6. Which major shift took place in Indian politics after the 1970s?
7. How are factions formed in non-communist parties?
8. Which Indian state is dominated by the DMK and ADMK?
9. Name one party that focuses on communal interests.
10. What is a major reason regional parties have grown in India?

Answers

1. Power
2. DMK, Shiromani Akali Dal
3. Congress
4. National support
5. AIDMK
6. Issue-based
7. Community
8. Tamil Nadu
9. Akali Dal
10. Regional identity

Assignments

1. Explain the meaning and nature of the party system in India.
2. Discuss the difference between national and regional parties with examples.
3. Analyse the role of charismatic leadership in Indian political parties.
4. Examine the rise of issue-based politics and its impact on elections.
5. Evaluate the role of factionalism in shaping party policies and stability.

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SGOU



UNIT

Functions and Ideologies of Political Parties

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the main functions of political parties in India
- ◆ analyse the ideological orientations of major Indian political parties
- ◆ evaluate the significance of political parties in social welfare, political mobilisation, and leadership recruitment
- ◆ explore the challenges and changes in the Indian party system in the context of social, economic, and regional diversity

Prerequisite

Riya was curious why some political parties in India seemed more important than others. During a school debate, she heard her friends talk about the Congress, BJP, CPI, and CPI(M), each with different ideas and goals. She wondered how these parties affected the country, made laws, or helped people. One day, she visited a local election office and saw volunteers teaching voters, registering candidates, and organising rallies. She realised that political parties were not just about winning elections—they brought people together, helped communities, chose leaders, and guided public discussions. They represented the needs and hopes of everyone, from farmers to city workers, and tried to unite people divided by religion or region. This experience helped Riya understand how parties shape democracy, influence policies, and support social development.

Keywords

Political Party, Ideology, Social Welfare, Political Mobilisation, Leadership Recruitment, Secularism, Nationalism

Discussion

2.2.1 Introduction

Political parties play a central role in the functioning of a democratic system. In India, they act as the principal link between the state and society by mobilising citizens, articulating interests, and transforming them into policies and programmes. Since independence, political parties have shaped the direction of Indian democracy, mediated between diverse social groups, and influenced the nature of governance. Their functions extend beyond contesting elections; they provide platforms for political participation, recruit and train leaders, and offer choices to the electorate. The Constitution of India does not explicitly mention political parties, but their presence has become indispensable to the parliamentary system. Parties organise public opinion, formulate manifestos, and hold governments accountable. They also act as vehicles for social change by addressing issues of caste, religion, language, gender, and regional aspirations. In this way, political parties contribute both to political stability and to democratic transformation.

Alongside their functions, the ideologies of political parties in India shape their character and influence their policies. Ideology provides a framework of ideas and values through which parties interpret social and political realities. The Indian party system has reflected diverse ideological positions ranging from nationalism, secularism, and socialism to liberalism, Hindutva, and regionalism. The Congress party historically drew on the ideology of secular nationalism, while parties such as the Bharatiya Janata Party

promote cultural nationalism. Left parties emphasise socialism and class struggle, whereas regional parties stress federalism and local identity.

2.2.2 Functions of Political Parties

Political parties perform several important functions in modern political systems, which may be discussed as follows:

- 1. The parties stabilise the political process:** Political parties help bring unity and stability to the political system. They unite different groups in society, reduce the effects of geographical distance, and provide direction to government institutions that may otherwise remain divided. For example, in the United States, the Democratic Party has acted as a link between southern conservatives and northern liberals. In Germany, the Democratic Party helped to reduce differences between Protestants and Catholics. In countries with federal systems, parties attempt to connect different levels of government and create a sense of unity. The former Soviet Union demonstrated this in an extreme way. In this sense, political parties serve as a common platform where diverse interests can come together.
- 2. The parties struggle for power:** Political parties work hard to gain power and bring order in situations that may seem divided or confused. They aim to represent many different interests

and also find ways to reconcile these interests with one another. Pressure groups may raise specific demands, but it is the parties that consolidate these demands and turn them into a common programme. For example, the Conservative Party in Britain, despite its internal organisation, relies on the support of people from various social classes, regions, and economic backgrounds. In every type of system—whether it consists of two parties, many parties, or one party dominating the scene—parties aim to increase their support. While doing so, they highlight the divisions that exist in society, but at the same time, they also strive to reduce those divisions and create unity.

3. **Link between the government and its people:** Political parties serve as a link between the government and the people. They endeavour to educate citizens about political issues, guide them in forming opinions, and encourage them to participate in public life. In this way, parties engage in political mobilisation, spread awareness, and recruit new members. In democratic systems, they use newspapers, radio, television, and digital media to educate the public and share their programmes. Sometimes they also organise unions or social groups to stay connected with different sections of society, as seen in the case of the Communist Party of France. In countries with totalitarian rule, the ruling party seeks public support in other ways, such as holding mass rallies and using flags, uniforms, and other symbols to create a sense of unity and belonging among the populace.
4. **Recruiting political leaders:** Political parties not only widen political activity and involve more people in public life, but they also take on the important role

of bringing new leaders into politics. In every political system, there must be a method for selecting those who hold authority. Where parties are weak or poorly organised, power typically remains with a small group of elites, such as traditional ruling families or the military. In totalitarian systems, where only one party controls the state, leaders are selected solely from within that party. However, in liberal democracies, different parties compete with one another, and leadership is drawn from across these parties, providing people with a genuine choice in who governs them.

5. **Set value goals for society:** Political parties raise important issues and guide society by establishing shared goals and values. Every party has some philosophical foundation, even if it is not always clear or reflected in their actions. In the United States, for example, the two main parties generally agree on the overall goals for society, though they differ on specific issues, as Robert Dahl points out. In Ireland, the two main parties, Fianna Fáil and Fine Gael, follow a similar pattern, agreeing on basic societal goals while debating particular policies. In countries with only one ruling party, that party sets strict ideological goals. For example, Communist parties aim to create social and economic equality under strong central leadership.
6. **Serve as the broker of ideas:** Political parties act as channels for ideas by selecting key issues and focusing public attention on them. In democratic systems, radical or revolutionary parties—those opposed to the existing order—do not aim for compromise or broad agreement. Instead, they become centres for organised opposition and public discontent. Some lean to the left, like Communist parties,



while others lean to the right, such as the Fascist and Nazi parties in Italy and Germany, or groups like the Poujadists in France. Some follow revolutionary nationalism, such as the Aprista in Peru, the Revolutionary Nationalist Movement in Bolivia, or Accion Democrática in Venezuela. In non-democratic systems, such parties may play an even larger role, sometimes forming the core of the political system, where real power lies with party leaders rather than government officials.

7. **Parties do the job of political modernisation:**

In many new and developing countries, where political traditions are still taking shape, political parties help guide the growth of modern politics. They shape the way governments function, connect different social and economic groups, educate people about politics, and help them understand their role in society. Parties also work to unite communities that may be divided by tribe, religion, or origin. In India, the Congress party is a good example of this role. Its leaders played an important part in framing the Constitution and running the government according to parliamentary democracy.

8. **Perform social welfare functions:**

Political parties also engage in social welfare work beyond politics. They assist people during difficult times, such as famines, droughts, epidemics, or wars. Additionally, they address social issues such as illiteracy, untouchability, disease, and ignorance. In Australia, many individuals join organisations affiliated with parties, including trade unions, welfare groups, and even hobby clubs like stamp collecting or pigeon racing. In India, parties like the Indian National Congress and the Bharatiya Janata Party undertake large-scale social

service and welfare activities to support communities in need.

Political parties are essential to the functioning of a democratic system. In India, they serve as the primary link between the government and society, uniting diverse interests and providing platforms for citizen participation. Through their functions, parties help to unite divided social groups, simplify political processes, and stabilise government structures. They recruit leaders, mobilise public opinion, and provide political education to citizens, preparing them to engage meaningfully in governance. Parties also establish goals and values for society, reflecting their underlying ideologies, which guide policy-making and shape the direction of political debates.

2.2.3 Ideologies of Political Parties

The ideologies of political parties in India have influenced the policies they pursue and the manner in which they connect with citizens. While some parties, such as the Indian National Congress, have drawn on secular nationalism, others, like the Bharatiya Janata Party, focus on cultural nationalism. Left-oriented parties emphasise socialism and economic equality, whereas regional parties prioritise local identity and federal aspirations. Let us briefly discuss the ideological bases of some prominent political parties in India.

1. **The Indian National Congress (INC):**

The INC, popularly known as Congress, stands for socialism, secularism, and democracy. It adheres to democratic socialism and places importance on planned economic development, with the government playing a leading role. In its 1989 manifesto, the party promised to empower the people through the Panchayati Raj and Nagarpalika systems. It also

aimed to strengthen the cooperative movement to support democracy at the local level. Other key goals included promoting women's rights, combating communalism, ensuring social justice, and reforming the judicial system. In foreign policy, the party generally supported non-alignment, although under Indira Gandhi, it leaned closer to the Soviet Union.

2. The Bharatiya Janata Party (BJP): The BJP adheres to Gandhian socialism, inspired by Gandhi, Jayaprakash Narayan, and Deendayal Upadhyaya. The party supports positive secularism, 'Sarva Dharma Sama Bhava' (equal respect for all faiths), and honest governance. While it highlights Hindu traditions in its policies, it seeks justice for all and avoids favouring any particular group. It promises 33 percent of seats for women in Parliament and State Legislatures. The party promotes nationalism based on Hindutva and encourages Indian industry through Swadeshi, giving preference to domestic production over foreign companies. It also advocates for smaller, stronger states. The BJP has achieved goals such as the removal of Article 370 and the establishment of a National Human Rights Commission and focuses on implementing a uniform civil code throughout the country.

3. The Communist Party of India (CPI): The CPI aims to achieve socialism through parliamentary methods. Its manifesto focuses on removing criminals and corrupt individuals from politics, empowering the states, and attending to the welfare of workers, agricultural labourers, and scheduled castes and tribes. The party also advocates for job creation, land reforms, reducing foreign debt by limiting imports, maintaining public sector units under government

control, and controlling rising prices. The CPI collaborates with other democratic and progressive groups, including the left wing of the Congress Party, and seeks to strengthen its position in Parliament through alliances with parties like the BSP, SP, and RJD. Since 1978, however, the CPI has taken a secondary role to the CPI(M) and remains less prominent today.

4. The Communist Party of India (Marxist) CPI (M): The CPI(M) changed its earlier pro-Chinese position and focused on guiding the communist movement based on India's own political and historical conditions. Under leaders like Jyoti Basu and E.M.S. Namboodiripad, the party pursued an independent path, distancing itself from both Chinese and Soviet communist parties. It formed alliances with peasants and workers to challenge the Congress, which it viewed as representing the interests of landlords and the wealthy. The party utilised elections to mobilise people and considered the Constitution a tool for political struggle. Today, the CPI(M) is seen as a radical-democratic party, working to protect democratic institutions, maintain India's unity and integrity, and support changes in Centre-State relations.

2.2.4 Conclusion

Political parties play a key role in India's democracy. They bring people together, connect different groups, and help the government respond to public needs. By encouraging citizens to participate in politics, selecting leaders, and educating voters, parties ensure that the voices of the people are heard. Beyond elections, parties guide public discussion, set goals for society, and engage in social welfare. They work to reduce divisions, support unity, and provide platforms for people to



share ideas and find common ground. Their ideologies shape the choices they make and the policies they follow, influencing how the country develops politically, socially, and economically. Through their work, political parties help India maintain stability,

strengthen democracy, and promote inclusive growth. They are not just tools for winning power—they are central to building an engaged society, supporting social change, and guiding the nation toward shared goals.

Recap

- ◆ Political parties connect the government and citizens, acting as a bridge for communication.
- ◆ Parties unite social, economic, and regional groups to maintain stability in a plural society.
- ◆ They recruit leaders and provide opportunities for citizen participation in politics.
- ◆ Parties educate voters, mobilise public opinion, and guide public debate.
- ◆ Ideologies shape the policies and priorities of parties, influencing national development.
- ◆ Congress (I) focuses on democratic socialism, secularism, and social justice.
- ◆ BJP promotes Hindutva, Swadeshi, and women's representation alongside Gandhian socialism.
- ◆ CPI aims for parliamentary socialism, the welfare of workers and farmers, and public sector protection.
- ◆ CPI(M) supports peasant and worker alliances, democratic institutions, and national unity.
- ◆ Parties also perform social welfare functions, helping communities during crises and addressing social issues.

Objective Questions

1. Which party follows democratic socialism in India?
2. Which Indian party promotes the “Hindutva” ideology?
3. What is the main role of political parties in elections?
4. Name the Marxist party in India that supports peasant and worker alliances.
5. Which party focuses on planned economic development and secularism?
6. Who inspired the Gandhian socialism followed by the BJP?
7. Which party emphasises public sector protection and land reforms?
8. What percentage of seats does the BJP promise for women in legislatures?
9. Which party in India has historically worked through alliances with the BSP, SP, and RJD?
10. Name the two parties in India that have secular and socialist ideologies.

Answers

1. Congress
2. BJP
3. Mobilisation
4. CPI(M)
5. Congress
6. Gandhi
7. CPI
8. Thirty-three
9. CPI
10. Congress and CPI

Assignments

1. Explain the key functions of political parties in India and their significance for democracy.
2. Compare and contrast the ideologies of Congress and BJP in India.
3. Discuss the role of CPI and CPI(M) in Indian politics with examples of their policies.
4. Analyse how political parties contribute to social welfare and grassroots development.
5. Evaluate the challenges faced by Indian political parties in maintaining unity across diverse communities.

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UNIT

Coalition Politics and Growth of Regional Parties

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the evolution of the Indian party system and the emergence of coalition politics in India
- ◆ analyse the factors that led to the rise of regional parties and their role in shaping state and national politics
- ◆ evaluate the impact of coalition governments on the stability and governance of India
- ◆ explore the challenges and advantages of managing multi-party alliances in a federal political system

Prerequisite

Sithara was curious to understand how India's democracy worked beyond the news. During her college internship at the local election office, she observed election campaigns in different states and noticed how national and regional parties operated differently. While parties like the Congress and the BJP worked across the country, regional parties such as the DMK, AIADMK, and Shiv Sena focused on local issues. She observed coalition governments being formed, where parties with different goals came together to govern. Sithara realised that state-level concerns often shaped national policies and that regional parties made politics more competitive and inclusive. She also noted that coalition politics could create tension and instability when allies disagreed. Through this experience, she learned that India's party system was not just about the big parties, but also about alliances and regional forces influencing governance.

Keywords

Coalition Politics, Regional Parties, National Parties, Multi-party System, Federalism, Political Alliances, State Autonomy

Discussion

2.3.1 Introduction

In politics, the word *coalition* usually arises in countries where there are many parties. In such systems, no single party may win enough seats to form the government on its own. To address this, smaller parties choose to come together and work on a common programme. By joining forces, they are able to form a majority in the legislature and run the government. A coalition appears united from the outside, but internally, it is full of differences, rivalries, and competing interests. Because of this, coalition governments do not always last long and may change when the balance between the parties shifts.

2.3.2 Coalition-making in India

After India became independent, the Indian National Congress was the only party that enjoyed genuine national support and trust among the people. It had a strong base across the country and remained in power at both the Centre and in the States from 1947 to 1967. The Congress appeared to be a single, united party, but it also functioned like a coalition. It brought together people and groups with different political ideas under one roof. The party stood at the Centre with some leanings to the left, yet it also included views that appealed to both right- and left-leaning groups. In this way, it allowed competition and alliances within itself, while at the same time keeping power firmly in its hands. Non-Congress parties had little chance of replacing it, but they still influenced politics by supporting different

groups within the Congress. A clear example was the Presidential election of 1969. At that time, younger Congress leaders, known as the Young Turks, allied with leftist groups to oppose the official party nominee. In response, the senior leaders, referred to as the Syndicate, joined with right-leaning forces to back the rival Congress candidate.

India's first taste of coalition government came even before independence. In October 1946, the Muslim League joined the Interim Government a month after initially refusing to share power with the Congress. This government had 14 members and lasted for about nine months. It highlighted how difficult it was for parties with completely different aims to work together. The Congress opposed the partition of the country, while the League was firmly in favour of it. This lack of common ground meant the coalition was weak from the very beginning. As noted by Durga Das in his book *India – From Curzon to Nehru and After*, the two sides disagreed on almost everything. The League, led by Liaquat Ali, attempted to block decisions, while the Congress grew frustrated. By February 1947, Nehru lost patience and asked the League members to step down. A similar situation arose later at the Centre after the Congress split in 1969. Congress (R) worked with CPI and DMK, along with other parties that supported it issue by issue. From then on, the rise of strong regional parties and the growing role of social groups in politics made coalition governments a regular feature of India's federal system.



2.3.2.1 First Coalition Government at the Centre (March 24, 1977 - March 28, 1979)

The first Janata Government came to power at the Centre after the 1977 general election. Different political groups came together, agreed to a common manifesto and symbol, and chose Morarji Desai as Prime Minister. Though it was presented as one party, it functioned more like a coalition. Initially, there was an understanding that each major group would be equally represented in the Cabinet. However, when Desai formed his ministry, he allocated more positions to his own supporters and appointed Governors of his choice. This created dissatisfaction among other groups. The strain increased when state governments had to be formed in North India. The Lok Dal took charge of Haryana, Uttar Pradesh, Orissa, and Bihar, while the Jana Sangh controlled Rajasthan, Madhya Pradesh, Delhi, and Himachal Pradesh. The Jana Sangh accepted Cabinet decisions, but leaders like Charan Singh of the Lok Dal and George Fernandes from the socialist faction struggled to adjust. Soon, clashes over leadership and party discipline came into the open.

By 1979, the situation had worsened. Senior leaders such as Bahuguna, Biju Patnaik, and Madhu Limaye walked out, and allies like the Akali Dal and AIADMK also withdrew their support. The Janata Party, though presented as a single entity, was in truth a loose coalition of the Socialist Party, Bharatiya Jana Sangh, Congress (O), Lok Dal, and groups led by Jagjivan Ram and H. N. Bahuguna. Their common slogan, “Bread with Freedom,” had inspired people, but sharp personal rivalries and disputes

over the Jana Sangh's ties with the RSS broke their unity. Quarrels between Charan Singh and Jagjivan Ram, as well as conflicts between the Lok Dal and Jana Sangh, further weakened the government. Charan Singh and his followers eventually broke away to form the Janata (S). With defections increasing, the opposition moved a no-confidence motion in the Lok Sabha. Before the motion could be decided, Morarji Desai resigned in July 1979, marking the collapse of the Janata experiment.

2.3.2.2 Second Coalition Government at the Centre (July 28, 1979-January 14, 1980)

In October 1979, Charan Singh became Prime Minister, leading a new coalition government. This alliance brought together very different groups—from the left-wing CPI and CPI(M) to leaders close to big business. It also included George Fernandes' pro-Western faction and Bahuguna's pro-Soviet group. The President asked Charan Singh to form the government because he appeared to have the support of more members than Morarji Desai. However, since he did not have a clear majority, he was required to prove his strength in the Lok Sabha within three weeks. His party was composed mostly of defectors and was not officially recognised in the House. Before the confidence vote could take place, Congress (I), one of his key partners, withdrew its support. With no majority left, Charan Singh resigned. He also advised the President to dissolve the Lok Sabha and call for fresh elections. As a result, his ministry lasted only a short time and is remembered as one of the most unstable governments in India's history.

2.3.2.3 Third Coalition Government at the Centre (December 2, 1989-November 10, 1990)

After the 1989 Lok Sabha elections, Congress emerged as the largest party but chose not to form the government. On December 1, 1989, the National Front elected V. P. Singh as its leader. Initially, Devi Lal's name had been suggested, but he declined and proposed V. P. Singh instead. Despite some hesitation from Chandra Shekhar, V. P. Singh was unanimously chosen. The President invited him to form the government, asking him to prove his majority in the Lok Sabha within 30 days. The BJP agreed to support the National Front government from outside to end Congress rule, while highlighting issues such as Article 370, the Uniform Civil Code, the Human Rights Commission, and the Ram Janmabhoomi-Babri Masjid dispute. Four left parties—CPI, CPI(M), RSP, and Forward Bloc—also offered their written support. This created the first minority-cum-coalition government at the Centre, where the National Front had the backing of a majority of MPs, despite its supporting parties including both right- and left-leaning groups that did not always agree with one another.

Tensions grew in 1990 when the BJP and Vishwa Hindu Parishad launched a campaign for the construction of the Ram Temple at Ayodhya. L. K. Advani began a Rath Yatra to mobilise support. When Advani was arrested on October 23, the BJP formally withdrew its support, leaving the government without a majority. Behind the scenes, Chandra Shekhar explored ways to split the Janata Dal with Congress (I) support. Madhu Dandavate later noted that the collapse of the government resulted from personal rivalries, the Mandal Commission controversy, and the BJP's communal agenda.

V. P. Singh's government lasted only eleven months. As President R. Venkataraman observed, if he had led a government with a clear majority instead of depending on parties with conflicting goals, he could have provided stronger administration. Relying on groups with different aims made it impossible to resist the pressures that eventually brought down his government.

2.3.2.4 Fourth Coalition Government at the Centre (November 11, 1990 - July 21, 1991)

V. P. Singh's government lost the confidence vote in the Lok Sabha on November 7, 1990, with 346 votes against and 142 in favour. By the next day, no major party was willing to form the government. Chandra Shekhar then staked his claim to become Prime Minister with support from Congress (I), AIADMK, BSP, the Muslim League, J&K National Conference, Kerala Congress (M), Shiromani Akali Dal (Panthic), and a few independents. Essentially, a small party was attempting to govern with help from larger parties outside, which drew criticism for going against democratic principles. The President, believing it was not in the national interest to dissolve the Lok Sabha immediately, invited Chandra Shekhar to form the government and asked him to prove his majority by November 30, 1990. After forming the government, Chandra Shekhar faced pressure from Congress (I) and AIADMK to dismiss the DMK government in Tamil Nadu, claiming that law and order had broken down. When Governor S. S. Barnala refused to recommend the dismissal, the Union Government ordered his transfer to Bihar. Barnala chose to resign instead.

Relations with Rajiv Gandhi were also tense. Gandhi criticised Chandra Shekhar for his Gulf policy, Punjab initiatives,



the worsening economic situation, and for keeping disqualified ministers in his Cabinet. When two Haryana policemen were caught surveilling Gandhi, Chandra Shekhar resigned on March 6, 1991, and advised the President to dissolve the Lok Sabha. The resignation came at a delicate time because key financial matters, including the Railway Budget, supplementary grants, and state budgets under President's Rule, still needed approval, as well as decisions regarding elections in Punjab. President R. Venkataraman later noted that during his short tenure, Chandra Shekhar managed Parliament well and listened to the opposition. However, he was constantly under pressure from Congress (I), which acted as if it were the real government. The President observed that such unequal political arrangements usually put the weaker side at a disadvantage.

2.3.2.5 Fifth Coalition

Government at the Centre

(June 1, 1996 - April 20, 1997)

India entered a full era of coalition politics when the elections produced a hung Lok Sabha for the third time in a row. The results were very divided: Congress and the BJP together won 301 seats, five other national parties, including Janata Dal and CPI(M), won 102, and the remaining 140 seats went to regional parties, smaller groups, and a few independents. With no single party able to form a majority, small parties became very important. Thirteen of these smaller parties, along with outside support from Congress, came together to back H. D. Deve Gowda's United Front government. Deve Gowda was unanimously chosen as the leader of the UF in Parliament, and Congress supported the coalition from outside to ensure a secular government. The United Front government, however, faced serious internal problems. With 13 parties pulling in different directions,

it lacked unity. Personality clashes among leaders often overshadowed ideology. During the last six months of its tenure, the UF Steering Committee acted like a "super cabinet," with many leaders behaving as if they were Prime Ministers themselves.

The government fell when Congress President Sitaram Kesri withdrew support. Since becoming party chief in September 1996, Kesri had doubts about continuing outside support, and a CBI inquiry into his alleged assets added to his concerns. On April 11, 1997, the government was defeated in a confidence vote, with 190 votes in favour and 338 against. The struggle was mainly about power, not principles, ideology, or public welfare. There were allegations that investigations and legal actions were used as political tools, with parties retaliating by withdrawing support. The United Front was neither united nor a true front. Its parties had very different views and could not agree even on key issues, such as participation in global trade or pricing essential services like power and roads. Most of its members had won less than 10 per cent of the vote and had no clear mandate to make national policies. The coalition existed mainly to keep the BJP out of power, rather than to promote a shared political vision.

2.3.2.6 Sixth Coalition

Government at the Centre

(From April 21, 1997 - March 19, 1998)

On April 19, the Left parties managed to influence the United Front partners to pick a 'consensus' candidate for Prime Minister. CPI(M) leader Harkishan Singh Surjeet blocked several names that the Left did not approve. Bihar Chief Minister Lalu Prasad Yadav was rejected because he faced corruption charges, and Mulayam

Singh Yadav of the Samajwadi Party was blocked due to bad relations with the CPI. G. K. Moopnar of TMC was also sidelined because of his closeness to Sonia Gandhi and Congress, and even his allies like DMK and TDP did not support him. As a result, he lost the chance to become Prime Minister.

Meanwhile, N. Chandrababu Naidu of the Telugu Desam played a key role behind the scenes, quietly favouring External Affairs Minister Inder Kumar Gujral while publicly remaining neutral. Gujral was endorsed by the United Front Steering Committee, with backing from the Left parties, Janata Dal, and the Telugu Desam. Most of Deve Gowda's ministers, except a few, joined Gujral's team. However, most members of the Lok Sabha were outside the government, while those within were quarrelsome and difficult to manage. The Congress supported the government from the outside but had the power to withdraw its support at any time, making the coalition fragile. The Jain Commission controversy in November 1997 added further pressure. Congress gave Gujral 12 days to remove DMK ministers, and he took another eight days to respond. His government struggled to manage the political fallout.

Observers noted that under Gujral, the Prime Minister's office had lost much of its authority. The Steering Committee acted like a "supreme commander," and Gujral had to approve its decisions rather than lead independently. Even urgent matters, such as rising petroleum prices, could not be addressed for fear of upsetting the fragile coalition. Despite his experience, Gujral was constrained and became more of a spectator than a decision-maker. Criticism grew from all sides. Congress accused the United Front of failing to govern and leaving the country rudderless. While Congress had its own motives, much of the criticism reflected reality: governance was weak, and internal conflicts left Gujral powerless. The coalition

had held together mainly out of fear of the BJP. Once that fear diminished, divisions became clear, though the coalition survived because the BJP's presence in Uttar Pradesh influenced legislators.

Internal disputes were common. Union Agriculture Minister Chaturanan Mishra openly clashed with Finance Minister and Prime Minister Gujral, expressing dissatisfaction over policies related to agriculture, the public sector, insurance, and the public distribution system. In Uttar Pradesh, the Cabinet first recommended President's Rule and then reversed the decision after the President asked for reconsideration. Differences between Defence Minister Mulayam Singh, Home Minister Inderjit Gupta, and others became evident. Officials noted that disputes in cabinet meetings were more open than during Deve Gowda's government.

2.3.2.7 Seventh Coalition Government at the Centre (From March 19, 1998 - October 10, 1999)

In 1996, A. B. Vajpayee failed to prove his majority as Prime Minister because the BJP had only three allies—Samata Party, Shiv Sena, and Haryana Vikas Party—and could not win enough support. By March 1998, Vajpayee returned as Prime Minister after the BJP successfully built a wider alliance before the elections. The party had increased its vote share and, with the support of its allies, gained a national presence. While in 1996 the BJP had around 20 per cent of the votes and, even with allies, could not reach 25 per cent, by 1998 it crossed 25 per cent on its own, and its allies contributed another 6 per cent. This demonstrated that winning at the national level required building political and regional alliances.

The BJP-led coalition had partners across



many states—BJD in Odisha, Trinamool Congress in West Bengal, Samata Party in Bihar, HVP in Haryana, SAD in Punjab, Shiv Sena in Maharashtra, TDP in Andhra Pradesh, and AIADMK, PMK, and MDMK in Tamil Nadu. With these allies, the BJP claimed 251 seats in the Lok Sabha. Additional support from smaller groups and independent members raised the total to 261. While this still fell short of a majority, the BJP hoped it could work with abstentions from some parties during a confidence vote. Despite forming this coalition, tensions ran high, as many allies prioritised state-level goals over national unity. The Coordination Committee meant to manage the alliance was weak, lacking a secretariat, spokesperson, or shared policy plan. Decisions were made only under pressure, and key ministerial posts remained vacant, creating a sense of instability and uncertainty about the government's ability to function effectively.

The coalition faced a major crisis on April 14, 1999, when the AIADMK withdrew its support. Its leader, Jayalalithaa, had demanded the removal of Defence Minister George Fernandes, the reinstatement of the sacked Naval Chief Admiral Bhagwat, and a parliamentary inquiry into allegations against Fernandes. Earlier, in February 1999, the Indian National Lok Dal had also withdrawn support after the government refused to reverse a urea price hike. When the confidence vote was held, Vajpayee lost by 269 to 270 votes and resigned the next day. The Rashtrapati Bhawan noted that the coalition had collapsed due to a lack of cohesion among its members. The BJP-led government demonstrated that while pre-election alliances could win power, managing a coalition of many different parties with separate agendas was a constant challenge.

2.3.2.8 Eighth Coalition Government at the Centre (From October 11-May 21, 2004)

The thirteenth Lok Sabha was formed on October 10, 1999. The next day, the President confirmed that the Election Commission had communicated the results and that the support letters received by Vajpayee indicated he had the majority. On October 13, Vajpayee took an oath as Prime Minister, leading a 70-member coalition government. Many wondered how he would manage the Council of Ministers, given the pressures of a 24-party coalition. In 1998, AIADMK leader Jayalalithaa could keep the government on edge with just 18 MPs. This time, the largest ally was N. Chandrasekhar Naidu's Telugu Desam Party (TDP) with 29 MPs. Even if TDP withdrew support, the government could survive. A major threat would require several allies to act together, but the opposition was weak and divided, so Vajpayee's position was safer than before.

State-based parties still had influence over the Centre. The PMK left the NDA ahead of the Tamil Nadu assembly elections, and the Trinamool Congress, under Mamata Banerjee, departed over West Bengal-related issues following a Tehelka report. In May 2001, tensions between the BJP and the Samata Party surfaced over the fall of the Radhavinod Koijam ministry in Manipur, demonstrating how fragile coalition politics could be. By the time the 13th Lok Sabha ended, the NDA had lost some allies, such as the DMK, MDMK, PMK, and Lok Janshakti, while others withdrew or were ignored. In the 2004 elections, several senior allies performed poorly in key states, including

the AIADMK in Tamil Nadu, TDP in Andhra Pradesh, and Trinamool Congress in West Bengal, while JD(U) did badly in Bihar. Even strong performers like the Biju Janata Dal in Odisha and the Shiromani Akali Dal in Punjab could not compensate for these losses.

Despite these challenges, Vajpayee managed the coalition effectively. He expanded the Council of Ministers to include even inexperienced MPs, reshuffled portfolios, and met the demands of allies. Mamata Banerjee was the most challenging partner, taking a ministerial post but refusing the assigned portfolio. Vajpayee's leadership, the BJP's role at the centre, and careful management of diverse interests helped maintain government stability. The coalition represented a broad section of society, including Scheduled Castes, Scheduled Tribes, Muslims, Christians, and Sikhs, even though upper and middle-caste groups dominated. With its allies, the NDA won seats in 17 out of 25 states. Even in states where it did not win, it still had some representation. Overall, Vajpayee succeeded in uniting anti-Congress forces under the NDA.

2.3.2.9 Ninth Coalition Government at the Centre (From May 2004 to May 21, 2009)

Before the 14th Lok Sabha elections in 2004, the Congress Party moved away from its earlier Panchmarhi resolution and relied on the Shimla understanding to build new alliances. In Tamil Nadu, it joined hands with the DMK, MDMK, and PMK; in Andhra Pradesh, it partnered with the TRS and the Left; in Bihar, it included the RJD and LJP; and in Maharashtra, it strengthened its alliance with the NCP. These partnerships helped Congress gain the lead in several key states and challenge its main national

rival. Congress emerged as the single largest party with 145 seats in the 543-member Lok Sabha, and with its alliances, the total rose to 219. This led to the formation of the United Progressive Alliance (UPA) government, replacing the Vajpayee-led National Democratic Alliance. The government was supported from outside by the Left parties, and several state-based allies joined the coalition, demonstrating a shared commitment to secular values and improving conditions for marginalised communities. The UPA partners laid out their priorities in the National Common Minimum Programme, which acted as a roadmap for the government. The coalition had an unusual feature: the Prime Minister, Manmohan Singh, was not the leader of the single largest party, which made coordination among allies challenging. At its 82nd plenary session in Hyderabad on January 22, 2005, the Congress emphasised the importance of collective responsibility in the coalition. It warned that if coalition partners focused only on their own party interests or publicly criticised each other, it would weaken the government and harm its credibility.

2.3.2.10 Tenth Coalition Government at the Centre (From May 22, 2009 to May 25, 2014)

On May 16, 2009, the Indian National Congress and its allies returned to power in the Lok Sabha, as voters clearly indicated they wanted a stable government in New Delhi. Compared to previous years, this election reflected a maturing electorate. The 2009 coalition was smaller and more focused than the 2004 UPA government, which had 12 parties. This time, it mainly included six parties: the Congress (206 seats), the Nationalist Congress Party (9), the Trinamool Congress (19), the Dravida Munnetra Kazhagam (18), the National



Conference (3), and the All India Majlis-e-Ittehadul Muslimeen (1). The Congress quickly secured letters of support from the BSP, SP, RJD, and Janata Dal (Secular), bringing most of the Fourth Front and some Third Front allies into its fold. This gave the government a stable position in the 15th Lok Sabha.

2.3.3 Growth of Regional Political Parties

Political parties have remained central to Indian democracy. They organise political life, represent social interests, and encourage citizen participation. Rajni Kothari suggests viewing parties as part of a process that connects government performance with society's response. Indian parties can broadly be classified into the Congress and all other parties, as well as into *national or regional*. Many parties are regional, centred on a leader, and rise and fall quickly. One key aspect of Indian politics is federal: Congress dominates at the Centre, while regional coalitions control power in many states.

Some important state-level parties include the DMK, AIADMK, Telugu Desam, Asom Gana Parishad, Akali Dal, Samajwadi Party, Biju Janata Dal, Trinamool Congress, Shiv Sena, and National Conference. These parties typically represent local or regional interests and are often built around strong leaders or specific caste, community, or regional groups.

Regional parties have played a significant role in state politics. The Telugu Desam quickly challenged Congress in Andhra Pradesh, while the Asom Gana Parishad rose to power in Assam in 1985. Parties like the Akali Dal in Punjab, the National Conference in Jammu and Kashmir, and the AIADMK and DMK in Tamil Nadu have become major forces in their respective states. Over time, regional parties have displaced national parties in states such as Punjab, Tamil Nadu, Andhra Pradesh, Uttar

Pradesh, Bihar, Assam, Mizoram, Sikkim, Nagaland, Goa, Odisha, Meghalaya, Manipur, and Jammu and Kashmir. Coalition politics at the national level highlight the growing importance of regional parties. After the Congress split in 1969, Mrs. Gandhi relied on parties like the DMK. In 1996, the Gowda Ministry brought together the Janata Dal, TDP, DMK, TMC, Samajwadi Party, and AGP in a federal coalition.

Elections in 1998, 1999, 2004, and 2009 confirmed that alliances are key to winning power. The BJP, through coalitions with parties like the AIADMK, DMK, Samata, BJD, Akali Dal, Trinamool, Shiv Sena, Lok Shakti, MDMK, PMK, and HVP, became the largest vote-getter in 1999. The Congress, by restructuring alliances in 2004 with parties in Tamil Nadu, Andhra Pradesh, Bihar, and Maharashtra, reached 219 seats. C. P. Bhambhri notes that elections in 1989, 1996, 1998, 1999, 2004, and 2009 gave regional parties an important role in national politics. The rise of regional leadership, the mobilisation of social groups, and their efforts to protect regional and social identities have made coalition governments at the Centre a permanent feature of Indian politics.

2.3.3.1 Regional Political Party

A regional political party usually meets three main conditions. *First*, it operates within a limited area, typically a single state. *Second*, it represents and protects a local cultural, ethnic, or religious identity. For example, the DMK and AIADMK advocate for Tamil identity and culture in Tamil Nadu. *Third*, it focuses on local issues such as language, caste, community, or religion, as its success depends on voters in that specific region. According to current election rules, a party can be recognised as a state party if it wins at least six percent of valid votes in the state during a Lok Sabha or state assembly election and secures at least two assembly seats. Another way to qualify is by winning

at least three percent of total assembly seats or at least three seats, whichever is higher.

2.3.3.2 Regional Political Parties: The Rationale

Regional parties in India emerged from the country's diversity. India is a large nation with many languages, cultures, and communities, and in a democracy, these differences naturally encourage people to seek more control over their own regions. Regional parties provide local communities with a voice and assist them in negotiating with the central government for better development and attention to local needs.

National parties, especially the Congress in the early decades after independence, did not always pay sufficient attention to their state units. Congress dominated both the Centre and most states, and this prolonged control sometimes overlooked local concerns. State units were treated as branches of the central party rather than independent organisations, which frustrated local leaders and their supporters. Decisions regarding elections, government posts, and planning priorities were often perceived as unfair, and this dissatisfaction created space for regional parties to grow.

In the South, this sentiment was particularly strong. Many people there felt that the North had historically tried to dominate the South, with northern leaders seen as imposing their culture and interests. Southern communities, especially non-Brahmins and middle castes, desired a more equal role

in politics. This sense of historical neglect and the desire for local control fuelled the growth of strong regional parties.

2.3.3.3 Major Regional Parties

In India, regional parties can be grouped into three main types. The *first type* consists of Congress dissidents who established local parties to challenge Congress or gain political advantages. These parties were typically short-lived and created for specific purposes. Examples include the Bangla Congress, Kerala Congress, Utkal Congress, Telangana Praja Samiti, Tamil Manila Congress, and Trinamool Congress.

The *second type* includes tribal parties that represent the political interests of tribal communities and seek greater support from the central government. Some even demanded complete independence in the past. The Naga National Council (NNC), Mizo National Front (MNF), and All Party Hill Leaders' Conference (APHLC) are examples of these parties.

The *third type* comprises larger regional parties in states with distinct cultural, ethnic, or linguistic identities, such as Tamil Nadu, Andhra Pradesh, Punjab, Jammu & Kashmir, and Assam. Parties such as the DMK, AIADMK, Akali Dal, National Conference, Shiv Sena, Asom Gana Parishad (AGP), All India Muslim League, and Samajwadi Party fall into this category. These parties are larger, well-organised, and more stable, playing an important role in India's multi-party system.

Recap

- ◆ India had a dominant party system led by the Congress until 1967, but opposition parties influenced politics despite limited seats.
- ◆ Coalition politics became prominent in the 1990s when no single party could secure a majority in the Lok Sabha.
- ◆ The BJP's rise in 1998-1999 demonstrated the importance of pre-poll alliances with regional parties.
- ◆ Regional parties emerged to protect local, linguistic, cultural, and ethnic identities in states.
- ◆ Congress neglected its state units, leading to the growth of regional parties.
- ◆ Regional parties include DMK, AIADMK, TDP, Akali Dal, Shiv Sena, and National Conference.
- ◆ Tribal parties like NNC, MNF, and APHLC represented the aspirations of tribal communities.
- ◆ Coalition governments require careful management to maintain stability due to diverse partner interests.
- ◆ The 2004 UPA government reflected a coalition led by Congress with support from regional parties and leftist groups.
- ◆ Coalition politics has become a permanent feature of India's multi-party democracy, balancing national and regional interests.

Objective Questions

1. Which party dominated Indian politics until 1967?
2. Name a coalition government formed in 1998.
3. Which party represents Tamil cultural nationalism?
4. What type of party is the Naga National Council (NNC)?
5. Which regional party is based in Andhra Pradesh?

6. Name a key ally of the BJP in Maharashtra.
7. What is the minimum percentage of votes required for state party recognition?
8. Who led the UPA government formed in 2004?
9. Which party split from Congress to form the Trinamool Congress?
10. Which regional party is influential in Punjab?

Answers

1. Congress
2. NDA
3. DMK
4. Tribal
5. TDP
6. Shiv Sena
7. Six percent
8. Manmohan Singh
9. Trinamool
10. Akali Dal

Assignments

1. Discuss the evolution of coalition politics in India since 1990.
2. Explain the factors responsible for the rise of regional parties in India.
3. Examine the challenges faced by coalition governments in maintaining stability.
4. Analyse the role of regional parties in shaping national policies.
5. Compare the impact of coalition politics on governance under NDA and UPA governments.

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BLOCK

Federalism



UNIT

Constitutional Provisions

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the meaning, nature, and functioning of federalism in India
- ◆ analyse the distribution of powers and financial relations between the Union and the States in India
- ◆ evaluate the challenges, strengths, and limitations of Indian federalism
- ◆ explore the constitutional provisions that ensure cooperation between the Centre and the States

Prerequisite

Priya was a first-year political science student who often wondered how India, with its size and diversity, was governed. In one of her classes, her professor explained that India follows a federal system, where power is shared between the central government and the states. Priya recalled how her own state had different rules and policies compared to another state she had visited during a cultural festival. This made her curious about how both levels of government managed to work together without constant clashes. Her professor provided examples from countries like the United States, Switzerland, and Australia, where states enjoy greater powers, and pointed out that in India, the Union holds stronger authority, especially in matters not mentioned in the Constitution. Priya then understood that federalism is not only about dividing powers but also about cooperation, financial sharing, and methods for settling disputes.

Keywords

Federalism, Union List, State List, Residuary Powers, Finance Commission, Zonal Councils, Cooperative Federalism

Discussion

3.1.1 Introduction to Federalism

The makers of the Indian Constitution closely examined the functioning of federations in countries like the United States, Canada, and Australia. To understand their influence, it is important to grasp what federalism truly means. According to A.V. Dicey, two conditions are necessary for a federation to emerge. First, there should be a group of states linked by geography, culture, history, or a sense of common nationality. Second, these states must possess a particular sentiment: they wish to come together, yet they do not want to lose their separate identities. If states do not wish to unite, there can be no federation. Conversely, if they are willing to relinquish all their independence, it would not be federalism but rather complete unity under one government. Federalism strives to strike a balance between these two sentiments—the feeling of belonging to a larger nation and the desire of each state to remain self-governing.

A federation is formed when independent states agree to join together for common purposes such as defence, trade, or foreign affairs, while retaining control over their internal matters. Citizens of this system are members of both their state and the federation, sharing loyalty to both. This arrangement is typically outlined in a constitution, which establishes the powers of the central government and the states. Because the states value their independence, such constitutions are not easily changed without their consent. The constitution

becomes the supreme law for all. In this type of system, the authority of the national government and the states is clearly divided. Each has its own area of power, and neither is supposed to encroach upon the other's sphere. However, disagreements are bound to arise. To settle such issues, a federal court is necessary. This court ensures that both levels of government adhere to the constitution and resolves disputes between them.

From the study of different federations, three main features stand out. First, the constitution is the highest law of the land. Second, powers are divided between the central and state governments. Third, a federal court acts as the guardian of the constitution and resolves conflicts when they occur.

3.1.2 Historical Background of Indian Federalism

Carlo Schmid, while speaking in Germany in 1948, remarked that in most parts of the world, federalism meant bringing together separate states, but in their case, it was used to divide something already united. His words apply to India as well. In India, federalism did not emerge from states voluntarily coming together but from the political conditions of the time. A unitary system could not accommodate the diverse demands of provinces, princely states, and communities, making a federal structure necessary.

The idea of federation for India first appeared at the First Round Table Conference

in London in 1930. Two main issues needed resolution: the demand of Muslims for autonomy in provinces where they were in the majority, and the necessity of integrating princely states into a single system alongside the British Indian provinces. A purely unitary government could not satisfy both these needs. Federalism was viewed as the only practical arrangement. The British also favoured it, believing that giving princely states a role in a central government would balance the growing power of Congress. The Government of India Act of 1935 formally introduced a federal scheme. However, it could not be fully implemented because many princely states refused to join, and the Second World War broke out soon after. Even so, the Act created autonomous provinces and divided powers between the Centre and the provinces. A federal court was also established. These were the first real steps towards federalism in India. Nevertheless, the system retained strong centralising features, as the constitution under the Act was supreme and many important powers remained with the Centre.

From 1937, Indian politics began to move in a federal direction. Later constitutional plans, including the Cabinet Mission Plan of 1946, also rested on the federal idea. That plan granted only limited powers to the Centre, while the provinces retained most powers. However, partition changed the situation. The division of the country, the rapid accession of princely states, and the new political reality rendered the Cabinet Mission Plan unworkable. The Constituent Assembly now had to draft a constitution for a united but deeply troubled India. Jawaharlal Nehru, while presenting the Union Powers Committee Report in 1947, stated clearly that a weak Centre would harm India. The Centre, he argued, needed sufficient power to maintain peace, manage issues of common concern, and represent India abroad. At the same time, he recognised that many subjects should be left to the states. This balanced

view shaped the Indian Constitution.

The violence of partition, the refugee crisis, food shortages, the war in Kashmir, and widespread law-and-order problems all made national unity a top priority. These conditions convinced the leaders that only a strong Centre could hold the country together. As a result, India adopted a federal system with more central authority than in many other federations. Dr. B.R. Ambedkar explained the unique nature of Indian federalism. He stated that the Indian Union was not created by an agreement between states, and that no state had the right to leave it. This meant that while the system was federal in form, the Union government remained supreme.

3.1.3 Constitutional provisions

The most important feature of any federation is the division of powers between the Centre and Constituent Units. In the Indian scenario, this is also the reality. Let us examine the various constitutional provisions dealing with the federal setup of the Indian polity.

3.1.3.1 Legislative relations between the Union and the States

The Indian Constitution explains how powers are shared between the Union and the States in Part XI. This part has two sections—one discusses law-making powers and the other addresses administrative powers. To clarify matters, the Constitution has three lists of subjects. The Union List contains areas on which only the Union government can make laws. The State List grants powers to the State governments. The Concurrent List allows both the Union and the States to make laws on the same subjects. If something is not mentioned in any of the lists, the power to legislate on it goes to the Union. This system is similar to the Canadian model, and the



Concurrent List is derived from the Australian Constitution. In fact, the overall concept of dividing powers between different levels of government closely resembles that of the Government of India Act, 1935. These three lists are detailed in the Seventh Schedule of the Constitution.

1. The Union List: The Union List is the largest of the three lists in the Constitution. Initially, it contained 97 subjects, but following the 101st Constitutional Amendment in 2016, the number increased to 98. This list includes matters that are significant for the entire country, covering subjects such as defence, the armed forces, foreign affairs, war and peace, citizenship, atomic energy, railways, shipping, airways, posts, telegraphs, telephones, broadcasting, currency, banking, insurance, trade within and outside India, and the utilisation of mineral and oil resources. It also encompasses the functioning of the Supreme Court, High Courts, the Union Public Service Commission, elections, and the audit of government accounts. Taxes such as income tax, customs duties, excise duties, corporation tax, and estate duty are also included in this list. Only Parliament can legislate on these matters because they impact the entire nation and must be uniform across the country.

2. The State List: The State List now contains 59 subjects, reduced from 66 after the 101st Constitutional Amendment in 2016. These matters affect people locally and are best managed by the State governments. Some key subjects include public order, police, courts and prisons, local government, public health and sanitation, education, agriculture, animal care, water supply, irrigation, land rights, forests, and fisheries. It also includes State public services, the State Public Service Commission, land

revenue, and certain taxes such as those on agricultural income, land, buildings, electricity, vehicles, and luxuries. These items are placed under the State List because different regions have varying needs and may require distinct laws. Only the State Legislatures can legislate on these subjects. As Prof. M.V. Pylee noted, the true essence of federalism in India is realised through the powers granted to the States under this list.

3. The Concurrent List: The Concurrent List now includes 59 subjects following the 101st Constitutional Amendment in 2016, an increase from 47 previously. These matters benefit from having similar laws across India, although some variations between States are permitted. Both the Union and State governments can legislate on these subjects. Important items include marriage and divorce, property transfers (excluding agricultural land), contracts, bankruptcy, trusts, civil procedure, contempt of court, food and drug safety, economic and social planning, labour welfare, electricity, newspapers, and stamp duties.

Normally, if Parliament passes a law on any of these subjects, it takes priority over any state law. However, if a state passes a law on a subject in the Concurrent List, and the law is sent to the President for approval and he gives assent, then the state law can override an earlier parliamentary law. This system allows states to make laws that fit their local needs or go further than existing national laws.

Residuary Powers: In some federations, like the United States, Switzerland, and Australia, any powers that are not specifically mentioned in the Constitution automatically belong to the member states. In India, however, the situation is different. Following the Canadian model, powers that are not listed in the Constitution are given to the

Union government. This means that the Union has authority over all subjects that are not specifically assigned to the states.

Parliament can legislate on the subjects of State Lists

Even though the states have the exclusive right to make laws on subjects in the State List, there are important situations where Parliament can step in. Article 249 allows Parliament to make a law on a state subject if the Rajya Sabha passes a resolution, supported by at least two-thirds of its members, stating that it is necessary in the national interest. Such a law can apply to all or part of India and lasts for the period mentioned in the resolution, up to one year, with the possibility of a one-year extension.

Article 250 gives Parliament the power to legislate on state subjects during a national emergency. These laws remain in effect for the duration of the emergency and for six months afterward. Article 252 lets Parliament make laws on a subject in the State List if two or more states request it to do so. Any law made in this manner can only be changed or repealed by Parliament, although the states can request such changes. Article 253 allows Parliament to make laws on state subjects to implement treaties, agreements, or decisions from international conferences.

Parliament's authority is further strengthened by Articles 356 and 357. If the President believes a state government cannot function according to the Constitution, Article 356 allows him to take over. During this time, the state legislature may be suspended or dissolved, and Parliament takes over law-making. The Union executive also plays a role in state legislation. Under Article 31(3), a state law on compulsory acquisition of property only becomes effective after the President's approval. Similarly, Article 200 requires the Governor to reserve certain

Bills for the President if they might affect the powers of the High Court. Articles 200 and 201 guide presidential assent but leave the Governor some discretion, usually when important political matters are involved. In this way, while states have law-making powers, Parliament and the Union ensure that national interest and uniformity are maintained where necessary.

3.1.3.2 Centre-State Administrative Relations

The framers of the Indian Constitution adopted the idea from the Government of India Act of 1935 that the executive should possess powers commensurate with those of the legislature. This means that the Union Executive has authority over all matters where Parliament can enact laws, while the State Executives have authority over matters where the State legislature can legislate. Each level of government has its own administrative staff and full control over them. As K. Santhanam observed, the States enjoy nearly the same administrative independence as the Centre. However, the framers did not intend for India to have two separate governments. Instead, they designed the system to enable the Union and the States to collaborate and support each other wherever possible.

Instruments for the Control of the Union over the States

Although the States possess their own powers, the Union government holds the ultimate responsibility for the peace and safety of the entire country. The Union exercises authority over subjects where only Parliament can legislate. To ensure the smooth functioning of the system, the Constitution establishes a close administrative link between the Union and the States.

Article 256 mandates that States use their

accordance with the Constitution. This can lead to Article 356, whereby the President takes control and imposes President's Rule in that State.

The Constitution emphasises cooperation between the Union and the States, and several provisions support this goal. Article 261 ensures that all public acts, records, and court decisions of the Union and the States are recognised throughout India. Parliament decides how these acts and records should be proved and what effect they carry. This also allows for the enforcement of final judgments or orders from civil courts anywhere in the country. Article 262 deals with inter-state rivers and river valleys. Since disputes over water are common, the Constitution grants Parliament the sole authority to handle them. Parliament can make laws to settle disagreements about the use, sharing, or control of waters from any inter-state river or river valley.

To improve coordination between the Union and States, or among States themselves, the President can establish an Inter-State Council when needed. This council investigates disputes, advises on shared concerns, and suggests ways to better align policies and actions between the Union and the States. The States Reorganisation Act of 1956 created five Zonal Councils to encourage discussion and coordination among States. These councils are advisory bodies and do not form a separate layer of government. They focus on issues such as economic and social planning, border disputes, linguistic minorities, inter-state transport, and matters arising from State reorganisation. Each council is chaired by the Union Home Minister and includes the Chief Ministers and two other ministers from the member States.

3.1.3.3 Centre-State Financial Relations

In a federal system, two levels of government operate simultaneously and serve the same people directly. To prevent conflicts, their roles must be clearly divided. Each level also needs sufficient financial resources to meet its responsibilities. Among all challenges in a federal system, managing finances between the Centre and the States is the most difficult. History demonstrates how important this is. Even in older federations, money-related disputes were common, and in newer federations, adjustments had to be made frequently. This shows that financial arrangements are key to keeping a federal system running smoothly.

The Scheme of Distribution of Sources of Revenue

In India, the taxing powers of the Centre and the States are completely separate. Unlike some other federations, there is no shared jurisdiction over taxes. Generally, the Centre collects taxes that affect the whole country, while the States collect taxes that are local in nature.

The Union List includes twelve taxes, which can be grouped into five types. First, some taxes are imposed by the Centre but collected and retained by the States, such as stamp duties and excise on certain products. Second, some taxes are collected by the Centre but transferred to the States, such as succession duties and terminal taxes on passengers and goods. Third, certain taxes collected by the Centre, like income tax on non-agricultural income, are automatically shared with the States. Fourth, other taxes collected by the Centre, such as excise duties, may be shared if Parliament allows. Finally, some taxes, including customs and corporation tax, are fully collected and

retained by the Centre.

The State List includes nineteen taxes, such as land revenue, excise on liquor and opium, stamp duties, agricultural income tax, sales and purchase taxes, taxes on land, buildings, electricity, vehicles, animals, and books, as well as taxes on amusements, betting, gambling, professions, trades, and occupations. Each State can collect and use these taxes independently.

Grants-in-Aid

The Constitution provides ways for the Union to support States financially through grants and loans. Article 275 allows Parliament to provide aid to States in need, based on the recommendations of the Finance Commission. Article 282 permits the Centre to make grants to States or institutions within the States for public purposes. Programs aimed at the welfare of Scheduled Tribes are fully funded by the Union, which provides the necessary grants to the involved States. There are special provisions for Assam to help meet the additional costs of improving administration in tribal areas. Additionally, Assam, Bihar, Odisha, and West Bengal receive payments, as determined by the President, instead of their share of export duties on jute and jute products.

Borrowing Powers of the Union and the States

The framers of the Constitution recognised that the Union and State governments might not always be able to raise enough money through taxes. To assist them in managing finances, they allowed both to borrow using their consolidated funds as security. Article 292 enables the Union Government to borrow without any territorial limits. States can also borrow against the security of their consolidated funds, but Article 293 restricts their borrowing to within India.

Exemption of Union Property from State Taxation

Article 285 states that the Union's property is generally exempt from state taxes unless Parliament decides otherwise. States cannot tax electricity used by the Union or for constructing, maintaining, or operating Union railways. Similarly, no state law that existed before the Constitution can tax water or electricity managed, stored, or distributed by authorities established by Parliament for inter-state rivers or river valley projects. This provision was made to support the development of multi-purpose river projects across states. Article 289 offers similar protection for the States, exempting their property and income from Union taxes. However, the Union can still tax any business or trade conducted by or on behalf of a State government.

Finance Commission

The Constitution provides for the Finance Commission to ensure that the Union and the States receive a fair share of financial resources, as their needs change over time. The President must establish a Finance Commission within two years of the Constitution taking effect, and then every five years, or sooner if needed. Each Commission has a chairman and four other members, all appointed by the President. The Commission's role is to advise the President on how to divide taxes between the Union

and the States, how to grant financial aid to the States, and any other financial matters referred to it. It decides its own working procedures and has powers granted by Parliament. The President then presents the Commission's recommendations, along with a note on what action has been taken, to both Houses of Parliament. Since independence, sixteen Finance Commissions have been established, the latest being constituted on December 31, 2023, chaired by Dr Aravind Panagariya.

Financial Emergency

When a financial emergency is declared under Article 260, the President can suspend the usual rules for sharing taxes and grants between the Union and the States. During this period, the Union government can guide the States on how to manage their finances and issue any directions the President considers necessary to maintain financial stability.

Office of the Comptroller and Auditor-General of India

The Comptroller and Auditor-General oversees the audit of accounts for both the Union and the States and is part of the Central Government. He can guide the State Governments on how to maintain their records, and the States are expected to follow these instructions.

Recap

- ◆ Federalism refers to the division of powers between two levels of government operating directly over the same people.
- ◆ India's federal structure is inspired by the Canadian model, with residuary powers vested in the Union.
- ◆ The Constitution ensures cooperation between the Centre and the States through provisions like Article 261 and Article 262.
- ◆ Inter-state councils and zonal councils promote coordination and address disputes among states.
- ◆ Financial relations are key to federalism, with taxation powers clearly divided between the Union and the States.
- ◆ The Finance Commission plays a crucial role in adjusting financial distribution according to changing needs.
- ◆ Grants and loans are provided by the Union to support States in specific welfare and development schemes.
- ◆ The borrowing powers of the Union and States are regulated by the Constitution.
- ◆ The Comptroller and Auditor-General ensures financial accountability for both the Union and the States.
- ◆ In times of financial emergency, the Union assumes greater control to maintain financial stability.

Objective Questions

1. Which Article deals with full faith and credit to public acts and records?
2. Which Article empowers Parliament to adjudicate disputes over inter-state river waters?
3. Who heads the Zonal Councils in India?
4. Which Article allows the Centre to provide financial assistance to States?

5. Which Article empowers States to borrow funds within India?
6. Who is responsible for auditing Union and State accounts?
7. Which Finance Commission first recommended raising States' share in central taxes to 42%?
8. During a financial emergency, who gives directions on financial propriety to States?
9. Which Article exempts Union property from State taxation?
10. Residuary powers in India are vested in which level of government?

Answers

1. Article 261
2. Article 262
3. Union Home Minister
4. Article 275
5. Article 293
6. Comptroller and Auditor-General
7. Fourteenth Finance Commission
8. President
9. Article 285
10. Union

Assignments

1. Explain the distribution of legislative and financial powers between the Union and the States in India.
2. Compare the federal system of India with that of the United States and Australia.
3. Discuss the role and significance of the Finance Commission in strengthening Indian federalism.
4. Analyse the impact of inter-state councils and zonal councils in promoting cooperative federalism.
5. Evaluate the importance of constitutional provisions during a financial emergency in maintaining economic balance.

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SGOU



UNIT

Nature and Changing Trends

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the nature of Indian federalism and its constitutional foundations
- ◆ analyse the evolution of federalism in India
- ◆ evaluate the role of economic reforms, fiscal federalism, and cooperative mechanisms in shaping Centre–State relations
- ◆ explore contemporary trends in Indian federalism, including cooperative, competitive, and confrontational patterns

Prerequisite

Riya, a first-year political science student, often wondered how India, with its many states and diverse people, shared power between the Centre and the states. During a visit to the state assembly, she watched discussions about resources and state powers. Curious, she asked her professor about federalism. He explained that India's Constitution set up a system where the Centre is strong, but states also have important powers. Riya remembered learning about Article 356, the GST, and the Planning Commission, and she began to see how history, politics, and economics shaped Centre–State relations. She noticed that regional parties were becoming more influential and that the courts protected state autonomy. Riya connected her classroom lessons with real-life examples, such as states competing for investments or working together on national programmes. This helped her understand the nature and changing trends of Indian federalism.

Keywords

Federalism, Cooperative Federalism, Competitive Federalism, Confrontational Federalism, Centre-State Relations, Fiscal Federalism, Judicial Intervention

Discussion

3.2.1 The Nature of Indian Federalism

Scholars have long debated whether India is truly a federation or something closer to a unitary system. Some describe India as a quasi-federal state because, while the Constitution grants powers to both the Union and the States, the Centre has been made stronger. G.N. Joshi observed that the Indian system works like a federation in normal times but turns unitary during emergencies. J.P. Suda also pointed out that India departs from the classic model of federation and is more like a quasi-federation. Similarly, K.C. Wheare, a British expert on federalism, characterised India as a unitary state with some federal features rather than the other way round.

There are, however, other perspectives. Charles Alexandrowicz argued that India is a genuine federation, though with its own special character, and that labelling it quasi-federal is misleading. Norman D. Palmer also believed that India is federal in nature, even if it possesses certain modifications. Sir Ivor Jennings acknowledged that India has a federal structure but with a tendency towards centralisation. K.M. Munshi, a member of the Constituent Assembly, described the Constitution as a quasi-federal union with many unitary features. Former Chief Justice P.B. Gajendragadkar remarked that while the Constitution has federal traits, it is not federal in the true sense. W.H. Morris Jones explained Indian federalism as a form of cooperative federalism, where the Centre and the States negotiate but ultimately agree to

work together. Benjamin N. Schoenfeld felt that India's centralising trend stemmed not from the constitutional design but from its socialist policies and centralised planning.

Due to the extensive powers of the Union, including the ability to alter state boundaries, some scholars have questioned whether India is federal at all. Terms like pseudo-federation and quasi-federation are used by critics. However, many others argue that such categories are unnecessary—a country is either federal or not. Based on this rationale, they contend that India qualifies as a federation. The Indian Constitution provides for two levels of government; it distributes powers between them through a written Constitution; each has its own area of authority; both can act through their own agencies; and disputes between the Union and the States can be settled by the courts. By these measures, India meets the standard of federalism.

Dr. B.R. Ambedkar, while introducing the Draft Constitution in the Constituent Assembly, explained that the Constitution is federal in form. He stated that it creates a dual system: the Union at the Centre and the States at the periphery. Both derive their powers from the Constitution and are co-equal in their spheres. The division of powers is established by the Constitution itself and not by the Union government. Ambedkar acknowledged that the Centre has a larger share of powers, including residuary powers, but argued that this does not diminish the federal character.

Seen in this light, the Constitution is undoubtedly federal, but it is a federation of a special type. It carries forward the idea of paramountcy that the British once held over the princely states, now vested in the Union and applied to all States. This gives the Indian federation a unique shape, sometimes described as a "Paramount Federation," reflecting both the country's history and its need for unity.

3.2.2 Changing Trends in Indian Federalism

The Constitution of India established a federal system, granting powers to both the Centre and the states, though the Centre was designed to be stronger. Over the years, this system has evolved in response to politics, society, and the economy. In the early years after independence, one political party dominated at both the national and state levels, which made the Centre very powerful. Changes began in the late 1960s, when regional parties gained strength and coalition governments formed, providing states with more influence. The courts played a key role as well, protecting the federal principle and preventing the Centre from misusing powers such as Article 356 to dismiss state governments. Economic reforms in 1991 and the introduction of the Goods and Services Tax in 2017 granted states a larger role in managing finances. Today, the relationship between the Centre and the states reflects both cooperation and disagreements—on issues such as money, autonomy, and the role of governors. Indian federalism has grown and adapted over time, balancing unity and diversity while allowing both the Centre and the states to play their respective parts.

3.2.2.1 Early Phase: Centralised Federalism

In the early years after India gained independence, the Centre held most of

the power. The Constitution established a federal system, but in practice, the Union government became the dominant player. This occurred partly because the Constitution granted the Centre control over residuary powers, emergency situations, and the ability to reorganise states. Political conditions at the time also contributed to the Centre's strength. From 1950 to the late 1960s, the Indian National Congress ruled both at the Centre and in most states. Since the same party was in charge everywhere, there was little conflict between the Centre and the states. Policies were mainly decided by the Centre, and the states were responsible for implementing them. The Centre also controlled finances through the Planning Commission, which prepared Five-Year Plans. States had to adhere to these plans, leaving them with limited financial freedom. The Union also managed key areas such as defence, foreign affairs, communications, and interstate trade, which further contributed to its dominance.

Constitutional provisions like Article 356 allowed the Centre to dismiss state governments. In many cases, this power was used for political reasons rather than for genuine administrative problems. The reorganisation of states further demonstrated the Centre's authority. While people demanded states based on language and culture, it was the Centre that ultimately decided when and how new states would be created. Overall, the first twenty years after independence were characterised by centralised federalism. The Centre held most of the power, while the states played a secondary role. Federalism existed more on paper than in reality. This began to change in the 1970s, when regional parties gained strength and coalition politics emerged, giving states more influence and creating a more balanced federal system.



3.2.2.2 Rise of Regionalism and Coalition Politics

Indian federalism began to change noticeably in the 1970s. Until then, the Congress party's strong presence at both the Centre and in most states had kept conflicts limited. However, as Congress lost its grip and regional parties gained strength, the balance between the Centre and the states started to shift. In 1967, opposition parties won power in states such as Tamil Nadu, Kerala, and West Bengal. For the first time, states were led by non-Congress governments while Congress retained power at the Centre. This led to conflicts over resources, the use of governors, and the dismissal of state governments. Article 356, which allows for President's Rule, was used more frequently, sometimes for political reasons rather than for actual administrative failure.

At the same time, regional movements based on language, culture, and economic concerns gained momentum. The Dravidian movement in Tamil Nadu, the Akali Dal in Punjab, and tribal movements in the Northeast all reflected the demand for greater state autonomy. These movements contributed to the emergence of regional parties such as the DMK, AIADMK, and Telugu Desam Party, which became important players in state politics. The Emergency of 1975–77 heightened tensions between the Centre and the states. The government under Indira Gandhi concentrated power at the Centre, reduced state autonomy, and dismissed some opposition-led state governments. This created resentment and strengthened demands for greater state rights. After the Emergency, the Janata Party attempted to afford states more respect, but political instability limited its impact.

A significant change occurred in the late 1980s and 1990s with coalition politics. Congress no longer had a guaranteed majority, and regional parties became

essential for forming governments. By joining national coalitions, these parties gained influence in shaping national policies. For example, the Telugu Desam Party (TDP) played a major role in the 1990s, while the Dravida Munnetra Kazhagam (DMK) and the Trinamool Congress became important partners in coalition governments. This period marked a shift towards a more negotiated form of federalism. The Centre could not act alone and had to consider the demands of regional parties and state governments. Policies became more consultative, and states had greater say in areas such as development, welfare, and law and order. In short, the rise of regionalism and coalition politics transformed Indian federalism from a highly centralised system to a more balanced and contested one. States became more visible, regional parties gained influence, and Centre–State relations were shaped through discussion and compromise. This trend continues today, influenced by court decisions and economic changes.

3.2.2.3 Judicial Interventions

The judiciary has played an important role in shaping Indian federalism. While the Constitution granted the Centre strong powers, the Supreme Court has intervened to maintain balance and protect the autonomy of the states. Through key decisions, the Court has made it clear that federalism is a core part of the Constitution and cannot be undermined. One early example is the Kesavananda Bharati case (1973). The Supreme Court ruled that certain features of the Constitution, including federalism, are fundamental and cannot be altered by Parliament. This provided strong protection for the federal system. Another major case was *S.R. Bommai v. Union of India* (1994). The Court addressed the misuse of Article 356, which allows the Centre to dismiss state governments. It ruled that such actions can be reviewed by the courts and emphasised that

states are not merely agents of the Centre. This judgement limited arbitrary interference and strengthened state authority.

The Supreme Court has also handled disputes between states over issues such as river water, taxation, resources, and the functioning of the Goods and Services Tax (GST) Council. These decisions demonstrate how the Court acts as a neutral referee to maintain fairness and protect the federal structure. The judiciary has also clarified responsibilities between the Centre and states in areas such as law and order, education, and reservations. It has encouraged both levels of government to work together and struck down laws that granted excessive power to the Centre. In short, the judiciary has contributed to creating a federalism that is balanced, fair, and protected by the Constitution. By checking the misuse of central power and supporting state autonomy, the courts have kept Indian federalism strong while allowing the Centre to function effectively.

3.2.2.4 Economic and Fiscal Federalism

Economic and financial relations are an important part of Indian federalism. Since resources are not evenly spread across the country, the Constitution provides mechanisms to share revenue and support development in different states. Over time, fiscal federalism in India has changed, demonstrating both the Centre's strong role and efforts to involve states more. In the early years, the Planning Commission (1950–2014) played a key role in shaping economic policy. It prepared Five-Year Plans, determined how resources were distributed, and funded centrally sponsored schemes. This conferred significant influence to the Centre over state priorities. States had little financial independence, as much of their funding came from grants and loans from the Centre.

The Finance Commission, established under Article 280, recommended how central taxes should be shared with states. While this created a framework for fiscal transfers, many states, particularly poorer ones, felt they were at a disadvantage. Differences between the Centre and states, as well as among states themselves, remained a challenge. The economic reforms of 1991 brought substantial changes. States gained greater control over attracting investment, developing industries, and managing their economies. Competition among states increased, with governments offering incentives and improving infrastructure to encourage growth. Fiscal federalism became more dynamic, with states seeking greater freedom in economic planning. The introduction of the Goods and Services Tax (GST) in 2017 was another major change. GST replaced several indirect taxes with a single system managed by the GST Council, which includes finance ministers from both the Centre and the states. Decisions are made collaboratively, making it a model of cooperative federalism. However, disputes over compensation and delays in transfers indicate that tensions between the Centre and states persist.

The abolition of the Planning Commission in 2014 and the creation of NITI Aayog marked another significant shift. NITI Aayog aims to involve states more in planning and policy-making, but critics argue that the Centre still retains most financial power. In summary, India's fiscal federalism has evolved from being highly centralised to providing states with more participation, although challenges remain. States continue to seek greater financial independence, while the Centre maintains its role in guiding national priorities. Economic relations between the Centre and states today reflect a blend of cooperation and negotiation that signifies the changing nature of Indian federalism.



3.2.2.5 New Federal Trends

In recent years, Indian federalism has transformed in response to politics, economic reforms, and institutional developments. Three main patterns can be identified today—cooperative federalism, competitive federalism, and confrontational federalism. Cooperative federalism focuses on collaboration, where the Centre and the states plan and implement policies jointly. NITI Aayog, established in 2014, integrates states into the planning process. The GST Council serves as another example, where finance ministers from both levels of government make decisions together. Initiatives like Swachh Bharat Abhiyan and health missions also reflect this cooperation, as both the Centre and the states share responsibilities.

Competitive federalism has grown stronger since economic reforms. States now compete to attract investments, establish industries, and improve infrastructure. They offer incentives, enhance governance, and highlight their advantages to investors. States like Gujarat, Maharashtra, Karnataka, and Tamil Nadu actively market themselves as attractive destinations. This competition encourages efficiency and new ideas but can also widen the gap between richer and

poorer states.

Confrontational federalism arises when the Centre and a state are governed by different parties. Disagreements emerge over issues such as the roles of governors, the use of central agencies, and financial matters. Examples include conflicts over farm laws, delays in GST compensation, and disputes during the COVID-19 pandemic. States such as West Bengal, Kerala, and Tamil Nadu have sometimes accused the Centre of interfering with their powers.

These trends demonstrate that Indian federalism is active and constantly evolving. The Constitution provides the framework, but politics, economics, and judicial decisions shape how it functions in practice. Cooperation and competition among states strengthen democracy, while confrontations reflect the tensions in a diverse country. In short, India's federal system is not fixed; it blends unity and diversity, centralisation and decentralisation, collaboration and conflict. The ongoing challenge is to find a balance that respects the autonomy of states while keeping the country united and supporting development.

Recap

- ◆ Indian federalism is a constitutional framework that divides powers between the Centre and the states.
- ◆ The Constitution grants the Centre strong authority but ensures states have autonomy in their areas of responsibility.
- ◆ The early decades after independence saw a highly centralised federation dominated by the Congress party.
- ◆ The rise of regional parties and coalition politics from the 1970s altered the balance of federalism.
- ◆ The judiciary has protected the federal structure through landmark judgments like Kesavananda Bharati (1973) and S.R. Bommai (1994).

- ◆ Fiscal federalism involves sharing financial resources, with institutions like the Finance Commission, GST Council, and NITI Aayog playing key roles.
- ◆ Economic liberalisation increased state participation and created competitive federalism among states.
- ◆ Cooperative federalism reflects collaboration between the Centre and states in programmes like Swachh Bharat Abhiyan.
- ◆ Confrontational federalism arises when political differences lead to disputes over governors, resources, or policy decisions.
- ◆ Indian federalism is dynamic, combining unity and diversity, centralisation and decentralisation, and cooperation and contestation.

Objective Questions

1. Which article of the Indian Constitution deals with the Finance Commission?
2. What is the doctrine established in the Kesavananda Bharati case?
3. Which body replaced the Planning Commission in 2014?
4. What is the main purpose of the GST Council?
5. Which year marked the introduction of economic liberalisation in India?
6. Name one regional party that influenced coalition politics in the 1990s.
7. Which article allows the imposition of President's Rule in a state?
8. Cooperative federalism is best described as?
9. Confrontational federalism typically arises due to?
10. Competitive federalism primarily relates to?

Answers

1. Article 280
2. Basic Structure Doctrine
3. NITI Aayog
4. Taxation
5. 1991
6. TDP
7. Article 356
8. Collaboration
9. Political conflict
10. Investment

Assignments

1. Explain the constitutional basis of Indian federalism and its distinctive features.
2. Discuss the impact of regional parties and coalition politics on Centre–State relations.
3. Analyse the role of the judiciary in protecting federal principles in India.
4. Evaluate the changes in fiscal federalism after economic liberalisation and GST implementation.
5. Examine contemporary trends in Indian federalism and their implications for national unity.

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Union Government vs State Government

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the historical and political background of tensions between the Centre (Union) and State governments in India
- ◆ analyse the role of key constitutional and administrative instruments in shaping Centre (Union)-State relations
- ◆ evaluate the impact of political parties, inter-state disputes, and resource allocation on the balance of power between the Centre (Union) and States
- ◆ explore the mechanisms and reforms suggested to improve cooperative federalism and minimise conflicts in India's federal structure

Prerequisite

Rachel, a first-year political science student, often wondered why India's States sometimes clashed with the Centre. In a college seminar, she learned that while the Constitution gives States the power to manage their own laws and administration, it also grants the Union government important powers. Her professor explained that Governors, President's Rule, the Planning Commission, the subsequent NITI Aayog, and the Finance Commission all influence Centre-State relations. Rachel recalled reading about past conflicts, such as the CRPF deployments in Kerala and West Bengal, disputes over water sharing between Karnataka and Tamil Nadu, and the competition for public sector projects in Andhra Pradesh and Odisha. She understood that political differences between parties at the Centre and in the States often exacerbated these tensions. Interested in learning more, Rachel started following news about inter-state disputes, project allocations, and fund transfers.

Keywords

Federalism, Centre-State Relations, President's Rule, Governors, Planning Commission, Finance Commission, Inter-State Disputes

Discussion

3.3.1 Introduction

In India, the relationship between the Union and the States changed noticeably after the Fourth General Elections. This was when non-Congress coalition governments came to power in several states, while the Congress government at the Centre managed to remain in office with only a slim majority. Before this change, most issues between the Centre and the States were within the same party and were treated like family matters. They were easier to settle, especially due to Jawaharlal Nehru's strong leadership and the respect he enjoyed across the country.

There were disagreements, such as the one between Dr. B.C. Roy, the Chief Minister of West Bengal, and the Centre over the Damodar Valley Corporation. Yet, these disputes were usually resolved through discussion and mutual understanding within the Congress party itself. During that period, India's federal system operated under the control of a single dominant party. After the Fourth General Elections, however, this changed. The federal system now had to function in a setting where many political parties shared power. This shift reflected the true social and political diversity of India and marked the transition from one-party dominance to a system of competitive multi-party politics.

3.3.2 Centre (Union)-State Relations: Dimensions of Tensions

The main areas of conflict between the Union and the States can generally be grouped

into three broad categories, even though they may overlap. These are: (i) *political dimensions*, (ii) *administrative dimensions*, and (iii) *economic and financial dimensions*. Let us closely examine these dimensions.

3.3.2.1 Political Dimensions

In India, people tend to view political issues through a legal or constitutional lens and suggest changes to the Constitution to resolve them. While Centre (Union)-State relations do have a legal basis, they are primarily political in nature. It is therefore better to find political answers to these issues rather than rely solely on legal solutions. The Constitution provides a stable framework, but politics evolves over time. The way it operates in practice depends on political factors such as party affiliations, ideological trends, and public expectations. When the Congress Party ruled both the Centre (Union) and most State governments, there was hardly any need to invoke constitutional provisions to address Centre-State or inter-state problems. Such issues were treated as internal matters and settled within the party by senior leaders. It was even considered improper to discuss them in public. However, when non-Congress governments came to power in several states, the party structure could no longer assist in resolving these problems. Political differences between parties began to manifest as conflicts between governments. The political aspect of Centre-State relations can be understood through four main facets:



1. **Dynamics of Political Parties:** When the same party governed both the Centre and the States, the relationship between them was shaped mainly by internal party matters. However, as India moved toward a multi-party system, with different parties forming governments in some states, these relations began to depend on the ties between different political parties. This made Centre-State relations more challenging and politically charged. From the Centre's point of view, state governments could be grouped into *three types*. The first were *identical*, where the same party ruled at both levels. The second were *congenial*, where differences in ideas and interests were minor. The third were *hostile*, where the ruling party in the state had very different political views from the one at the Centre. Relations with states in the first two groups were generally smooth and could be managed through party discussions or mutual understanding.
2. **Politics of Coalition:** Since 1967, India has experienced many coalition governments, providing the political system with ample experience in this regard. Between March 1967 and August 1971, eight states had a total of 27 coalition governments. Bihar became a well-known example of unstable coalitions, with some lasting only a few days. Coalition politics affects the relationship between the Centre and the States because multi-party governments tend to be unstable, and this instability can create tension with the Centre. Coalitions also bring together different parties, which complicates the balance of power and political outlook in a state, affecting how it interacts with the Centre.

However, relations with hostile state governments were more difficult. Their political goals often clashed with those of the Centre, leaving little room for compromise. For example, the CPM-led governments in West Bengal and Kerala during the late 1960s strongly opposed the Congress government at the Centre. They even organised government-backed protests and bandhs against central policies. In 1967, Kerala Chief Minister E.M.S. Namboodiripad accused the Centre of not sending enough food grains and stated that the state might have to turn to China for supplies. In 1969, the CPM in West Bengal went a step further and demanded the removal of Governor Dharam Vira. These incidents demonstrated how political rivalry could escalate into open conflict between the Centre and certain state governments.

When the ruling party at the Centre is part of a state coalition, as in Kerala (1982), Jammu and Kashmir (1975), Uttar Pradesh (1970), Bihar (1990), Rajasthan and Gujarat (1990), or Punjab (1997), relations are usually smooth. The Centre can use party connections to work effectively with the state government. However, when the state coalition excludes the dominant party at the Centre, relations can become tense. In these cases, the Centre may try to use its authority to weaken the state government, as happened with the fall of the Kerala coalition in 1982. Because the Centre has more constitutional power, its actions can strongly influence state governments. At the same time, if a state coalition is united and strong, attempts by the Centre to interfere may backfire, making the coalition more cohesive and more critical of the Centre.

3. **President's Rule:** One of the clearest ways the Centre can assert control over the states is through President's Rule under Article 356. This rule was meant to act as a safety measure when

a state government could not function properly. In earlier years, it was used briefly to manage such situations and usually helped to bring back stability. After 1967, the use of President's Rule became more frequent, and many critics argue that the Centre started using it as a political tool against state governments led by opposition parties. A clear example is the removal of the DMK government in Tamil Nadu in 1976, mainly on charges of corruption. Using President's Rule in this way created a worrying precedent. Later, in 1977 and 1980, nine state assemblies were dissolved, and President's Rule was imposed again. These moves were widely seen as politically motivated and as weakening the federal and democratic structure of the country.

4. ***Integrity of States:*** A federal system has two levels of government, each with its own set of powers. State governments have the freedom to manage certain matters within their territories. A true test of federalism is whether these states have a clear identity and whether their boundaries are respected. In India, however, states do not have full protection of their territorial identity. Article 3 of the Constitution allows Parliament to change the boundaries or even the identity of a state.

Since 1956, this power has been used several times to create new states, and the demand for new states has continued. For example, Bombay and Punjab were divided after strong political movements, and new states like Nagaland, Himachal Pradesh, Meghalaya, Manipur, and Tripura were formed. This ongoing reorganisation has had two main effects. First, it has raised questions about the unity of existing states. Second, it has encouraged groups in other regions and Union Territories to demand statehood.

Today, many states have groups seeking their own state, such as Vidarbha, Bodoland, and Gorkhaland. Since only the Centre can create new states, these demands are directed at the central government, which adds pressure to Centre-State relations.

3.3.2.2 Administrative Dimensions

Although Centre-State relations are mainly political, the functioning of these governments also involves an administrative aspect. While politics and administration can be seen as separate at the institutional level, in practice, they are closely connected and shape how the Centre and States work together. Understanding this administrative aspect is especially important in India because the system has some unique features.

The Indian Constitution establishes an administrative system where the Centre has a dominant role. Instead of separate administrative structures for the Centre and the States, there is a single system that makes both levels of government closely connected and dependent on each other. This dependence can sometimes lead to tensions. Some key issues that illustrate the administrative side of Centre-State relations include the *role of the Governor*, *the bureaucracy*, *disputes between states*, *law and order*, and *constitutional provisions*.

1. ***Role of Governor:*** The Governor, as an appointee of the President, has sometimes been perceived as a tool for the Centre to interfere in state politics, especially against non-Congress governments. After the Fourth General Elections, many non-Congress state governments believed the Centre was appointing Congress leaders who had lost the polls as Governors to destabilise their governments and impose President's Rule. In Rajasthan in 1967, for

2. ***The Bureaucracy:*** Bureaucracy is another area where tensions arise between the Centre and the States. Two main issues lie at the heart of these conflicts: whether the services act impartially and the creation of new All-India Services. Many States question whether officers, who were accustomed to working under Congress governments, will serve other parties with the same commitment—such as the DMK and AIADMK in Tamil Nadu, the Akali Dal in Punjab, or the CPM in West Bengal.

States also resist the creation of new All-India Services for several reasons. First, it reduces opportunities for local candidates in State services. Second, it is seen as an intrusion on State autonomy. Third, it increases costs due to higher salaries. All-India Service officers generally look to the Centre for support, which can weaken the authority of State governments. In States led by leftist or regional parties, the All-India Services are viewed with suspicion. For example, E.M.S. Namboodiripad, former Chief Minister of Kerala, criticised them, stating that these officers are recruited and trained by the Congress Government at the Centre and posted to States where non-Congress governments are in power.

An example of this tension arose in July 2001, when the Centre requested three IPS officers from Tamil Nadu—Police Commissioner K. Muthukkaruppan, Joint Commissioner S. George, and Deputy Commissioner Christopher Nelson—to serve in the Cabinet Secretariat. The Tamil Nadu government responded that this move violated transfer norms, noting that the officers were not eligible for inter-State deputation and were not on the State's annual offer list for Central postings. According to the Indian Police



Service (Cadre) Rules, 1954, a cadre officer can be deputed to the Centre only with the consent of the State government, although the rules allow the Centre to decide if there is a disagreement. This transfer issue created a major dispute, highlighting the tension between the Centre and the States over control of the bureaucracy and the autonomy of State governments.

3. **Inter-state Disputes:** Another source of tension in India arises from conflicts between States, which are distinct from regular disputes. These conflicts can give the Centre more bargaining power over the States involved, and sometimes it may suit the Centre to allow the disagreements to continue. Since the Constitution empowers the Centre to settle inter-State conflicts, States often turn to it with their demands and frustrations, making these disputes a part of Centre-State relations.

Inter-State conflicts usually fall into two categories: *water disputes* and *boundary disputes*. Major water disputes include the *Krishna River* conflict between *Karnataka* and *Maharashtra*, the *Cauvery dispute* involving *Karnataka*, *Kerala*, and *Tamil Nadu*, and the *Narmada dispute* involving *Gujarat*, *Madhya Pradesh*, *Maharashtra*, and *Rajasthan*. An example occurred on July 12, 2004, when Punjab's Chief Minister Amarinder Singh called a special session of the Punjab Assembly to pass a law cancelling all past agreements on sharing *Ravi* and *Beas* waters with *Haryana* and *Rajasthan*, including the 1981 agreement. The Governor quickly approved the law, reigniting tensions between Punjab and Haryana. This raised questions about whether a State can cancel agreements with other States unilaterally and whether a State Legislature can override arrangements approved by the Supreme Court.

Boundary disputes arise from the reorganisation of States and remain unresolved in several cases. Notable examples include *Karnataka-Maharashtra*, *Punjab-Haryana*, and *Assam-Nagaland*. In these conflicts, the Centre usually acts as a neutral arbitrator, but this often places it in the middle of competing pressures. For example, in the *Karnataka-Maharashtra* dispute, the Centre established the *Mahajan Commission*. Maharashtra supported the Commission, while Karnataka opposed it. When the recommendations favoured Karnataka, the State demanded their implementation, but Maharashtra resisted, leaving the Centre caught in the middle. These cases illustrate how inter-State conflicts can place significant pressure on the Centre, cutting across political lines.

4. **Law and Order:** Law and order have been a major source of tension between the Centre and the States. The Constitution makes State governments responsible for maintaining public order and protecting Central Government property within their borders. Since Central properties like railways are spread across the country, any disruption can cause major inconvenience to the public. To prevent such problems, the Constitution allows the Centre to issue directions to the States. If a State fails to follow these directions, the Centre can, in extreme cases, take over its administration under Article 356.

To help manage such situations, the Centre has built up a large police force, including the Central Reserve Police Force (CRPF). Policing is a State responsibility, but the CRPF has expanded to several battalions with training centres, hospitals, arms workshops, and weapon stores. Central forces are deployed

large paramilitary forces maintained by the Centre exist to support both national and State interests when required.

5. ***Constitutional provisions:*** India's Constitution is federal in structure but tends to favour a strong Centre in practice. The party in power at the Centre generally supports this arrangement. However, regional parties and States governed by non-Congress administrations seek to change it. They advocate for revising the Constitution and introducing significant amendments that would grant more power to the States and create a more equitable balance in Centre-State relations.

States in India have long expressed concerns that the Centre does not share taxes equitably. They are expected to manage increasing responsibilities in development and social services, but the matching funds from the Centre are often insufficient. Wealthier States tend to receive more funding, while poorer States receive less, exacerbating the economic disparity between them. To prevent biased allocation of funds, the Constitution established an independent Finance Commission under Article 280. However, in practice, the Finance Commission has had limited influence. It could only manage certain statutory grants while most funds were allocated to the States as discretionary grants recommended by the Planning Commission. The Planning Commission was part of the Union Government, with the Prime Minister as chairman, and its staff was predominantly drawn from Central Ministries. Consequently, its decisions closely aligned with the priorities of the Centre. Even though it formally decided on the grants, the perception was that the Central Government controlled the process.

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The Planning Commission also oversaw most development activities in the States. Areas such as agriculture, education, health, and co-operation, which are State responsibilities, required approval from the Commission. For instance, land reform bills had to be reviewed before being introduced in State legislatures. This led to criticism that the Planning Commission operated like a “super government,” undermining the autonomy of the States. Many States demanded that it be transformed into an independent body rather than merely an extension of the Centre.

States also compete to host major industrial projects, particularly public sector units such as steel plants, heavy electrical industries, and fertiliser factories. These projects bring jobs, investment, and overall regional development. Naturally, states lobby for them, which sometimes leads to protests, strikes, and political agitation. For example, in 1966, Andhra Pradesh, Mysore, and Tamil Nadu all sought the fifth steel plant at Vishakhapatnam. The Centre eventually split the plant into three smaller units to satisfy the states. Similar competition has occurred for shipbuilding yards and copper and zinc smelters. Such struggles often create tensions between the states and the Centre. Industrial licensing has also caused friction. States want to grow industries quickly to address unemployment, but the central licensing system is slow and rigid. Approvals can take years and involve numerous departments, frustrating both state governments and private businesses.

3.3.3 Tensions between Union Government and State Government: Major Events

States ruled by non-Congress parties have raised many complaints over the years, leading to tensions with the Centre. Some key examples illustrate how these conflicts unfolded. In September 1968, when

Central Government employees went on strike in Kerala, the Union Government deployed the Central Reserve Police (CRPF) without informing or consulting the Chief Minister. Since law and order is the state’s responsibility, this move was seen as a serious breach of the Constitution. In West Bengal, the United Front government demanded the recall of Governor Dharmvira in February 1969, arguing that normal working relations were impossible. Later, in March 1969, CRPF personnel fired at a crowd at the Durgapur Steel Plant, injuring sixty people. The state government opposed the action, insisting that maintaining law and order and protecting property is the state’s job, and they questioned the Centre’s commission of enquiry.

Other examples include Punjab’s Chief Minister, Gurnam Singh, accusing the Centre of political dishonesty over the Punjabi Suba issue and Chandigarh in 1969. Kerala’s Chief Minister, E.M.S. Namboodiripad, warned in 1967 that if the Centre failed to meet commitments, he might have to make arrangements from abroad. Orissa’s Chief Minister, R.N. Singh Deo, demanded a second steel plant in his state, threatening mass protests if the demand was ignored. In 1979, the Centre sought to move cow protection from the State List to the Concurrent List, which Kerala and West Bengal opposed. West Bengal also rejected the Planning Commission’s guidelines, claiming they had no authority over state matters.

Long-standing tensions exist in Jammu and Kashmir and the North-East. Militancy and terrorism have slowed development in Kashmir, even as voter turnout remained high. In the North-East, states feel neglected by the Centre, leading to alienation and insurgency. Assam, for instance, has suffered repeated floods causing heavy loss of life and property, but solutions were delayed. Even the new capital, Dispur, planned in 1972, was inaugurated only in 2004. When states’ grievances are ignored for too long,



over authoritarianism, fair competition over rigid rules, and practical solutions over partisan politics. M. Hidayatullah added that the Constitution would face serious strain unless States were granted freedom in legislative, administrative, and financial matters. Professor Rasheeduddin Khan proposed even more far-reaching reforms. He suggested removing Articles 356 and 357, which allow the Centre to dissolve State Assemblies and impose President's Rule, while the Sarkaria Commission recommended using Article 356 only in extreme cases. Khan also argued that residuary powers should belong entirely to the States, rather than being shared with the Union.

The main reasons for tension between the Centre and the States are political. The Constitution establishes a federal system in India with a strong Centre, which makes States wary. Partisan approaches by the Centre towards certain States exacerbate the strain. Differences in ideology between parties at the Centre and in the States also create friction. Some political parties have deliberately allowed disputes to continue for their own advantage. Political pressures sometimes override constitutional rules, creating bad precedents. Governors are occasionally removed before completing their terms whenever a new party comes to power at the Centre. Although Inter-State Zonal Council meetings have reduced the misuse of President's Rule, actions taken for partisan or regional interests continue to harm Centre-State relations and weaken the federal structure.

- ◆ Reviewing the powers of the President and Governors to suspend a State government in the event of a breakdown;
- ◆ Making the Planning Commission independent and the Finance Commission permanent;
- ◆ Appointing Governors with extensive experience in public life, who could rise above party politics and would not be eligible for reappointment;
- ◆ Continuing the practice of consulting the Chief Minister before appointing a Governor;
- ◆ Requiring Governors to verify the majority support of a ministry by summoning the Assembly; and
- ◆ Exploring all possible ways to resolve conflicts before issuing directives under Article 256.

Former Chief Justice K. Subba Rao emphasised that, with different parties in power in various States, the focus should be on cooperation rather than control, patriotism

Recap

- ◆ India's federal system grants States autonomy but allows the Centre significant powers to maintain unity.
- ◆ President's Rule under Articles 356 and 357 has been used to manage State crises, sometimes creating controversy.
- ◆ Governors act as representatives of the Centre and have occasionally influenced State politics.
- ◆ The Planning Commission has controlled developmental activities in States, leading to accusations of central dominance.
- ◆ The Finance Commission was created to distribute funds fairly, but discretionary grants often favoured the Centre's priorities.
- ◆ Inter-State disputes, such as those over water and boundaries, have tested the Centre's role as an arbitrator.
- ◆ The deployment of Central police forces like the CRPF and BSF has occasionally caused friction with State governments.
- ◆ Political differences between parties at the Centre and in the States have been a major source of tension.
- ◆ Industrial licensing and the allocation of public sector projects have fuelled competition among states.
- ◆ Suggested reforms include empowering Finance and Planning Commissions, limiting President's Rule, and promoting cooperative federalism.

Objective Questions

1. Which article of the Constitution allows the imposition of President's Rule?
2. Who appoints the Governor of a state in India?
3. Name the central police force primarily responsible for maintaining law and order.
4. Which commission was created to recommend the distribution of taxes between the Centre and states?
5. What is the main purpose of the Planning Commission?
6. Which states were involved in the Cauvery water dispute?
7. Name the force created after the Chinese aggression in 1965.
8. Which article obligates the Centre to protect states against internal disturbances?
9. Who was the former Chief Minister of Kerala critical of the All India Services?
10. Which region in India has faced persistent insurgency and Centre-State tension?

Answers

1. Article 356
2. President
3. CRPF (Central Reserve Police Force)
4. Finance Commission
5. To plan and oversee development activities in the states
6. Karnataka, Kerala, Tamil Nadu

7. BSF (Border Security Force)
8. Article 355
9. E.M.S. Namboodiripad
10. North-Eastern states

Assignments

1. Critically examine the role of President's Rule in Centre-State tensions.
2. Analyse how governors have influenced state politics and Centre-State relations.
3. Evaluate the role of the Planning and Finance Commissions in shaping state development.
4. Discuss major inter-state disputes and their impact on Centre-State relations.
5. Suggest reforms to strengthen cooperative federalism in India.

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SGOU



BLOCK

Indian Judiciary



1

UNIT

Structure and Functions

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the hierarchical structure of the Indian judiciary
- ◆ analyse the powers, jurisdictions, and functions of different levels of courts in India
- ◆ evaluate the role of the judiciary in protecting fundamental rights
- ◆ explore the historical evolution and contemporary challenges of the Indian judicial system

Prerequisite

Riya, a first-year political science student, was curious about how justice works in India. During a school debate, she noticed that people go to courts to settle disputes, ranging from family matters to criminal cases. One day, she visited a district court with her class and saw judges handling cases, magistrates managing smaller criminal matters, and clerks organising files. Her professor explained the structure of the judiciary, from the Supreme Court to High Courts, subordinate courts, and special courts like Family and Labour Courts. Riya learned that each court has specific powers and responsibilities and that the judiciary protects citizens' fundamental rights while interpreting laws. She also observed that courts work to deliver justice efficiently, using mediation or fast-track procedures when needed. By the end of her visit, Riya understood that the judiciary is essential for fairness, equality, and upholding the rule of law in India.

Keywords

Supreme Court, High Court, Subordinate Courts, Special Courts, Judicial Review, Fundamental Rights

Discussion

4.1.1 Introduction

The idea of a formal judicial system in India began with the Regulating Act of 1773, which introduced a legal member to the Governor-General's Council. This marked the start of British efforts to create courts capable of handling civil and criminal cases. Later, the Government of India Act of 1935 advanced this by establishing a Federal Court with the authority to hear cases directly and on appeal. After India gained independence, the Constitution of 1950 laid down a clear and organised judicial structure, placing the Supreme Court at the top and extending the system to include courts at every level, even up to the panchayats in villages.

India's Constitution establishes a single, well-organised judicial system that operates through various levels of courts. At the top is the Supreme Court, the highest court for both the Centre and the States. Each State has a High Court responsible for the administration of justice within its boundaries, and below it are various subordinate courts. Every district has a District and Sessions Court, headed by a District Judge, while large cities have Metropolitan Magistrates' courts. Although the arrangement of these lower courts may differ slightly from one State to another, the general pattern remains consistent across the country.

At the lowest level, the judiciary is divided into two parts: civil courts and criminal courts. Munsif Courts handle civil disputes involving claims up to ten lakh rupees. Subordinate Judges take on civil

cases with no limit on the value of the claim and also hear appeals from Munsif Courts. The District Judge deals with both civil and criminal cases and hears appeals from the lower courts within the district. The Governor appoints District Judges after consulting the High Court. To be eligible, a person must have at least seven years of experience as a lawyer. Article 233 of the Constitution addresses the appointment of District Judges, while Article 234 explains how other judicial officers are recruited through rules made by the Governor in consultation with the State Public Service Commission and the High Court.

The District Judge is the highest judicial authority in the district and supervises both civil and criminal matters. The judge also hears appeals in serious criminal cases, known as Sessions cases. In some instances, a subordinate judge may be granted the powers of an Assistant Sessions Judge to handle both civil and criminal cases. Every High Court, like the Supreme Court, is a court of record. It possesses both original and appellate powers and can punish for contempt as provided under Article 215. High Courts hear appeals from District and Sessions Courts. Each State has its own High Court, although some share one. For example, Mizoram, Arunachal Pradesh, and Nagaland share the High Court of Assam, while Punjab and Haryana have a common High Court at Chandigarh. The Bombay High Court serves both Maharashtra and Goa. At the national level, the Supreme Court stands at the pinnacle as the final court of appeal

and also exercises original and advisory powers, making it the highest authority in the Indian judicial system.

4.1.2 The Supreme Court – Composition, Powers, and Functions

The Supreme Court of India is the highest court in the country and the guardian of the Constitution. It was established on January 26, 1950, the day the Constitution came into force, replacing the Federal Court of India. Since then, it has been the final authority in legal matters and a key institution for protecting justice and citizens' rights. The Court is composed of the Chief Justice of India and 33 other judges. In 2019, the total number of judges was increased from 31 to 34. Judges are appointed by the President in consultation with the Supreme Court Collegium, which includes the Chief Justice and the four senior-most judges. By convention, the senior-most judge usually becomes the Chief Justice. Each judge serves until the age of 65.

According to *Article 124(3)* of the Constitution, a person can be appointed as a judge of the Supreme Court if they are an Indian citizen and have served as a High Court judge for at least five years, or have practised as an advocate in one or more High Courts for at least ten years, or are recognised as a distinguished legal expert. Judges of the Supreme Court do not have a fixed term but serve until they turn 65. They may resign earlier if they wish. Removing a judge is a serious and lengthy process meant to protect judicial independence. A judge can be removed only for proven misbehaviour or incapacity. The process starts with a motion in either House of Parliament, supported by at least 100 members of the Lok Sabha or 50 members of the Rajya Sabha. After an investigation, both Houses must approve the motion by a two-thirds majority, after which the President can remove the judge.

The salaries and benefits of Supreme Court judges are decided by Parliament and are paid from the Consolidated Fund of India. Under the 2018 amendment, the Chief Justice receives ₹2.80 lakh per month, while other judges receive ₹2.50 lakh per month. Judges are also provided with housing, medical facilities, travel allowances, staff support, security, and pension benefits. The Supreme Court is located in New Delhi on Tilak Marg. The building houses courtrooms, offices, and the chambers of the judges. Although New Delhi is the permanent seat, Article 130 of the Constitution allows the Court to sit in other locations if needed.

The powers of the Supreme Court are wide and include *original, appellate, and advisory* functions. Under *original jurisdiction (Article 131)*, the Court settles disputes between the central government and one or more states or between states themselves. It also has the power to issue writs under Article 32 to protect fundamental rights. In its *appellate jurisdiction*, the Supreme Court hears appeals from High Courts in constitutional, civil, and criminal cases. It can also grant special permission to hear appeals from any court or tribunal in India under Article 136. Under *advisory jurisdiction (Article 143)*, the President of India can ask the Supreme Court for its opinion on legal or public matters. Although the President is not bound to follow the advice, it helps guide important decisions.

The Supreme Court also performs other important functions. It is a *court of record (Article 129)*, meaning its decisions serve as precedents for lower courts, and it can punish for contempt. Under Article 141, its decisions are binding on all courts in India, though it can review its own judgments under Article 137. The Court can frame its own rules of procedure and appoint its officers in consultation with the President and the UPSC. It also decides disputes relating to the election of the President and Vice-President

of India and can transfer cases from one High Court to another under Article 139A.

One of the Supreme Court's most important powers is *judicial review*, which allows it to examine laws and government actions. If a law goes against the Constitution, the Court can declare it invalid. The Court also protects fundamental rights, allowing citizens to approach it directly for justice. It can issue writs such as *habeas corpus*, *mandamus*, *prohibition*, *quo warranto*, and *certiorari* to ensure these rights are upheld. Through these powers, the Supreme Court acts as the final interpreter of the Constitution, the defender of citizens' rights, and the highest authority in India's system of justice.

4.1.3 The High Court: Composition, Appointment, Powers, and Functions

The High Courts are the main courts of justice in each state or group of states in India. They stand just below the Supreme Court in the judicial system and operate under Article 214 of the Constitution. Currently, 25 High Courts serve the 28 states and 8 union territories. While most states have their own High Court, some share one. For example, Punjab and Haryana have a common High Court located in Chandigarh. High Courts deal with both original and appellate cases, meaning they can hear cases for the first time and also handle appeals from lower courts. They address civil, criminal, and constitutional matters that fall within their state's area of authority.

According to Articles 217 and 224 of the Constitution, judges of the High Court are appointed by the President of India, following consultations with the Chief Justice of India, the Governor of the state, and, if necessary, the Chief Justice of that High Court. The collegium system plays an important role in this process. The High Court collegium first recommends names, which are then

reviewed by the Supreme Court collegium before being sent to the government for final approval. To be eligible for appointment as a High Court judge, a person must be an Indian citizen under the age of 62. They must have either served as a judicial officer for at least ten years or practised as an advocate in a High Court (or multiple High Courts) for a minimum of ten years.

Judges of the High Court hold office until the age of 62. They can resign earlier by writing to the President. A judge can be removed by the President if both Houses of Parliament approve the removal on grounds of proven misbehaviour or incapacity by a two-thirds majority. The removal procedure is the same as that for Supreme Court judges. A judge's position also becomes vacant if they are appointed to the Supreme Court or transferred to another High Court. The salaries of High Court judges are fixed by Parliament and revised from time to time. As per the 2018 Amendment Act, the Chief Justice of a High Court earns ₹2.5 lakh per month, while other judges receive ₹2.25 lakh per month. They are also provided with rent-free accommodation, official vehicles, medical facilities, and travel allowances. After retirement, they receive a pension for financial security.

The independence of High Court judges is safeguarded through several constitutional measures. Judges cannot be removed except through a specific parliamentary process. Their salaries are drawn from the Consolidated Fund of the State and cannot be reduced to their disadvantage after appointment, except during a Financial Emergency. A retired High Court judge is not allowed to practise in the same High Court but can appear before the Supreme Court or a different High Court. High Courts perform many functions under their wide jurisdiction. Under Article 226, they can issue writs to enforce fundamental rights and other legal rights. Their writ powers are wider than



4.1.4 Subordinate Courts

On the civil side, the subordinate judiciary includes Subordinate Judge's Courts (Civil Judge's Courts) and Munsiff's Courts. Subordinate Judge's Courts handle civil cases with claims above ₹10 lakhs and up to ₹1 crore, while Munsiff's Courts deal with smaller civil disputes, typically involving amounts up to ₹10 lakhs. These courts serve as the courts of first instance for civil matters and ensure that smaller disputes are resolved without burdening higher courts.

Subordinate courts exercise jurisdiction in several ways. *Territorial jurisdiction* limits a court to hearing cases arising within a specific geographical area, usually a district or part of it. Subject matter jurisdiction ensures that courts hear only certain types of cases, such as family matters in family courts or criminal matters in criminal courts. *Pecuniary jurisdiction* restricts courts based on the financial value of the dispute, with Munsiff's Courts handling claims up to ₹10 lakhs and Subordinate Courts handling claims up to ₹1 crore. Many subordinate courts also have *appellate* jurisdiction, allowing them to hear appeals from lower courts, while original jurisdiction enables them to hear cases directly for the first time, such as serious criminal offences handled by the Sessions Court.

The functions of subordinate courts extend beyond simply hearing cases. They are responsible for the adjudication of civil and criminal disputes, interpreting laws, and resolving conflicts between parties. They ensure the execution of judgments, enforce court orders, recover fines, or carry out decrees. In civil matters, they may also take temporary custody and management of property, including disputed property or estates of deceased persons, until a final decision is made. Additionally, subordinate courts encourage mediation and alternative dispute resolution (ADR) methods to settle disputes outside formal trials, helping reduce the burden on the judiciary and providing quicker resolutions. In short, subordinate courts are vital to India's legal system. By handling the majority of cases at the district and local levels, they make justice accessible, maintain law and order, and provide an organised structure for the fair and efficient administration of both civil and criminal law.

4.1.5 Special Courts and Tribunals

In India, special courts are established to handle cases that require particular expertise or faster resolution. These courts ensure that complex or urgent matters are addressed efficiently, helping maintain the smooth functioning of the judicial system.

Family Courts, created under the Family Courts Act of 1984, deal with disputes related to family matters such as divorce, child custody, and maintenance. These courts follow a conciliatory approach, encouraging settlements and reducing conflict among parties. *Labour Courts*, set up under the Industrial Disputes Act of 1947, handle disagreements between employers and employees, including

issues like wages, working conditions, and wrongful termination. *Motor Accident Claims Tribunals (MACT)*, established under the Motor Vehicles Act of 1988, provide a quicker process for victims to claim compensation for accidents involving motor vehicles.

Commercial Courts, introduced under the Commercial Courts Act of 2015, are designed to resolve business-related disputes efficiently, including matters concerning contracts and trade transactions. *Cooperative Courts* address legal issues involving cooperative societies, while *Commercial Tax Tribunals* deal with disputes related to taxes such as sales tax or VAT. *NDPS Courts*, under the Narcotic Drugs and Psychotropic Substances Act of 1985, handle cases involving drug trafficking and abuse, giving such matters specialised attention.

Anti-Corruption Courts focus on cases of bribery and corruption involving public officials, ensuring timely and effective justice. *Special Courts for Atrocities on Scheduled Castes and Scheduled Tribes*, created under the SC/ST (Prevention of Atrocities) Act of 1989, address crimes against marginalised communities to provide quick relief and protection. *Fast Track Courts* are set up to expedite trials in serious criminal cases like rape and murder, providing prompt justice in urgent situations. *Juvenile Justice Boards*, under the Juvenile Justice Act of 2015, handle cases involving minors, emphasising rehabilitation and guidance rather than punishment. In short, these special courts play a vital role in India's judicial system. By focusing on cases that require specialised handling or faster resolution, they make justice more accessible, fair, and effective for all citizens.

Recap

- ◆ The Supreme Court of India is the highest judicial authority with original, appellate, and advisory jurisdiction.
- ◆ High Courts function at the state level and oversee subordinate courts within their jurisdiction.
- ◆ District and Sessions Courts handle major civil and criminal cases at the district level.
- ◆ Munsiff Courts and Subordinate Judges' Courts manage civil disputes of lower pecuniary value.
- ◆ Chief Judicial Magistrates and other magistrates handle criminal cases based on severity.
- ◆ Special courts like Family Courts, Labour Courts, and Fast Track Courts address specific types of disputes efficiently.
- ◆ The judiciary protects fundamental rights through writs and judicial review.
- ◆ Judges of the Supreme Court and High Courts are appointed by the President, following consultations with collegiums.
- ◆ Subordinate courts enforce judgments, manage property disputes, and encourage mediation or ADR mechanisms.
- ◆ The judiciary plays a critical role in maintaining the balance of power and ensuring access to justice in India.

Objective Questions

1. Which Article of the Constitution establishes the Supreme Court of India?
2. Who appoints High Court judges in India?
3. Which court handles civil disputes up to ₹10 lakhs?
4. Under which Act are Family Courts established?

5. What is the maximum age for a Supreme Court judge in India?
6. Which tribunal handles compensation claims from motor vehicle accidents?
7. Who supervises other magistrates in a district?
8. Under which Article can the Supreme Court enforce fundamental rights through writs?
9. Which court deals with offences against Scheduled Castes and Tribes?
10. Which law introduced Commercial Courts in India?

Answers

1. 124
2. President
3. Munsiff
4. 1984
5. 65
6. MACT
7. CJM
8. 32
9. SC/ST Court
10. 2015

Assignments

1. Explain the hierarchical structure of the Indian judiciary and the role of each level of court.
2. Discuss the powers and jurisdiction of the Supreme Court of India.
3. Analyse the significance of special courts in addressing specific disputes efficiently.
4. Evaluate the role of subordinate courts in providing access to justice at the grassroots level.
5. Explore the impact of judicial review and the protection of fundamental rights on India's democratic system.

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UNIT

Judicial Activism and Public Interest Litigation

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the meaning, origin, and constitutional foundation of judicial activism and Public Interest Litigation (PIL) in India
- ◆ analyse the role of the judiciary in safeguarding fundamental rights through judicial activism and PIL
- ◆ evaluate key judicial decisions that have shaped the evolution of PIL in India
- ◆ explore the balance between judicial activism, judicial restraint, and their implications for democratic governance

Prerequisite

Ravi, a second-year political science student, had always admired how the Constitution protects the rights of citizens. One day, while reading about a case on pollution, he came across a story of an environmental activist who filed a petition in the Supreme Court demanding action to clean the Ganga River. The Court accepted the case in the public interest, even though the activist was not personally affected. Curious, Ravi asked his professor how such petitions were allowed. The professor explained that this was an example of Public Interest Litigation (PIL)—a process that allows any concerned citizen to seek justice for others, especially the poor and voiceless. This led Ravi to explore judicial activism, where judges take an active role in protecting rights and promoting social justice. Eager to learn more, he decided to study how Articles 32, 226, and 21 empower the courts to uphold the ideals of equality and justice.

Keywords

Judicial Restraint, Fundamental Rights, Locus Standi

Discussion

4.2.1 Introduction

The judiciary is one of the main pillars of a democratic system. Its basic duty is to interpret laws, apply them fairly, and protect the Constitution as the highest law of the country. Over time, the role of the judiciary in India has grown beyond this limited task. It has become an important force for protecting citizens' rights, ensuring accountability, and keeping the spirit of the Constitution alive. This active and purposeful role of the courts is known as *judicial activism*. Judicial activism means that the courts take a leading role in promoting justice, defending people's rights, and stepping in when the legislature or the executive fails to act. Justice V.R. Krishna Iyer described it as the "*dynamic use of judicial power to promote social justice*." Similarly, S.P. Sathe explained it as the active interpretation of the Constitution to meet the needs of society as it changes. In India, judicial activism became stronger during the late 1970s and early 1980s, especially after the Emergency period (1975–77). During this time, the courts began to reassert their power to protect the rights of citizens. They gave new meaning to *Article 21* of the Constitution, which protects the right to life and personal liberty. The courts stated that this right includes not just life in a narrow sense but also the right to live with dignity—covering aspects such as livelihood, health, education, and a clean environment.

A related development was the rise of **Public Interest Litigation (PIL)**, an idea that made justice more accessible. Through PIL, anyone could approach the court for the

protection of others who were poor, helpless, or unable to fight for their rights. The courts made this possible by relaxing old rules that allowed only directly affected persons to file cases. In the years that followed, judicial activism and PIL became powerful means of bringing justice closer to the people. The Supreme Court and High Courts started taking up cases concerning human rights, corruption, women's safety, and the environment. Some well-known examples include *Vishaka v. State of Rajasthan* (1997), which led to laws against sexual harassment at work, and the *M.C. Mehta* cases, which helped strengthen environmental protection in India. Together, judicial activism and PIL have transformed the way justice operates in the country. They demonstrate how the judiciary acts not only as a guardian of the Constitution but also as a driving force for social change—ensuring that justice reaches everyone, not just those with power or privilege.

4.2.2 Judicial Activism: Meaning and Definition

The judiciary has a key place in any democracy. In India, it acts as the guardian of the Constitution and protects the rights of the people. Over the years, the role of the courts has grown beyond simply reading and applying the law. Judges have taken active steps to ensure that justice is done in real terms and not just in words. This active and responsive approach of the courts is known as *judicial activism*. Judicial activism is not a new idea, but in India, it has developed its own special form. This is because India



has a written Constitution, many social and economic challenges, and a continuing need to uphold the rule of law. In simple terms, judicial activism means that judges take an active role in interpreting laws so that justice is achieved and the goals of the Constitution are fulfilled. It demonstrates the willingness of the courts to look beyond the narrow meaning of legal texts to protect people's rights and promote their welfare.

According to M.P. Jain, judicial activism is the “use of judicial power by courts to protect and promote the rights of citizens and to secure justice where the law or executive action is weak or missing.” S.P. Sathe, in his book *Judicial Activism in India: Transgressing Borders and Enforcing Limits*, explains it as “the active interpretation of the Constitution and laws by judges to meet the changing social, political, and economic needs of society.” He adds that through thoughtful interpretation, judges can give new and practical meaning to existing laws so that they work better in the present context. Similarly, D.D. Basu states that judicial activism is “the process by which courts protect the rights of individuals and uphold constitutional values when the legislature or executive fails to act.” In short, judicial activism means that the courts do more than just follow the written law. They interpret it in a way that serves the broader purpose of the Constitution—ensuring justice, equality, and liberty for all. It reflects the living spirit of the Constitution, which must grow and adapt to the needs of society.

4.2.3 Origin and Evolution of Judicial Activism

Judicial activism developed through the experiences of different legal systems. The idea first took shape in the Anglo-American tradition, but it was in the United States that it found its true expression. Later, it spread to other democratic countries, including India, where it grew into a unique and socially conscious movement.

In India, judicial activism evolved as the courts began to use their powers to protect the aims of the Constitution—mainly the protection of fundamental rights and the promotion of social justice. The expression *Judicial Activism* was first used by Arthur Schlesinger Jr., an American historian, in 1947 in an article in *Fortune* magazine. He used the term to describe judges of the U.S. Supreme Court who took a more active role in shaping public policy through their decisions. However, the practice of active judicial involvement existed long before the term was coined. Its roots go back to the early 19th century, when Chief Justice John Marshall of the U.S. Supreme Court established the principle of *judicial review* in the landmark case *Marbury v. Madison* (1803). This judgment gave the courts the power to strike down laws that were contrary to the Constitution. Since then, American courts have played an important role in upholding the supremacy of the Constitution.

During the 20th century, the U.S. Supreme Court, especially under Chief Justice Earl Warren (1953–1969), became known for its activist role. It expanded the meaning of civil rights and equality through several historic decisions such as:

- ◆ *Brown v. Board of Education* (1954) – which ended racial segregation in schools,
- ◆ *Miranda v. Arizona* (1966) – which protected the rights of accused persons, and
- ◆ *Roe v. Wade* (1973) – which recognised a woman's right to privacy and abortion.

These cases demonstrated how courts could bring about social change when other branches of government failed to act. Judicial activism thus became a means to protect constitutional values and defend the rights of citizens, especially those who were vulnerable.

In the years following independence, the Indian judiciary adopted a careful and limited approach. Influenced by the British tradition and the principle of separation of powers, the courts refrained from interfering in policy matters managed by the legislature or executive. As M.P. Jain explains, during this period the Supreme Court primarily addressed constitutional and administrative disputes and adhered closely to the literal meaning of the law. The Court respected Parliament's authority. In *A.K. Gopalan v. State of Madras* (1950), for example, the Court provided a narrow interpretation of **Article 21**, stating that personal liberty could be restricted by any law passed by the legislature. The real shift occurred with *Kesavananda Bharati v. State of Kerala* (1973). In this historic case, the Supreme Court held that while Parliament could amend the Constitution, it could not alter its **basic structure**. Principles such as democracy, the rule of law, and judicial review were declared part of this basic structure. This decision reinforced the judiciary's role as the protector of the Constitution. As Granville Austin observed, the judgment marked "a turning point where the Court became the guardian of the spirit of the Constitution."

The Emergency period (1975–77) significantly impacted the relationship between the government and the judiciary. The Supreme Court's decision in *ADM Jabalpur v. Shivkant Shukla* (1976), which permitted the suspension of fundamental rights, drew heavy criticism. After the Emergency ended, the judiciary began to rebuild public trust. In *Maneka Gandhi v. Union of India* (1978), the Court redefined **Article 21**, stating that the right to life includes the right to live with dignity and that no person can be deprived of liberty except by a **fair, just, and reasonable law**. This case laid the foundation for a new phase of judicial activism. The judiciary began interpreting the Constitution more broadly and humanely, leading to the recognition of

new rights such as the right to education, health, livelihood, and a clean environment.

The 1980s ushered in a significant transformation with the rise of *Public Interest Litigation (PIL)*. Under the leadership of judges like Justice P.N. Bhagwati and Justice V.R. Krishna Iyer, the Supreme Court opened its doors to individuals and organisations advocating for the poor and disadvantaged. The Court permitted anyone concerned with public welfare to file a petition, making justice more accessible to all. This was a significant step toward transforming the judiciary into a tool for social justice. Some key cases from this period include:

- ◆ *Hussainara Khatoon v. State of Bihar* (1979) – recognised the right to a speedy trial,
- ◆ *S.P. Gupta v. Union of India* (1981) – recognised PIL as a legitimate judicial process,
- ◆ *People's Union for Democratic Rights v. Union of India* (1982) – protected the rights of workers, and
- ◆ *M.C. Mehta v. Union of India* (1986) – advanced environmental protection.

As Upendra Baxi described, the Supreme Court during this period became a *people's* court, reaching out to those who could not access it on their own. In recent decades, judicial activism in India has expanded into areas beyond rights protection. The courts have begun playing a role in issues of governance, administration, environment, education, and corruption. Cases such as *Vineet Narain v. Union of India* (1998) (on CBI independence), *Vishaka v. State of Rajasthan* (1997) (on workplace sexual harassment), and *Navtej Singh Johar v. Union of India* (2018) (on LGBTQ+ rights) illustrate how the judiciary continues to strengthen democracy and individual freedom. At the same time, this period has also raised concerns

about judicial overreach, where courts are perceived as stepping into the domain of the legislature or executive. Scholars like S.P. Sathe and Subhash C. Kashyap have pointed out that while judicial activism is necessary for ensuring accountability, it must remain within constitutional boundaries to maintain the balance of power among the three branches of government.

4.2.4 Judicial Review and Judicial Activism

In India's constitutional democracy, the judiciary plays a crucial role in protecting citizens' rights and upholding the rule of law. Two important concepts that guide its work are *judicial review* and *judicial activism*. Though related, they are not the same. Judicial review is the power the courts have under the Constitution, while judicial activism describes how the courts use that power to achieve justice. Understanding the difference helps us see how the judiciary has evolved to respond to the needs of society. Judicial review is the power of the courts to examine laws and government actions to ensure they comply with the Constitution. If a law or order contravenes the Constitution, the courts can declare it invalid. This ensures that the Constitution remains the supreme law of the land. As M.P. Jain explains, *judicial review is the authority of the courts to declare legislative and executive acts void if they are inconsistent with the provisions of the Constitution*. D.D. Basu describes it as *a way to maintain constitutional supremacy and prevent misuse of power by any branch of government*. In India, judicial review is based on Articles 13, 32, 131–136, and 226 of the Constitution, which allow the Supreme Court and High Courts to examine legislative and executive actions.

Judicial activism, in contrast, goes beyond checking whether laws follow the

Constitution. It involves *a proactive and creative approach by judges to interpret laws in a way that promotes justice and meets social needs*. S.P. Sathe defines it as *the active interpretation of the Constitution and statutes by judges to respond to the changing social, political, and economic needs of society*, while Justice V.R. Krishna Iyer calls it *the dynamic use of judicial power to promote social justice*. In India, judicial activism became more prominent after the Emergency (1975–77), through judgments like *Maneka Gandhi v. Union of India* (1978) and the development of Public Interest Litigation (PIL). These allowed courts to broaden the interpretation of fundamental rights to include the right to livelihood, health, environment, and dignity.

Key differences between judicial review and judicial activism can be seen in their purpose and scope. Judicial review is a constitutional power that ensures laws and government actions comply with the Constitution. Judicial activism uses that power to achieve justice, fill gaps in the law, and guide social change. Judicial review is limited to testing constitutionality, while activism can involve interpreting rights broadly and issuing guidelines when laws are silent. For example, *Kesavananda Bharati v. State of Kerala* (1973) is a classic case of judicial review establishing the Basic Structure Doctrine, while *Vishaka v. State of Rajasthan* (1997) and *M.C. Mehta v. Union of India* (1986) show judicial activism addressing social issues like sexual harassment and environmental protection.

Judicial review provides the foundation for judicial activism. Without review, courts would have no constitutional authority to act. Judicial activism begins where review ends—when courts go beyond striking down laws to suggest remedies and new directions. For instance, in *Kesavananda*

Bharati, the Supreme Court used review to limit Parliament's power to amend the Constitution, while in Vishaka, it issued guidelines to protect women in the absence of legislation. In conclusion, both judicial review and judicial activism are essential for a functioning democracy. Review protects the Constitution and maintains the balance of power, while activism ensures that justice reaches people and the law evolves with society. As D.D. Basu *emphasises, when applied carefully, judicial activism makes the Constitution a living document, but it must stay within constitutional limits to preserve harmony between law, justice, and governance.*

4.2.6 Public Interest Litigation

Public Interest Litigation (PIL) is one of the most important developments in India's legal system. It demonstrates how the courts have taken an active role in making justice accessible, especially for people who are poor, marginalised, or unable to approach the courts on their own. PIL emerged from the idea of judicial activism, transforming the role of the courts from merely resolving disputes to protecting the larger public interest. PIL permits anyone—a person, group, or organisation—to go to court not for personal gain, but to defend the rights and interests of society or disadvantaged groups. It provides the courts with an opportunity to assist those who cannot access justice themselves. According to M.P. Jain, PIL is litigation filed to protect individuals who cannot approach the court directly due to poverty, disability, or social disadvantage. Upendra Baxi refers to it as a way to *democratise justice*, enabling courts to respond to issues affecting weaker sections of society, human rights violations, and matters of public concern. S.P. Sathe explains that PIL alters the traditional rule of locus standi, allowing concerned citizens or organisations to represent those who cannot approach the

court themselves.

PIL primarily focuses on promoting social justice. It ensures that justice is not exclusively available to those who can afford legal assistance. It relaxes the usual rule that only directly affected individuals can file a case, thereby enabling concerned citizens, activists, or groups to intervene. PIL also reflects the courts' proactive role in interpreting the Constitution to safeguard public interest, enforce fundamental rights, and encourage good governance. PIL serves both to rectify past wrongs and to prevent future issues. Courts can issue directions or guidelines to avert harm. Its scope is broad, encompassing issues such as the environment, human rights, public health, education, corruption, and labour rights. PIL has been employed to address bonded labour, custodial deaths, pollution, and gender justice. The courts also adopt a flexible approach to enhance accessibility to justice, sometimes taking up cases on their own (suo motu PIL) without a formal petition.

4.2.6.1 Historical Background and Evolution of PIL in India

Public Interest Litigation (PIL) represents one of the most remarkable changes in India's legal system. It was introduced to make justice accessible to everyone, particularly the poor, the weak, and those who cannot reach the courts on their own. Through PIL, the judiciary moved beyond merely settling disputes between individuals and began taking steps to protect public welfare and constitutional values. It became an essential part of India's movement towards social justice. In the early years following independence, the Indian judiciary operated in a limited capacity. The courts primarily focused on interpreting laws and resolving disputes between specific parties. According to the strict rule of *locus standi*, only those directly affected by a matter could approach

During this time, the courts also adopted a cautious approach and avoided interfering in matters of policy. In *A.K. Gopalan v. State of Madras* (1950), for example, the Supreme Court gave a narrow interpretation to the right to personal liberty under Article 21 of the Constitution and refused to consider broader issues of justice. This approach highlighted the limitations of the judiciary in addressing larger social and economic problems. The situation began to change after the Emergency period (1975–77). The Emergency exposed how judicial silence could undermine democracy and individual rights. Subsequently, the judiciary became more active in defending constitutional values and citizens' rights. This marked the beginning of a new phase in which the courts assumed a more direct role in promoting social justice. During the late 1970s and early 1980s, judges such as Justice V.R. Krishna Iyer and Justice P.N. Bhagwati played a key role in shaping Public Interest Litigation (PIL). They relaxed the traditional rule of *locus standi* and allowed concerned citizens, social workers, and organisations to approach the courts on behalf of those who could not do so themselves. This opened the doors of justice to a much larger section of society and made the courts more responsive to public concerns.

- ◆ ***Hussainara Khatoon v. State of Bihar (1979)***: The Court ordered the release of thousands of undertrial prisoners who had been kept in jail for years without trial. This case established the right to a speedy trial as part of the right to life and liberty.

- Through these cases, PIL became a tool for making justice more inclusive. It helped the courts act not just as arbiters of the law but also as protectors of the public good. The main features of PIL include widening access to justice, empowering citizens to raise issues of public concern, and allowing the judiciary to take preventive and corrective action. Sometimes, the courts have even initiated PIL cases on their own (*suo motu*), based on newspaper reports or public complaints. In the years that followed, PIL became an essential part of India's legal system. The courts used it to address a wide range of issues—human rights, gender justice, environmental protection, corruption, public health, and education. Through PIL, the judiciary strengthened its role as the guardian of the Constitution and intervened when other branches of government failed to act. Legal scholars like Upendra Baxi and S.P. Sathe describe PIL as a bridge between law and social justice. They argue that it allows the courts to serve the people more directly and make the Constitution meaningful in daily life. In this way, PIL has become a symbol of participatory justice—ensuring that the rights promised in the Constitution reach everyone, especially the most vulnerable.

4.2.6.2 Constitutional and Legal Basis of PIL in India

Public Interest Litigation (PIL) in India derives its strength from the Constitution. It reflects the judiciary's responsibility to protect fundamental rights and promote justice for all. The idea of PIL is supported mainly by Articles 32 and 226, the expanded meaning of Article 21, and the Directive Principles of State Policy (DPSPs). Together, these parts of the Constitution grant courts the power to act for the welfare of society and make justice accessible even to those who cannot reach the courts themselves.

The foundation of PIL lies in Articles 32 and 226. These two provisions empower the Supreme Court and the High Courts to protect citizens' rights and ensure that the government acts according to the Constitution. Article 32 was called the *heart and soul of the Constitution* by Dr. B.R. Ambedkar. It gives every citizen the right to approach the Supreme Court to protect their fundamental rights. The Court can issue different kinds of writs such as *habeas corpus*, *mandamus*, *prohibition*, *certiorari*, and *quo warranto* to enforce these rights. In the early years, only a person directly affected by a violation could approach the court. This rule made it difficult for the poor or marginalised to

seek justice. Gradually, the Supreme Court relaxed this rule and allowed any concerned person or organisation to file a case on behalf of those unable to do so. This change laid the foundation for PIL.

The case of *S.P. Gupta v. Union of India (1981)* played a major role in this shift. Justice P.N. Bhagwati stated that when the rights of the poor or disadvantaged are at risk, any public-spirited citizen can approach the court. This marked the beginning of PIL as a means to promote social justice and protect collective rights. Article 226 gives the High Courts similar powers but with an even wider scope. It allows High Courts to issue writs not only for the protection of fundamental rights but also *for any other purpose*. This provides them with greater flexibility in dealing with public issues. For example, in *Sheela Barse v. State of Maharashtra (1983)*, the Bombay High Court took action against the mistreatment of women prisoners and ordered reforms in prison conditions. This case demonstrated how High Courts can use Article 226 to protect the public interest. Together, Articles 32 and 226 ensure that justice is not limited to individuals but extends to society as a whole. These provisions allow the courts to intervene when the rights of citizens are ignored or violated.

Recap

- ◆ Judicial activism refers to the proactive role of courts in promoting justice and interpreting the Constitution in a liberal way.
- ◆ Public Interest Litigation (PIL) allows individuals or groups to approach courts on behalf of those unable to seek justice themselves.

- ◆ Articles 32 and 226 provide the constitutional foundation for judicial review and PIL in India.
- ◆ The expansion of Article 21 has broadened the concept of the right to life to include livelihood, health, education, and the environment.
- ◆ The judiciary used PIL to give practical effect to the Directive Principles of State Policy (DPSPs).
- ◆ Judicial activism grew after the Emergency period as courts began safeguarding civil liberties more vigorously.
- ◆ Cases like *Maneka Gandhi v. Union of India* and *M.C. Mehta v. Union of India* marked milestones in the development of PIL.
- ◆ Judicial restraint and activism represent two contrasting approaches to the use of judicial power.
- ◆ PIL has become a vital tool for social justice and environmental protection in India.
- ◆ The judiciary continues to balance its activist role with the need to respect legislative and executive powers.

Objective Questions

1. Which Article of the Indian Constitution is known as the *heart and soul* according to Dr. B.R. Ambedkar?
2. Name the judges who were credited with expanding the scope of PIL in India.
3. In which case did the Supreme Court widen the interpretation of Article 21?
4. Which Article empowers the High Courts to issue writs for fundamental rights and other purposes?
5. What does the term locus standi refer to?
6. Which case dealt with the rights of undertrial prisoners and marked the beginning of PIL in India?

7. Which case linked the right to education with Article 21?
8. What do the Directive Principles of State Policy (DPSPs) primarily aim to achieve?
9. Judicial restraint emphasises what kind of approach by the judiciary?
10. Which Article provides for the enforcement of fundamental rights by the Supreme Court?

Answers

1. Article 32
2. Justice P.N. Bhagwati and Justice V.R. Krishna Iyer
3. Maneka Gandhi v. Union of India
4. Article 226
5. Right to sue or stand before a court
6. Hussainara Khatoon v. State of Bihar
7. Unnikrishnan J.P. v. State of Andhra Pradesh
8. Social and economic welfare
9. Cautious
10. Article 32

Assignments

1. Explain the constitutional foundation of Public Interest Litigation (PIL) in India with reference to Articles 32 and 226.
2. Discuss how judicial activism has contributed to the protection of fundamental rights in India.
3. Evaluate the role of Article 21 in expanding the scope of justice through PIL.
4. Compare and contrast the concepts of judicial activism and judicial restraint with suitable examples.
5. Analyse the importance of PIL as a tool of social and economic justice in the Indian democratic system.

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UNIT

Role of Supreme Court as guardian of the Constitution

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the idea of constitutional supremacy and the Supreme Court's responsibility in protecting the Constitution
- ◆ analyse the powers of judicial review, writ jurisdiction, and other constitutional provisions that support the Supreme Court's guardian role
- ◆ evaluate major Supreme Court decisions related to the basic structure doctrine, fundamental rights, federalism, and democratic accountability
- ◆ explore contemporary developments that demonstrate how the Supreme Court continues to protect constitutional values in modern times

Prerequisite

Rohit, a first-year undergraduate student, often wondered how a country as large and diverse as India stays united under one Constitution. One day, while travelling on a crowded bus, he overheard two passengers discussing a Supreme Court judgment that had stopped the misuse of a law. Their conversation caught his attention, and he began to read more about how the Constitution shapes decisions in the country. As he explored further, he discovered that the Supreme Court protects people's rights and prevents any authority from crossing constitutional limits. He realised that the Court does much more than settle disputes; it acts as a shield for the Constitution. This unit continues from that understanding. Students who already know the basics of the Constitution, fundamental rights, and the structure of government will find it easier to understand how the Supreme Court serves as the guardian of India's constitutional order.

Keywords

Constitutional Supremacy, Judicial Review, Basic Structure, Writ Jurisdiction, Public Interest Litigation, Fundamental Rights

Discussion

The Constitution of India is the foundation of our political and legal system. It explains how the government should work, how power is shared, and what rights every person can expect. The basic idea behind it is that those who hold public authority must act within the limits set by the Constitution. This idea, known as constitutionalism, ensures that power is not misused and that citizens remain protected under the rule of law. In a diverse country like India, where people follow different cultures, languages, and beliefs, such a guiding document is essential. The Constitution brings order, fairness, and stability. However, a Constitution cannot protect itself. It needs an independent institution that can interpret its meaning and prevent its violation. This role is performed by the Supreme Court of India, which stands at the top of the judicial system.

The Supreme Court examines whether laws passed by Parliament or actions taken by the government comply with the Constitution. If any law or action goes against constitutional principles, the Court has the authority to correct it. When a person's fundamental rights are affected, the Court can step in to offer protection. Article 32, which allows people to approach the Court directly, reflects the importance the framers placed on this safeguard. Through its decisions, the Supreme Court has played a key role in keeping the Constitution meaningful in daily life. It has protected personal freedoms, clarified the limits of government power, and ensured fairness in many areas such as elections, federal relations, and constitutional

amendments. These judgments demonstrate how the Court acts as a check on the other branches of government and keeps public authority within constitutional boundaries. This understanding leads to an important idea: the Constitution is the highest law of the land, and all institutions must follow it. This is known as constitutional supremacy. The Supreme Court's role as guardian exists because the Constitution stands above all forms of authority in India.

4.3.1 Constitutional Supremacy: Meaning and Significance

Constitutional supremacy means that the Constitution is the highest authority in the country. Every law, policy, and decision made by the government must comply with the Constitution. If any action contravenes it, that action can be challenged in court and even annulled. This principle protects individuals from the misuse of power and ensures that the functioning of the State remains within clear and predictable limits.

A simple comparison with the United Kingdom aids in understanding this concept better. The UK does not have a single written constitution, and Parliament there has the final say in most matters. Courts in the UK cannot strike down a law passed by Parliament. India chose a different system. By adopting a written Constitution, India ensured that the Constitution—not Parliament—is the ultimate source of authority. This means no institution can act above or outside it.



The framers of the Indian Constitution sought to impose strong limits on public power. They believed that granting Parliament absolute authority could endanger citizens' rights, especially in a society as diverse as India. By placing the Constitution above every branch of government, they established a system where power is granted by the Constitution but also regulated by it.

Several constitutional provisions illustrate this clearly. Article 13 states that any law that violates fundamental rights is invalid. Article 32 allows individuals to approach the Supreme Court directly if their rights are infringed. Article 136 empowers the Supreme Court to review decisions from any court or tribunal. Article 141 makes the Court's decisions binding on all other courts. Together, these Articles enable the Supreme Court to protect the Constitution and uphold its authority.

The principle of separation of powers further reinforces constitutional supremacy. The Constitution assigns distinct responsibilities to the legislature, the executive, and the judiciary. Each must operate within its own domain and respect the limits set by the Constitution. The Supreme Court plays a vital role by ensuring that these branches adhere to those limits and rectifying them when they do not.

4.3.2 Guardian role of the Supreme Court: Constitutional Foundations

The Supreme Court is able to act as the guardian of the Constitution because the Constitution itself grants the Court strong and clearly defined powers. One of the most important of these is the power of judicial review. This allows the Court to assess whether a law passed by Parliament or an action taken by the government complies with the Constitution. If a law violates

fundamental rights, Article 13 renders it invalid. Article 32 grants individuals the right to seek the Court's assistance when their rights are compromised. Articles 131 to 136 further strengthen the Court's position by allowing it to hear significant constitutional disputes, resolve issues between the Union and the States, and review decisions of other courts. These provisions help the Supreme Court maintain the overall integrity of the constitutional system.

The Court also uses its writ jurisdiction to protect rights. Under Article 32, it can issue writs to stop unlawful detention, correct the misuse of power, or require public officials to perform their duties. High Courts can do the same through Article 226. This system allows individuals to approach the courts when they need quick relief and ensures that government authorities do not act beyond their legal limits. The Constitution grants the Supreme Court different types of jurisdiction, each supporting its role as the final protector of the constitutional order. Its original jurisdiction allows it to hear disputes between the Union and the States. Through its appellate jurisdiction, it can examine decisions from High Courts, helping to maintain consistency in the country's legal system. The Court also has advisory jurisdiction, which allows the President to seek its opinion on important legal questions. Through these functions, the Court ensures that constitutional issues are handled carefully and uniformly.

A crucial factor that strengthens the Court's guardian role is judicial independence. The Constitution protects judges by providing them with security of tenure, fixed salaries, and a strict process for removal. The collegium system, which decides judicial appointments, aims to keep the selection of judges free from political pressure. These safeguards ensure that judges can make

decisions without fear or influence, which is essential for upholding the Constitution. Together, these features give the Supreme Court both the authority and the independence needed to protect constitutional values. They enable the Court to act when rights are violated, correct unlawful actions of public authorities, and ensure that every branch of government stays within the limits set by the Constitution.

4.3.4 Supreme Court as the Guardian of Constitutional Supremacy

The judiciary, especially the Supreme Court, plays a central role in keeping the Constitution above all forms of authority. One of its most important duties is to protect fundamental rights. If a person feels that their rights have been violated, they can approach the Supreme Court under Article 32 or the High Courts under Article 226. The Court examines whether the law or government action is fair and whether it respects the limits set by the Constitution. Over the years, the Supreme Court has given a wider and more practical meaning to rights such as liberty, equality, and dignity, ensuring that these rights remain meaningful in everyday life.

The Supreme Court also keeps a check on both the executive and the legislature. When Parliament passes a law or the government makes a major decision, the Court can review it to see if it fits within the Constitution. If the Court finds that something exceeds the powers granted by the Constitution, it can set it aside. This ensures that power is not misused and that the actions of public authorities remain within legal boundaries.

The growth of Public Interest Litigation (PIL) has made the Court's role even more effective. PIL allows individuals to approach the Court on matters that affect the public or

disadvantaged groups who may not be able to file cases themselves. Through PIL, the Supreme Court has taken up issues relating to the environment, the rights of workers, women, children, and many others. This has made justice more accessible and has helped the Court address larger questions of fairness and constitutional values.

The Court also protects India's federal structure. When disputes arise between the Union and State governments, the Supreme Court acts as a neutral body to resolve them. A well-known example is the judgment in *S.R. Bommai v. Union of India*, where the Court made it clear that Article 356 cannot be used by the central government to dismiss State governments for political reasons. This ruling strengthened federalism and ensured that the balance of power between the Union and the States is respected. Through these responsibilities, the judiciary ensures that the Constitution remains the guiding force of the country. By protecting rights, reviewing government actions, encouraging public-spirited cases through PIL, and preserving the federal balance, the Supreme Court maintains constitutional supremacy and supports the functioning of a fair and democratic system.

4.3.5 Constitutional Guardianship and the Basic Structure Doctrine

The Supreme Court's role as the guardian of the Constitution became clearer after its decision in the *Kesavananda Bharati* case in 1973. In that case, the Court had to decide whether Parliament could change any part of the Constitution. The judges agreed that Parliament has the power to amend the Constitution, but it cannot change its basic structure. This decision protected the core values of the Constitution and set limits on how far Parliament can go while making amendments.

Over time, other important cases have strengthened this principle. In the *Minerva Mills Case* (1980), the Court held that Parliament cannot take away the balance between fundamental rights and directive principles. In the *I.R. Coelho Case* (2007), the Court ruled that even laws placed in the Ninth Schedule must adhere to the basic structure. In the *NJAC case* (2015), the Court protected judicial independence by striking down an amendment that sought to change the system of appointing judges.

4.3.6 Judicial Supremacy vs. Constitutional Supremacy

Several judgments show how the Supreme Court sees its own role. In *Kesavananda Bharati v. State of Kerala* (1973), the Court held that Parliament can amend the Constitution but cannot damage its basic structure. While doing so, the Court also stressed that it too must respect the Constitution and cannot act beyond it. Later, in the *Supreme Court Advocates-on-Record Association v. Union of India* (NJAC case, 2015), the Court struck down the change in the system of appointing judges because it felt that judicial independence is part of the basic structure. Even in that decision, the Court explained that it was not claiming absolute power but was only protecting a core constitutional value.

There are many examples where the Court chose to exercise restraint. In *S.R. Bommai v. Union of India* (1994), the Court reviewed the misuse of Article 356 but avoided interfering in purely political issues unless they clearly violated the Constitution. In *Balco Employees' Union v. Union of India* (2002), the Court refused to interfere in economic policy decisions, saying that such choices belong to the government. In

Aravali Golf Club v. Chander Hass (2008), the Court cautioned judges against taking over the functions of the executive and reminded them that courts cannot run the administration.

These decisions often appear in discussions of judicial activism and judicial overreach. Judicial activism refers to cases where the Court takes a more active role, particularly to protect rights or address issues that other branches have ignored. Many significant rulings on the environment, workers' rights, and women's rights have emerged from this approach. Conversely, judicial overreach occurs when the Court is perceived as stepping into matters that clearly belong to the executive or the legislature. Opinions vary on where the line should be drawn, and this debate continues. Together, these cases illustrate that the Supreme Court's duty is to protect the Constitution, not to place itself above it. The Court intervenes when constitutional limits are crossed and steps back when an issue belongs to another branch of government. In doing so, it keeps the Constitution at the centre of the system and ensures that power remains balanced in a democratic society.

4.3.7 Recent Developments

In recent years, the Supreme Court has taken several important steps that have strengthened its role as the protector of the Constitution. One of the most impactful decisions was the Electoral Bonds ruling of 2024. In this case, the Court held that citizens have a right to know who funds political parties. By striking down the scheme, the Court made it clear that secrecy in political donations affects fairness in elections and undermines public trust. The judgment reinforced the idea that transparency is essential for a strong and healthy democracy. During 2023 and 2024, the Supreme Court also began hearing many long-pending

constitutional questions through Constitution Benches. These larger benches examined issues that had remained undecided for years. By finally addressing these matters, the Court ensured that important constitutional doubts were resolved and that the understanding of the Constitution remained clear and current.

Another significant area where the Court made progress was environmental protection. Emphasising that natural resources belong to the public and must be protected, the Court reminded the government of its duty to safeguard forests, water bodies, and other natural spaces. Recent decisions have indicated that the Court views environmental protection as part of the right to life under Article 21. This approach helps ensure that development does not come at the expense of harming the environment or future generations. Issues relating to judicial appointments also received attention. The Supreme Court began sharing more reasons behind its collegium recommendations to improve transparency. At the same time, it maintained that an independent judiciary is essential for protecting the Constitution. These efforts have helped build greater public confidence in the appointment process without undermining judicial independence.

The Court has also used its powers under Articles 32 and 142 to protect personal liberty and ensure fairness in many situations where ordinary legal processes may have been slow or ineffective. Article 32 allows any person to approach the Supreme Court directly when their fundamental rights are at risk. The Court has often relied on this power to release individuals who were unlawfully detained, to grant bail in cases where arrests appeared unjustified, and to stop investigations or actions that clearly violated constitutional protections. These interventions demonstrate how seriously the Court treats personal liberty, which it has

repeatedly described as the “most precious” of all fundamental rights.

Article 142 gives the Supreme Court the power to do “complete justice” in any matter before it. The Court uses this power sparingly, but when it does, it aims to provide relief that may not be possible through the usual legal procedures. For example, the Court has used Article 142 to resolve long-running disputes, protect vulnerable groups, simplify complicated legal issues, and ensure that people receive justice without unnecessary delay. In some cases, it has issued directions to settle matters even when the existing law did not offer a clear remedy, especially when fairness required immediate action.

Through these steps, the Supreme Court shows that its duty is not limited to interpreting the Constitution in theory but also involves acting when individuals face real and urgent harm. By preventing misuse of criminal law, correcting arbitrary actions, and offering timely relief in pressing situations, the Court strengthens public faith in the justice system. These actions reflect the Court’s understanding that constitutional rights must be meaningful in practice and not only in writing.

4.3.8 Landmark Supreme Court Judgments

Some of the major Supreme Court judgments that reiterated the role of the Judiciary as the guardian of the Constitution are discussed below.

The Kesavananda Bharati judgment (1973) is widely known for shaping India’s constitutional law. In this case, the Court examined how far Parliament could go while amending the Constitution. The judges held that Parliament may change many parts of the Constitution, but it cannot touch its Basic Structure. This decision placed a clear limit on Parliament’s power and protected the

core values of the Constitution.

The Golaknath case (1967) came before the Court a few years earlier. Here, the Court held that Parliament could not amend fundamental rights at all, treating them as fixed and untouchable. Although this view was later modified in Kesavananda Bharati, the case played an important role by emphasising the importance of fundamental rights and the need to protect them from excessive amendments.

In the Maneka Gandhi case (1978), the Court gave new meaning to the right to life and personal liberty under Article 21. Maneka Gandhi’s passport was taken away without proper justification, and she challenged this action. The Supreme Court held that any law or procedure affecting personal liberty must be fair, reasonable, and just. This ruling expanded Article 21 and strengthened individual freedoms.

The Minerva Mills case (1980) once again tested Parliament’s amending powers. The Court struck down parts of the 42nd Constitutional Amendment and stated that Parliament cannot give itself unlimited power. It also asserted that a balance must exist between fundamental rights and directive principles. This judgment reinforced the basic structure doctrine and protected the essential features of the Constitution.

In S.R. Bommai v. Union of India (1994), the Court examined the use of Article 356, which allows the Centre to impose President’s Rule in a state. The Court ruled that this power cannot be used for political reasons and that the majority of a state government must be tested on the floor of the Assembly. This decision strengthened federalism and curbed the misuse of Article 356.

The I.R. Coelho decision (2007) dealt with laws placed in the Ninth Schedule. Previously, many believed that such laws

were protected from judicial review. The Court ruled that even these laws must adhere to the basic structure of the Constitution. This ensured that Parliament cannot avoid scrutiny by placing laws in the Ninth Schedule.

The Electoral Bonds judgment (2024) focused on transparency in political funding. The Court struck down the scheme because it allowed anonymous donations to political parties. It held that voters have a right to know who funds political activity and that secrecy in political finance harms democracy. This ruling strengthened transparency and accountability in elections.

The Aadhaar judgment (2018) addressed concerns about privacy and the use of personal information. The Court upheld the use of Aadhaar for welfare schemes but ruled that it cannot be made mandatory for bank accounts, mobile numbers, and several other services. The judgment confirmed that the right to privacy is a fundamental right and highlighted the need for safeguards when the State collects personal data.

Taken together, these cases demonstrate how the Supreme Court has protected rights, limited the misuse of power, supported federalism, improved transparency, and kept the Constitution at the centre of the country's democratic system.

4.3.9 Conclusion

India's constitutional system is built on the idea that the Constitution is the highest source of authority. This principle of constitutional supremacy guides every branch of government and ensures that public power is exercised within clear limits. The Supreme Court plays a key role

in maintaining this structure through judicial review, which allows the Court to examine laws and government actions and stop them if they violate the Constitution. Over the years, the Court has used this power to protect fundamental rights, uphold fairness, and prevent the misuse of authority. The basic structure doctrine has further strengthened the Court's role. By holding that certain core features of the Constitution cannot be altered, even by Parliament, the Court has protected the essential values that define India's democracy. These include judicial independence, federalism, the rule of law, free elections, and the guarantee of rights. The doctrine has helped the Court preserve the stability and identity of the Constitution, even during periods of political pressure.

In recent years, the Supreme Court has continued to act as a strong guardian of constitutional principles. Its decisions on electoral funding, environmental protection, personal liberty, and misuse of criminal law demonstrate that the Court remains attentive to new challenges. At the same time, the Court has also shown restraint when an issue clearly belongs to the legislature or the executive. This balance helps maintain trust in the constitutional system and ensures that no branch becomes too powerful. Through its thoughtful use of judicial review, protection of the basic structure, and careful approach to modern issues, the Supreme Court continues to support the values of justice, accountability, and democracy. Its contemporary role keeps the Constitution meaningful in public life and helps ensure that the rights and freedoms of citizens remain secure.

Recap

- ◆ The Supreme Court safeguards the Constitution by ensuring all laws and actions follow constitutional limits.
- ◆ Judicial review enables the Court to strike down laws or decisions that violate fundamental rights.
- ◆ Article 32 gives citizens a direct route to seek protection from the Supreme Court when their rights are threatened.
- ◆ The basic structure doctrine prevents Parliament from altering the core identity of the Constitution.
- ◆ Landmark cases such as Kesavananda Bharati and Minerva Mills strengthened constitutional protections.
- ◆ Through PIL, the Supreme Court has made justice accessible to groups who cannot approach the courts on their own.
- ◆ In the S.R. Bommai Case, the Court protected federalism by checking the misuse of Article 356.
- ◆ Recent decisions such as the Electoral Bonds case promoted transparency in political funding.
- ◆ The Court's use of Articles 32 and 142 has offered quick relief in cases involving personal liberty.
- ◆ The Supreme Court continues to balance its powers carefully to maintain constitutional supremacy, not judicial supremacy.

Objective Questions

1. Which Article allows citizens to directly approach the Supreme Court when their fundamental rights are violated?
2. Which landmark case introduced the basic structure doctrine?
3. Which Article gives the Supreme Court the power to do complete justice in any case?
4. Which case restricted the misuse of Article 356 and strengthened federalism?
5. Which case expanded the meaning of personal liberty under Article 21?
6. Which judgment struck down the Electoral Bonds Scheme for lack of transparency?
7. Which Article declares that laws violating fundamental rights are void?
8. Which case held that laws in the Ninth Schedule must also follow the basic structure?
9. Which system used for judicial appointments was examined in the NJAC case?
10. Which type of jurisdiction allows the Supreme Court to settle disputes between the Union and the States?

Answers

1. Article 32
2. Kesavananda Bharati Case
3. Article 142
4. S.R. Bommai Case
5. Maneka Gandhi Case
6. Electoral Bonds Case

7. Article 13
8. I.R. Coelho Case
9. The Collegium System
10. Original Jurisdiction

Assignments

1. Explain how constitutional supremacy shapes the functioning of the Indian judiciary, especially the Supreme Court.
2. Discuss the basic structure doctrine with reference to at least three significant Supreme Court judgments.
3. Analyse the role of judicial review in protecting fundamental rights and maintaining the rule of law.
4. Evaluate the contribution of Public Interest Litigation in strengthening constitutional guardianship in India.
5. Assess recent developments that highlight the Supreme Court's role in safeguarding democracy and constitutional values.

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BLOCK

Grassroots Democracy



UNIT

73rd and 74th Constitutional Amendments and decentralization in India

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the origin, purpose, and constitutional framework of the 73rd and 74th Constitutional Amendments.
- ◆ analyse the structure, powers, and functions of Panchayati Raj Institutions and Urban Local Bodies in India.
- ◆ evaluate the impact of decentralisation on local governance, participation, and service delivery in rural and urban areas.
- ◆ explore the current challenges and emerging trends that shape India's grassroots democratic processes.

Prerequisite

Ananya, a first-year undergraduate student, often wondered how decisions made far away in government offices affected life in her small village. One day, she went with her grandmother to a Gram Sabha meeting. She watched villagers discuss problems such as water supply, damaged roads, and the need for better facilities in the local school. A woman representative listened carefully and promised that these issues would be added to the village development plan. This made Ananya curious about how local bodies work and why people in villages and towns get to make such important decisions. Later, in one of her classes, she learned about the 73rd and 74th Constitutional Amendments, which granted powers to Panchayats and Municipalities. She then realised that grassroots democracy plays a major role in shaping daily life.

Keywords

Decentralisation, Panchayati Raj, Urban Local Bodies, Gram Sabha, State Finance Commission, Ward Committee, Grassroots Democracy

Discussion

5.1.1 Introduction

Local self-government has been a part of India's political and social life for many centuries. In earlier periods, village groups such as *sabhas* and *samitis* met to discuss common matters and make decisions for the community. People relied on these local institutions—both formal and informal—to manage shared resources and settle everyday issues. During British rule, modern structures like municipalities and district boards gradually developed, with the Ripon Resolution of 1882 generally seen as the first major step toward establishing organised local government in India.

After Independence, the need to strengthen local institutions and bring administration closer to the people became clearer. Several committees were appointed to study how Panchayati Raj could be improved. The Balwantrai Mehta Committee (1957) recommended a three-tier Panchayati Raj system and highlighted the value of involving people directly in local governance. The Ashok Mehta Committee (1978) suggested a two-tier model, calling for greater powers and financial support for local bodies. The G.V.K. Rao Committee (1985) argued that development work should be decentralised and assigned to Panchayats, while the L.M. Singhvi Committee (1986) strongly advocated for giving local governments constitutional status. These committees offered valuable ideas, but their recommendations were not implemented uniformly. As a result, many Panchayats remained weak, elections were often delayed, and local bodies struggled

with limited powers and resources.

By the 1980s, it was widely recognised that decision-making needed to move closer to the people and that local bodies required a stable, uniform structure across the country. Decentralisation was seen as necessary for improving accountability, making service delivery more effective, and creating greater opportunities for participation—especially for women, Scheduled Castes, Scheduled Tribes, and other marginalised groups who often had limited access to higher levels of government.

After years of discussion and repeated recommendations, the Government of India decided to give local self-government a firm constitutional foundation. This led to the passage of the 73rd and 74th Constitutional Amendments in 1992. When these amendments came into effect in 1993, they transformed local governance by giving Panchayats and Municipalities constitutional recognition, ensuring regular elections, reserving seats for women and disadvantaged groups, and assigning clear responsibilities to local bodies. They also created State Election Commissions and State Finance Commissions to support local institutions and strengthened public participation through Gram Sabhas and Ward Committees. These reforms laid the foundation for a more stable, inclusive, and people-centred system of governance at the grassroots level.

5.1.2 Constitutional Framework for Decentralisation

Decentralisation in India is about giving more authority to local governments so that important decisions can be made closer to the people. When power is shared with village and municipal bodies, they can identify local problems more accurately and respond in a timely manner. Decentralisation appears in three basic forms. *Political decentralisation* means that people elect local representatives who make decisions for their community. *Administrative decentralisation* allows local offices and institutions to manage day-to-day services. *Fiscal decentralisation* provides local bodies with the funds they need, either through their own sources or from the state and central governments. All three forms work together to help local governments function with a reasonable level of independence.

The Constitution strengthened the idea of decentralisation through the 73rd and 74th Amendments, which came into force in 1993. These amendments added *Part IX and Part IX-A*, which set out the basic structure for rural and urban local bodies. Part IX explains how Panchayati Raj Institutions should be formed and what they should do, while Part IX-A serves the same purpose for Municipalities. By placing these provisions directly in the Constitution, local governments received clear recognition, fixed responsibilities, and protection from sudden changes by state governments. The amendments also made it compulsory to hold regular elections, reserve seats for women and disadvantaged groups, and support local bodies through finance and planning commissions. Together, these measures established local self-government as a firm component of India's democratic system.

5.1.3 The 73rd Constitutional Amendment (1992)

The 73rd Constitutional Amendment was introduced to give Panchayati Raj Institutions a clear and lasting role in India's democratic system. Before this amendment, village councils operated in many states, but their powers and responsibilities were uneven. Elections were often delayed, and many local bodies had very limited authority. The amendment aimed to change this by creating a system where rural people could participate in decisions that affected their everyday lives. It sought to make local government more stable, accountable, and inclusive.

The amendment established a three-level structure of Panchayati Raj: the Gram Panchayat at the village level, the Panchayat Samiti at the block level, and the Zilla Parishad at the district level. It also recognised the *Gram Sabha* as a space where villagers could meet, discuss issues, and approve local plans. A major aspect of the amendment was the reservation of seats and leadership posts for Scheduled Castes, Scheduled Tribes, and women. States could also provide reservations for Other Backward Classes. This enabled more people, particularly those who were previously excluded, to participate in public life.

To keep these bodies functioning without long gaps, the amendment fixed their term at five years and made regular elections compulsory. An independent State Election Commission was given the responsibility to conduct these elections. Financial matters were supported by creating a State Finance Commission in each state, which would review the needs of local bodies and suggest how funds should be shared. The amendment added the Eleventh Schedule, which lists 29 subjects that states can assign

to panchayats—such as agriculture, rural roads, drinking water, sanitation, and welfare schemes. It also introduced District Planning Committees to prepare development plans for the entire district by combining rural and urban needs.

With these provisions, Panchayati Raj Institutions were expected to take up local development work, manage community resources, and help implement government programmes. Their actual powers still depend on state laws, but the amendment ensured that local bodies have a recognised place in rural administration. The 73rd Amendment is important because it brought government closer to the people. It created new opportunities for ordinary citizens, including women and disadvantaged groups, to participate in public decisions. By giving constitutional backing to village and district bodies, the amendment helped build a more stable and people-centred system of rural governance.

5.1.3.1 Functions and Responsibilities of PRIs

Panchayati Raj Institutions (PRIs) oversee many functions that directly shape everyday life in rural areas. Their main duty is to prepare development plans that reflect the local community's actual needs. These plans usually cover simple but essential services such as village roads, drinking water, streetlights, sanitation, and the maintenance of public spaces. PRIs also manage common resources like ponds, wells, grazing areas, and small irrigation channels, ensuring they are used fairly and kept in good condition.

A large part of their work involves running government programmes. Gram Panchayats help carry out schemes like MGNREGS, rural housing projects, and welfare programmes related to health, education, nutrition, and

social support. Panchayat Samitis guide and coordinate activities across several villages, while Zilla Parishads assess development needs for the entire district and supervise the work of lower-level panchayats. This structure ensures that government schemes are linked to local priorities and reach people more effectively.

PRIs also promote public involvement in local affairs. They conduct Gram Sabha meetings where villagers can discuss ongoing work, raise concerns, check how money is being spent, and offer suggestions. This encourages openness and helps people feel more engaged in their own development. PRIs keep important local records—such as births, deaths, property details, and taxes—and issue certificates and documents that people need for routine purposes.

Managing funds is another key responsibility. PRIs receive money from the state and central governments, and some also collect local taxes and fees. They prepare budgets, maintain accounts, and ensure that funds are used for the community's benefit. Although the State Finance Commission reviews their financial condition and suggests ways to support them, the panchayats themselves must use available funds carefully and responsibly.

PRIs work closely with state departments in areas such as primary schools, health centres, anganwadis, agriculture, and welfare services. They identify local needs, monitor service delivery, and help make government programmes more relevant to rural conditions. Through these responsibilities, PRIs serve as an important link between the government and rural citizens, making administration more responsive and closer to the people it serves.

5.1.3.2 Significance for Rural Governance

The 73rd Constitutional Amendment greatly changed the way rural areas in India are governed. Before this reform, panchayats did exist, but many were inactive and elections were often delayed. By fixing a five-year term and making regular elections mandatory, the amendment ensured that every village would have elected leaders who could address local needs without long gaps in governance. This provided rural communities with more stability and a clearer voice in public affairs.

One of the most meaningful outcomes of the amendment is the increase in representation. Seats were reserved for Scheduled Castes, Scheduled Tribes, and women, giving many people—especially those who had little space in politics earlier—an opportunity to serve their communities. When several states later raised the reservation for women to 50 percent, rural leadership became more balanced and inclusive. This encouraged many new leaders to step forward and made local decision-making reflect a wider range of experiences and concerns.

The amendment also strengthened rural development by assigning panchayats specific responsibilities. The Eleventh Schedule listed important subjects such as agriculture, drinking water, sanitation, rural housing, and health. By transferring these responsibilities to local bodies, decisions could be made closer to the people who were directly affected. Panchayats could identify what their villages needed most, keep track of ongoing work, and solve problems more quickly. At the same time, Gram Sabha meetings allowed villagers to express their views, check how funds were used, and offer suggestions, which improved transparency and trust in local administration.

Financial support for panchayats became more organised as well. The amendment required every state to establish a State Finance Commission to examine the financial needs of local bodies and recommend ways to strengthen their budgets. Although panchayats still depend on state and central funds, this system brought more clarity and regularity to financial transfers. With these funds, and some local revenue in certain areas, panchayats are able to maintain basic services and carry out small development projects.

The amendment also promoted better planning at the district level. Zilla Parishads were given the responsibility to prepare plans for the entire district, bringing together the needs of many villages. District Planning Committees were created to ensure that rural and urban development within the district moved in a coordinated manner. This helped make rural governance more democratic and more responsive to local needs. It gave people a stronger role in shaping their own development and opened public life to groups that had long been excluded.

5.1.4 The 74th Constitutional Amendment (1992)

The 74th Constitutional Amendment was passed to improve the governance of towns and cities. Before this change, municipalities operated differently across states, and many lacked the authority or resources to manage the growing needs of urban areas. Elections were often delayed, and important services such as water supply, sanitation, waste management, and town planning were primarily controlled by state departments. The amendment aimed to establish urban local bodies as a stable component of the Constitution, enabling them to function more regularly and respond better to the needs of residents.

To clarify urban governance, the amendment created three types of local bodies. Nagar Panchayats were designated for areas transitioning from rural to urban life, Municipal Councils for medium-sized towns, and Municipal Corporations for large cities. This classification ensured that different urban areas had appropriate structures to manage local affairs. The amendment also provided for Ward Committees in larger cities, giving residents a forum at the neighbourhood level to discuss everyday issues such as drainage, waste collection, and street maintenance.

Another major focus was to make urban leadership more inclusive. Seats were reserved for Scheduled Castes, Scheduled Tribes, and women, enabling groups that previously had limited representation to participate in urban administration. Many states later added reservations for Other Backward Classes. This change encouraged a broader range of people to engage in municipal decision-making and take on leadership roles.

To ensure regular elections, the amendment established an independent State Election Commission to conduct polls for all urban local bodies. It also mandated that states form a State Finance Commission every five years to examine how municipalities were funded and suggest ways to strengthen their financial base. These measures were intended to provide local bodies with a more predictable and stable support system.

The amendment added the Twelfth Schedule to the Constitution, listing 18 functions that municipalities are expected to manage. These include urban planning, land-use regulation, water supply, public health, sanitation, solid waste management, street lighting, slum improvement, and environmental protection. By assigning these responsibilities to local bodies, the amendment encouraged cities and towns to

manage their own development instead of relying entirely on state authorities.

In large metropolitan areas, where many municipalities are interconnected, the amendment introduced Metropolitan Planning Committees. These committees prepare development plans for the entire region, ensuring that issues such as transport, housing, and environmental protection are addressed in a coordinated manner. The 74th Amendment helped strengthen urban governance by bringing decision-making closer to the people, encouraging wider participation, and clarifying the role of municipalities in managing urban services.

5.1.4.1 Urban Governance and Local Development

Urban governance refers to the management of towns and cities to ensure that residents receive basic services and can live in a clean, safe, and organised environment. With rapid urbanisation in India, the responsibilities of Urban Local Bodies (ULBs)—such as Municipal Corporations, Municipal Councils, and Nagar Panchayats—have grown steadily. These local bodies handle essential civic functions, including water supply, drainage, waste collection, street lighting, road repairs, and the upkeep of parks, markets, community halls, and public health facilities. In addition to these routine tasks, ULBs must also respond to emerging challenges such as pollution, traffic congestion, flooding during monsoons, and the rising demand for effective waste management systems.

Local development in urban areas involves improving existing services and planning for future growth. ULBs prepare development plans, regulate building construction, and supervise land use to ensure that urban spaces develop in a planned and orderly manner. They oversee the upgrading of slums,

support affordable housing projects, maintain public spaces, and improve basic facilities in both old and new neighbourhoods. As cities expand, ULBs must also consider long-term needs—such as enhancing public transport systems, protecting water bodies, preserving green spaces, and managing solid waste sustainably.

Public participation is a crucial aspect of urban development. Ward Committees and community groups allow residents to voice their concerns, suggest improvements, and monitor the quality of local services. This involvement helps ULBs better understand local problems and make decisions that reflect the needs of diverse communities. Urban governance also requires cooperation with several other agencies, such as state urban development departments, metropolitan development authorities, pollution control boards, and transport bodies, as many city issues extend beyond a single municipality.

In recent years, national programmes have supported urban development across the country. Initiatives like the Smart Cities Mission, AMRUT, Swachh Bharat Mission, and PMAY-Urban aim to modernise city infrastructure and promote cleaner and more efficient urban services. Many cities now utilise digital platforms for property tax payments, online grievance systems, GIS-based planning tools, and improved waste management processes. These efforts help make urban governance more transparent, organised, and citizen-friendly.

Urban local bodies also contribute to the economic life of cities. They maintain roads, regulate markets, support small businesses, and help create an environment where trade and services can flourish. Good urban governance attracts investment, supports employment, and enhances the overall economy of the city. In short, urban governance and local development under the

74th Amendment aim to make cities better planned, more inclusive, and more responsive to the needs of residents. By providing essential services, involving citizens, and preparing for future urban challenges, Urban Local Bodies play a central role in improving the quality of life in urban India.

5.1.5 Fiscal Decentralisation

Fiscal decentralisation means giving Panchayats and Municipalities enough financial authority to carry out their work smoothly. Local governments manage many basic services—such as water supply, roads, sanitation, waste collection, and public health—and they need steady and predictable funds to do this. When local bodies have proper financial support, they can plan better and respond to the needs of their communities more effectively.

Panchayats and Municipalities receive money from three main sources: their own revenue, funds from the state government, and grants from the central government. Own revenue includes the taxes and fees they collect directly. Panchayats may collect house tax, market fees, licence fees, water charges, and rent from public buildings. Municipalities collect property tax, profession tax, advertisement fees, parking charges, and user fees for city services. Urban areas usually raise more revenue because they have more economic activity, while many rural panchayats have a much smaller base for taxation.

Since own revenue is often not enough, state transfers are very important. State governments share a portion of their income with local bodies so that they can maintain services and carry out development work. To guide this process, every state must appoint a State Finance Commission (SFC) once every five years. The SFC studies the financial needs of Panchayats and Municipalities

and recommends how state funds should be divided. It also suggests ways to improve local tax collection and strengthen financial management. However, the impact of SFCs depends on how seriously each state follows their recommendations, and this varies widely across India.

Local governments also receive strong support from the central government through the Finance Commission. The 14th Finance Commission (2015–2020) provided a major increase in grants for local bodies. It allocated money directly to Panchayats and Municipalities and allowed them greater freedom in using these funds for local priorities. It also encouraged better accounting and transparency. The 15th Finance Commission (2021–2026) continued this support and placed special attention on improving water supply, sanitation, waste management, and public health. This became especially important after the COVID-19 pandemic. The Commission also introduced conditions such as timely audits, digital record-keeping, and better property tax collection for receiving some grants. It provided additional funds for issues like air pollution, disaster management, and strengthening basic infrastructure in cities and towns. Together, these different sources—local taxes, state transfers, and central grants—form the financial base of Panchayats and Municipalities. This system helps local bodies maintain essential services, undertake development projects, and respond to community needs.

5.1.6 Conclusion

The 73rd and 74th Constitutional Amendments brought major changes to how local governments operate in India. By granting Panchayats and Municipalities constitutional status, these amendments created a stable and reliable system of

local democracy in both villages and towns. They made regular elections compulsory, expanded public participation, and clearly delineated the responsibilities of local bodies. The reservation of seats for women, Scheduled Castes, Scheduled Tribes, and other marginalised groups encouraged many individuals—who previously had little chance to enter public life—to engage in local decision-making. This made local governance more inclusive and more reflective of India's social diversity.

The amendments also encouraged local governments to assume a more active role in development. They transferred several subjects to Panchayats and Municipalities and introduced institutions such as Gram Sabhas, Ward Committees, District Planning Committees, and Metropolitan Planning Committees. These bodies provide people with a platform to voice their concerns, review public works, and participate in planning for their own communities. The creation of State Finance Commissions further assisted local bodies in understanding their financial needs and seeking better support. Although some challenges remain—such as differences in powers across states, shortages of funds, and uneven administrative capacity—local governments today have a clearer role and greater responsibility in delivering services and managing development programmes.

As India continues to grow and more people move to urban areas, the role of strong and responsive local governments becomes even more vital. Effective Panchayats and Municipalities help improve basic services, enhance participation, and make governance more accountable. The 73rd and 74th Amendments laid the foundation for this change and remain a significant milestone in making India's democracy more people-centred and participatory.

Recap

- ◆ The 73rd and 74th Constitutional Amendments granted Panchayats and Municipalities constitutional status for the first time.
- ◆ These amendments made regular elections to local bodies compulsory across India.
- ◆ Reservations for women, Scheduled Castes, and Scheduled Tribes increased participation in local governance.
- ◆ The Gram Sabha and Ward Committees were established to strengthen direct public involvement in decision-making.
- ◆ The Eleventh and Twelfth Schedules listed subjects that rural and urban local bodies could manage.
- ◆ State Finance Commissions were set up to review the financial needs of local governments.
- ◆ State Election Commissions were established to conduct free and fair local body elections.
- ◆ District and Metropolitan Planning Committees were introduced to support coordinated planning.
- ◆ The amendments helped local bodies play a greater role in delivering services and managing development programmes.
- ◆ Despite progress, challenges remain in funding, administrative capacity, and uniform implementation across states.

Objective Questions

1. Which Constitutional Amendments granted Panchayats and Municipalities constitutional status in India?
2. Which body conducts elections for Panchayats and Municipalities at the state level?
3. Which schedule lists the subjects assigned to Panchayati Raj Institutions?

4. Which schedule outlines the functions of Urban Local Bodies?
5. Which institution promotes direct participation in village-level decisions?
6. Which commission reviews the financial position of local bodies every five years?
7. Which committee is recognised as the first major step towards modern local government during British rule?
8. Which year marks the enforcement of the 73rd and 74th Constitutional Amendments?
9. Which type of local body governs large cities under the 74th Amendment?
10. Which committee strongly supported giving constitutional status to local governments before the amendments?

Answers

1. 73rd and 74th Amendments
2. State Election Commission
3. Eleventh Schedule
4. Twelfth Schedule
5. Gram Sabha
6. State Finance Commission
7. Ripon Resolution
8. 1993
9. Municipal Corporation
10. L.M. Singhvi Committee

Assignments

1. Examine the historical evolution of local self-government in India and its significance for grassroots democracy.
2. Discuss the major features of the 73rd Constitutional Amendment and explain how it strengthened rural local governance.
3. Analyse the key provisions of the 74th Constitutional Amendment and assess their role in improving urban administration.
4. Evaluate the role of State Finance Commissions in supporting decentralisation in India.
5. Explore the challenges and opportunities faced by Panchayats and Municipalities in implementing decentralised governance today.

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UNIT

Structure- Powers and Functions of Local Self-Governments

Learning Outcomes

- ◆ After the successful completion of the unit, the learner will be able to:
- ◆ understand the structure of rural and urban local self-governments and the constitutional basis that defines their roles
- ◆ analyse the powers and functions assigned to Panchayats and Municipalities under the Eleventh and Twelfth Schedules
- ◆ evaluate how decentralisation, financial arrangements, and administrative mechanisms influence the functioning of local bodies
- ◆ explore recent developments, such as digital governance initiatives and smart urban reforms, and their impact on strengthening local self-government

Prerequisite

Rahul, an undergraduate student, travelled to his grandmother's village during a short vacation. One morning, he accompanied her to a Gram Sabha meeting held under a banyan tree. He watched villagers openly discuss drinking water issues, road repairs, and the progress of a housing scheme. Later, his uncle, who lived in the nearby town, showed him how the Municipal Council used a mobile app to respond to complaints about waste collection. Rahul noticed that both the village and the town had their own elected bodies, but their responsibilities were different. Curious, he began asking questions and realised that these institutions formed the local tier of government that worked closest to the people. When he returned to college, he wanted to know more about how these bodies were structured, how they received funds, how they made decisions, and how recent reforms were shaping their work. This unit helps learners like Rahul understand these foundations.

Keywords

Panchayati Raj, Municipal Governance, Devolution, Gram Sabha, Eleventh Schedule, Twelfth Schedule, Digital Governance

Discussion

5.2.1 Introduction

Local Self-Government (LSG) refers to the bodies that allow people to take part in running the everyday affairs of their own villages, towns, and cities. These institutions work closely with the community and ensure that government decisions reflect the needs and concerns of ordinary people. In a large and diverse country like India, such bodies are important because they help the administration respond quickly and fairly to local problems.

India has a long tradition of local decision-making. In earlier times, village councils or sabhas handled most matters within the community. After Independence, modern forms of local government began to grow, but each state followed its own laws. As a result, there was no common pattern across the country. Elections often did not happen on time, and many local bodies had very limited powers and weak financial support.

A major turning point came with the 73rd and 74th Constitutional Amendments in 1992. These amendments gave constitutional recognition to local bodies in both rural and urban areas. They created a common democratic framework for all states and ensured that local governments could not be ignored or easily dissolved. The amendments made regular elections compulsory, clearly listed the responsibilities of local bodies, introduced reservations for women and marginalised communities, and strengthened financial support through State Finance Commissions.

Today, local self-governments form the third tier of India's federal system. They work alongside the central and state governments and are responsible for important services such as water supply, sanitation, local roads, waste management, public health, and development planning. Many major development programmes—such as the Swachh Bharat Mission, MGNREGA, the Smart Cities Mission, and AMRUT—depend on active involvement from local governments.

5.2.2 Constitutional Framework of Local Self-Governments

The system of Local Self-Government in India, as we know it today, is the result of the 73rd and 74th Constitutional Amendments, passed in 1992 and implemented in 1993. These amendments brought significant changes to how local bodies operate. Prior to this period, local institutions existed in most states, but they did not follow a common pattern. Their powers varied from place to place, elections were often delayed, and financial support was inconsistent. Much of their functioning depended on the decisions of state governments. By granting local governments constitutional recognition, the 73rd and 74th Amendments made them a permanent and reliable part of India's democratic system.

The 73rd Amendment focuses on Panchayati Raj Institutions in rural areas. It added Part IX to the Constitution and introduced the Eleventh Schedule, which lists

the subjects that Panchayats are expected to manage. One of the most important changes was the creation of a three-tier system of rural self-government under Article 243B. This structure includes the Gram Panchayat at the village level, the Panchayat Samiti at the intermediate or block level, and the Zila Parishad at the district level. States with a population below twenty lakh may omit the intermediate tier. At the base of this system is the Gram Sabha, described in Article 243A as the gathering of all adult members of a village. The Gram Sabha allows people to come together, discuss local matters, approve the village budget and development plans, and monitor the performance of the Gram Panchayat. It plays a key role in making local governance transparent and community-oriented.

The amendment also ensures that Panchayat elections cannot be postponed indefinitely. Under Article 243E, every Panchayat must be elected every five years, and if it is dissolved early, a new election must take place within six months. To make local bodies more inclusive, Article 243D provides reservations for Scheduled Castes and Scheduled Tribes based on their proportion of the population in that area. It also mandates that at least one-third of all seats, including leadership positions, be reserved for women. Several states have increased this to fifty percent, enhancing women's roles in rural leadership. The conduct of elections is overseen by the State Election Commission, established by Article 243K, which ensures that elections are held fairly and independently.

Financial stability is another essential part of the 73rd Amendment. Article 243I requires states to establish a State Finance Commission every five years. This body reviews the financial position of Panchayats and recommends how state funds should be shared with them, what grants they should receive, and what steps can strengthen their

finances. To make devolution meaningful, Article 243G asks states to transfer not just responsibilities but also the funds and staff needed to carry out those responsibilities. The Eleventh Schedule lists twenty-nine subjects for Panchayats, including important areas such as agriculture, minor irrigation, animal husbandry, fisheries, rural housing, drinking water, local roads, programmes for reducing poverty, primary education, health and sanitation, women and child development, social welfare, the public distribution system, and the maintenance of community assets.

All these measures together provide Panchayati Raj Institutions with a strong and stable foundation. They define what Panchayats must do, ensure regular elections, provide financial backing, and give local people a voice in their own development. This makes Panchayats an essential part of rural governance and an important pillar of India's democracy.

The 74th Constitutional Amendment Act, passed in 1992 and implemented in 1993, brought a major change to how towns and cities in India are governed. Before this amendment, municipalities operated under different state laws, and their structure and powers varied widely. Some local bodies functioned fairly well, but many struggled because elections were delayed, finances were weak, and leadership was unstable. By giving Urban Local Bodies a place in the Constitution, the 74th Amendment created a common and dependable system for municipal governance across the country. It added Part IX-A and the Twelfth Schedule to the Constitution, making urban administration more organised, democratic, and responsive.

The amendment identified three kinds of urban local bodies to match the needs of different areas. A *Nagar Panchayat* is meant for places that are slowly transitioning from rural to urban life. A *Municipal Council*



oversees small and medium-sized towns. A *Municipal Corporation* is formed in large cities with bigger populations and more complex civic needs. This classification ensures that each area has a governing body suited to its size and level of development. Including these categories in the Constitution also prevents state governments from altering or dissolving them casually, thereby giving urban governance greater stability.

To make local administration more participatory, the amendment introduced *Ward Committees* under Article 243S. These committees must be established in municipalities with a population of three lakh or more. They allow people to raise concerns at the neighbourhood level, discuss local issues, and monitor how civic services are delivered. This helps bring governance closer to the everyday lives of citizens.

The amendment also improved social representation in municipal bodies. Under Article 243T, seats must be reserved for Scheduled Castes and Scheduled Tribes based on their share of the local population. At least one-third of all seats, including those of chairpersons, must be reserved for women. Several states have increased this to fifty per cent, which has led to greater participation of women in city-level leadership. These provisions help ensure that people from different backgrounds have a voice in local decision-making.

For democratic continuity, Article 243U requires that elections to municipalities be held every five years. If a municipal body is dissolved early, fresh elections must be held within six months. This prevents long periods of rule by appointed administrators. The State Election Commission is responsible for conducting these elections, which helps maintain fairness and independence in the electoral process.

A central part of the amendment is the *Twelfth Schedule*, which lists eighteen

important functions that municipalities are expected to handle. These include urban planning, land-use regulation, building permissions, roads and bridges, water supply, sanitation, public health, waste management, fire services, slum improvement, urban forestry, poverty reduction, housing, street lighting, parking facilities, public amenities, and the maintenance of burial grounds. By assigning these tasks to urban local bodies, the amendment makes them directly responsible for services that affect daily urban life.

To support coordinated development across districts and metropolitan regions, the amendment created two planning bodies. Article 243ZD provides for *District Planning Committees*, and Article 243ZE provides for *Metropolitan Planning Committees* in areas with a population of one million or more. These committees prepare development plans that combine the needs of both rural and urban areas, helping to ensure balanced and well-coordinated growth.

Financial support for urban local bodies is strengthened through Article 243Y, which requires states to set up a *State Finance Commission* every five years. This Commission reviews the financial needs of municipalities and recommends how state funds should be shared with them, what grants they should receive, and how they can increase their own revenues. Such recommendations are essential because urban local bodies need stable and adequate funding to provide essential services to growing populations.

Together, the 73rd and 74th Constitutional Amendments gave local governments an important and permanent role in the Constitution. They guaranteed regular elections, improved representation for women and marginalised communities, clarified the responsibilities of local bodies, strengthened their financial base, and ensured

that democracy functions at the community level. These reforms laid the foundation for a more people-centred, accountable, and participatory system of governance across both rural and urban areas in India.

5.2.3 Structure of Local Self-Governments

Local Self-Government in India is organised through two main systems: the *Panchayati Raj Institutions* in rural areas and the *Urban Local Bodies* in towns and cities. Both systems aim to bring administration closer to the people and ensure that local needs are understood and effectively addressed. In rural areas, the structure begins with the *Gram Sabha*, which includes all adults living in a village. It is the basic forum where people come together to discuss matters affecting the village, approve development plans, check accounts, and question the work being done by their elected representatives. Because anyone in the village can take part in the Gram Sabha, it helps make local governance more open and participatory.

The *Gram Panchayat* is the elected body at the village level and is responsible for managing everyday affairs. Led by a Sarpanch or President, the Gram Panchayat oversees village roads, water supply, sanitation, welfare activities, and the implementation of government schemes. Many Gram Panchayats have small committees to focus on specific areas such as health, education, and public works, so that responsibilities are shared and managed more efficiently.

At the next level is the *Panchayat Samiti*, which operates at the block level. It acts as a link between several Gram Panchayats and handles development programmes that cover a wider area. The Panchayat Samiti helps plan block-level infrastructure and works closely with government officials to ensure that services like health centres, agricultural support, and training programmes reach

people in different villages.

At the top of the rural structure is the *Zila Parishad* at the district level. It coordinates the work of all Panchayat Samitis within the district, prepares district development plans, supervises major rural projects, and distributes funds. The Zila Parishad includes elected members from different parts of the district, along with senior officials who support planning and administration.

Urban Local Bodies follow a similar concept but operate in settings that have different needs. A *Nagar Panchayat* governs areas that are gradually transitioning from rural to urban life. These bodies manage basic civic services and help developing settlements adjust to growing urban demands. *Municipal Councils* operate in small and medium towns, where they oversee public health, waste management, water supply, building regulations, markets, and other common amenities. Larger cities are governed by *Municipal Corporations*, which have broader responsibilities and more complex service needs. A Municipal Corporation consists of elected councillors, standing committees that examine specific areas like health or finance, and a *Mayor* who provides leadership and represents the city. The administrative work is handled by the *Municipal Commissioner*, a senior official responsible for managing staff, implementing policies, and ensuring that essential services—such as sanitation, water supply, roads, and fire services—run smoothly.

Behind both rural and urban bodies is an important administrative framework that supports their functioning. The *State Election Commission* ensures that elections to Panchayats and Municipalities are held regularly and fairly, helping local governments remain truly democratic. The *State Finance Commission*, which is established every five years, examines the financial situation of local bodies and recommends how state



resources should be shared, what grants they should receive, and how they can strengthen their own sources of income.

Local bodies also depend on a range of officials at the district and city levels, such as engineers, health officers, planners, revenue officials, and administrative staff. These officials provide technical support and manage everyday services. Effective local governance depends on how well elected representatives and officials work together. Elected members bring the concerns of the community to the forefront, while officials handle the practical and technical tasks needed to turn plans into action. When both groups cooperate, local bodies can function smoothly and meet the needs of the people they serve.

5.2.4 Powers and Functions of Local Self-Governments

Local Self-Governments in India carry out many important tasks that affect people's daily lives. Some of these duties are compulsory, while others can be taken up depending on local priorities. In both rural and urban areas, local bodies look after basic civic services such as supplying clean water, maintaining sanitation, collecting waste, and keeping streets well-lit. They build and repair small roads, support rural development work, and help run public health centres and primary schools. Urban bodies have the added responsibility of guiding the growth of towns and cities. They prepare town plans, decide how land can be used, and issue building permissions to ensure that development occurs in an orderly manner.

The Constitution outlines the responsibilities of rural local bodies in the *Eleventh Schedule*, which lists *twenty-nine subjects* that Panchayats should handle. These subjects cover key areas of rural life, such as agriculture, irrigation, animal husbandry, fisheries, and small industries. The list also

includes rural housing, drinking water, electricity, local roads, and programmes aimed at reducing poverty. Important social sectors are part of this schedule as well—education, health, sanitation, and welfare services relating to women, children, and weaker sections. Panchayats are also meant to oversee the public distribution system and maintain community assets. Through these responsibilities, Panchayati Raj Institutions are expected to support both development and welfare in rural areas.

Urban Local Bodies have their functions listed in the *Twelfth Schedule*, which contains *eighteen major responsibilities*. These include preparing development plans for towns and cities, regulating land use, and overseeing building construction. Municipal bodies maintain roads and bridges, manage water supply, and ensure public health and sanitation. They look after solid waste management, run fire services, and work to protect the environment by managing parks and green spaces. Improving slum areas, supporting housing for poorer communities, maintaining streetlights, providing parking facilities, and looking after burial grounds are also part of their duties. These functions make urban local bodies central to the everyday life of people living in towns and cities.

To perform all these tasks, local bodies need reliable financial resources. Depending on state laws, they can collect taxes, fees, and service charges. Municipalities usually raise money through property tax, building permit fees, licences, advertisement charges, and user fees for services like water supply. Panchayats may collect taxes from markets or fairs and charge fees for certificates and local services. However, many local bodies depend heavily on grants from state governments and the Union Government, which form a major part of their income.

To help improve their financial health, each state is required to set up a *State*

Finance Commission every five years. This Commission studies how much money Panchayats and Municipalities need and recommends how state revenue should be shared with them, what grants they should receive, and how they can strengthen their own income sources. Local bodies also play a major role in carrying out centrally sponsored schemes such as MGNREGA, the Pradhan Mantri Awas Yojana, and the *Swachh Bharat Mission*. These schemes bring additional funds and allow local governments to undertake activities that require larger financial support.

Together, these powers and responsibilities enable local governments to plan development, provide essential services, and address the needs of the people. When they receive adequate support in terms of authority, staff, and funds, local bodies can make a meaningful difference in improving community life and strengthening democracy at the local level.

5.2.5 Digital Governance Initiatives

Digital governance has become one of the most significant developments in strengthening local self-government in India. As villages, towns, and cities grow, the need for faster and more transparent services has increased, and technology is helping local bodies meet these expectations. One of the most important initiatives in this direction is the *e-Panchayat Mission Mode Project*, which aims to bring the entire functioning of Panchayati Raj Institutions onto digital platforms. Through this project, Panchayats use software to prepare village development plans, maintain financial records, monitor welfare schemes, store birth and death registration data, and issue certificates such as income, residence, and land-related documents. These digital systems reduce paperwork, cut delays, and allow villagers to access services without repeated visits

to Panchayat offices. In many states, Gram Sabhas are also being assisted with digital tools. For example, several Panchayats in Kerala and Karnataka now display village accounts, service lists, and development proposals on screens during Gram Sabha meetings so that people can clearly understand and discuss local plans.

Online grievance redressal has become a major part of digital local governance. Previously, people had to visit Panchayat or municipal offices several times to register complaints about drainage, streetlights, road damage, drinking water supply, or sanitation. Now, many states offer simple online portals and mobile apps where residents can report an issue, upload a photo, and receive updates on the status of their complaint. Kerala's Local Self Government Department runs the *Complaint Monitoring System (CMS)*, Karnataka uses the *Jana Spandana* platform, and Maharashtra offers the *Aaple Sarkar* portal, all of which make it easier for people to reach their local authorities.

This approach makes the system more citizen-friendly and builds trust because people can see how their local government is responding. Some districts also use social media platforms and WhatsApp helplines to receive complaints, allowing quick communication between residents and officials. Cities such as Mumbai, Bengaluru, Kochi, and various zones under the Municipal Corporation of Delhi maintain active WhatsApp numbers where citizens can send photographs of civic issues and receive timely responses from the concerned department.

Digital governance has expanded even further in urban areas. Municipalities across the country increasingly rely on GIS-based planning tools, which provide detailed digital maps of the city. These maps show land use patterns, road networks, water pipelines, drainage channels, public buildings, markets,



green spaces, and even high-risk zones such as flood-prone or congested areas. With this information, officials can plan new roads, identify locations for schools or hospitals, and respond more effectively during emergencies. GIS systems also help track illegal construction, guide zoning decisions, and improve traffic management. Cities such as Ahmedabad, Hyderabad, Pune, and Thiruvananthapuram widely use GIS-based systems for planning and disaster management. In many urban areas, these tools are becoming essential for long-term planning and for coordinating the work of various municipal departments.

Another major improvement in digital governance has been the shift to online property tax management. Previously, property tax assessments often involved paperwork, manual calculations, and visits to municipal offices. Today, many cities allow residents to look up their property details, view tax assessments, correct errors, and pay their taxes online. Kerala's *Sanchaya portal*, Karnataka's *e-Aasthi* system, and Maharashtra's *PMC and BM* online portals are examples of platforms that have made tax payments easier and more accurate. This not only saves time for citizens but also helps municipalities increase their revenue by reducing leakages and improving assessment quality. Some cities use digital mapping to identify properties that were previously unregistered, which has significantly increased their tax base. Better tax collection strengthens the financial health of municipalities and enables them to invest more in roads, water supply, streetlights, drainage, and other essential services.

Technology is also being used to improve transparency in local governance. Many Panchayats and municipalities now publish budgets, tender notices, project updates, and meeting minutes on their websites, allowing citizens to follow decisions more closely. Tracking of schemes like MGNREGA is often

done online, enabling people to verify job cards, wage payments, and completed works. Several municipalities, including those in Indore, Kochi, and Mysuru, use GPS devices and CCTV surveillance to monitor waste collection vehicles and ensure timely garbage removal. These tools help local governments maintain cleaner neighbourhoods and address public complaints more effectively. Additionally, these digital initiatives make local administration faster, more open, and more accountable. They also encourage citizens to participate more actively in governance because information is easier to access and government processes are more transparent.

5.2.6 Strengthening of Urban Governance

Urban governance in India is changing rapidly as towns and cities grow and people expect better services. The Smart Cities Mission has become one of the most important efforts in this area. Through this mission, selected cities are working to improve public spaces, manage traffic better, strengthen public transport, and make basic services available through digital systems. Many cities have set up command-and-control centres, installed smart streetlights, upgraded bus services, modernised markets, improved waste collection, and redesigned parks. These steps aim to make cities cleaner, safer, and more comfortable for those who live and work in them.

Alongside this, the *Atal Mission for Rejuvenation and Urban Transformation* (AMRUT 2.0) supports smaller and medium-sized cities by improving essential services. The programme focuses on providing reliable drinking water, better sewage and wastewater systems, rainwater harvesting, and more green spaces. It encourages cities to cut water losses, reuse treated water, and use energy-efficient technology in their daily services. Through these efforts, AMRUT

2.0 helps cities provide basic amenities in a steady and sustainable manner.

Many cities are paying more attention to urban mobility and clean air. To make daily travel easier, several cities are expanding bus services, adding metro rail lines, purchasing electric buses, and creating safe spaces for walking and cycling. Clean air initiatives include better monitoring of pollution, reducing dust on roads, regulating industrial emissions, improving waste management, and promoting the use of electric vehicles. These measures are important because pollution affects health, and safe transport systems make cities easier to navigate.

A major change in recent years has been the renewed use of municipal bonds to fund city projects. Municipal bonds allow cities to borrow money from investors to build or upgrade important infrastructure, such as water pipelines, sewage systems, and major roads. Cities like Pune, Ahmedabad, Hyderabad, and Indore have successfully raised funds through these bonds. This has encouraged urban local bodies to maintain clearer accounts and follow better financial practices. A stronger municipal bond market gives cities more independence in raising money for development instead of relying solely on state or central government support.

All these efforts, through technology, better planning, improved basic services, cleaner transport, and new ways of raising funds, demonstrate how Indian cities are trying to build a better quality of life for their residents. These reforms help local governments respond more quickly to community needs and prepare for the challenges of rapidly growing urban populations.

5.2.7 Relationship with State and Union Governments

Local Self-Governments in India operate within a system where both the State and the Union Governments have

significant influence. Although Panchayats and Municipalities have constitutional recognition, state governments continue to guide much of their functioning. This guidance appears in administration, law, and finance. States decide how local bodies are structured, what powers they will have, and how they must carry out their tasks. They also supervise their work through various departments and often control when and how funds are released. Because local bodies depend on the state for financial support, they sometimes find it difficult to act independently, even though they are meant to function as the third tier of government.

The District Collector plays a key role in linking state administration with local governments. As the senior officer at the district level, the Collector oversees the implementation of government programmes and monitors how Panchayats and Municipalities are functioning. The Collector's office deals with many important matters, such as public health measures, disaster management, rural development schemes, and law and order. As a result, local bodies often look to the Collector for approvals, guidance, and coordination, which illustrates how closely state administration is intertwined with local governance.

A major concern in strengthening local government is the difference between true devolution and simple delegation. Devolution means that powers, money, and staff are fully transferred to local bodies so they can make decisions independently. Delegation, however, only assigns them certain tasks to perform while the real control still rests with the state government. In many states, what local bodies receive is closer to delegation. They are asked to implement schemes or take on responsibilities, but they do not always receive the necessary funds, authority, or staff to perform these duties independently.

This issue becomes clearer when we



look at the *3Fs—Functions, Funds, and Functionaries*. The Constitution expects states to transfer all three to local bodies. In practice, however, this transfer often remains incomplete. While Panchayats and Municipalities may receive certain functions listed in the *Eleventh and Twelfth Schedules*, they may not be allocated sufficient funds to carry them out. At the same time, many key officials—such as engineers, health staff, and clerical workers—often remain under the control of state departments rather than local bodies. Without proper funding and control over staff, local governments face significant challenges in fulfilling their responsibilities. Hence, the relationship between state authorities and local governments is a mix of support and control. Local bodies depend on state and central governments for financial and administrative backing, but they also require genuine freedom to respond to the needs of the people they serve.

5.2.8 Conclusion

Local Self-Government has become an important part of how democracy functions in India. The 73rd and 74th Constitutional Amendments made Panchayats and Municipalities a permanent part of the Constitution and ensured that people in villages, towns, and cities have a direct role in decisions that affect their daily lives. These local bodies oversee essential services such as drinking water, sanitation, waste management, local roads, public health, and urban planning. Their structure—supported by Gram Sabhas, elected representatives, committees, and administrative staff—enables them to understand local needs more closely and respond to them in a practical manner.

The Eleventh and Twelfth Schedules guide the work of rural and urban bodies by clearly listing the areas in which they must operate. Financial arrangements, along with the work of the State Finance Commissions, demonstrate that states have a significant responsibility to support local institutions. At the same time, many local bodies still depend on state governments for funds, approval of plans, and control over staff. The continued role of the District Collector also indicates that true decentralisation is still developing in many states. Local bodies can function more effectively when they receive real powers, consistent funding, and control over the staff needed to carry out their duties.

Recent developments have further strengthened local governance. Digital tools such as online grievance systems, e-Panchayat platforms, and GIS-based planning have made local government work more transparent and efficient. Urban missions like the Smart Cities Mission, AMRUT 2.0, and clean mobility projects are helping towns and cities improve basic services and infrastructure. These changes demonstrate how technology and careful planning can make local governance more open, efficient, and accessible to the public.

In summary, Local Self-Government in India continues to grow and improve. The legal framework is robust, but its full success depends on the proper transfer of powers, active community involvement, and stable financial and administrative support. When these conditions are met, Panchayats and Municipalities can bring government closer to the people and help build stronger and more inclusive communities.

Recap

- ◆ Local Self-Government forms the third tier of India's democratic structure.
- ◆ The 73rd and 74th Amendments gave constitutional status to Panchayats and Municipalities.
- ◆ The Gram Sabha acts as a direct forum for community participation at the village level.
- ◆ Panchayati Raj Institutions operate through three tiers: Gram Panchayat, Panchayat Samiti, and Zila Parishad.
- ◆ Urban Local Bodies include Nagar Panchayats, Municipal Councils, and Municipal Corporations.
- ◆ The Eleventh Schedule lists 29 subjects assigned to Panchayats.
- ◆ The Twelfth Schedule lists 18 functions assigned to Municipalities.
- ◆ State Finance Commissions strengthen financial devolution and support local bodies.
- ◆ Digital initiatives such as e-Panchayat, grievance portals, and GIS mapping improve transparency and service delivery.
- ◆ The effectiveness of local governance depends on the proper transfer of functions, funds, and functionaries.

Objective Questions

1. Which constitutional amendment created a uniform structure for Panchayati Raj Institutions?
2. What is the basic village-level forum for citizen participation?
3. Which body functions at the block level in rural governance?
4. Which schedule lists subjects handled by Panchayats?
5. Which urban body governs large cities?
6. What does the State Finance Commission review?

7. Which mission promotes technology-based improvements in urban governance?
8. What digital tool is used for mapping urban services?
9. Which body conducts elections for local governments?
10. What are the three components of effective devolution?

Answers

1. 73rd Amendment
2. Gram Sabha
3. Panchayat Samiti
4. Eleventh Schedule
5. Municipal Corporation
6. Finances
7. Smart Cities Mission
8. GIS
9. State Election Commission
10. 3Fs (Functions, Funds, and Functionaries)

Assignments

1. Explain how the 73rd and 74th Constitutional Amendments strengthened grassroots democracy in India.
2. Describe the structure of Panchayati Raj Institutions and discuss the role of each tier.
3. Evaluate the financial challenges faced by Local Self-Governments and suggest ways to improve fiscal autonomy.
4. Discuss the importance of digital governance in improving local service delivery, with suitable examples.
5. Compare the key functions listed in the Eleventh and Twelfth Schedules and explain their significance for rural and urban governance.

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Suggested Reading

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UNIT

Participatory Planning- Kudumbashree and Self-help Groups

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the structure, functions, and community role of Kudumbashree and Self-Help Groups in participatory planning at the grassroots level.
- ◆ analyse how women's collectives contribute to local governance, public services, and decision-making in panchayats and municipalities.
- ◆ evaluate the effectiveness of Kudumbashree and SHG-based initiatives in improving livelihoods, strengthening community participation, and supporting government programmes.
- ◆ explore various state-level experiences and best practices that demonstrate the value of organised community groups in democratic planning.

Prerequisite

Rekha grew up watching her mother attend neighbourhood meetings and help women in their ward solve small problems related to water, health, and schooling. One day, her mother invited her to join a Kudumbashree neighbourhood meeting. Rekha sat quietly at first, listening to women discuss waste collection, rising household costs, and the needs of elderly neighbours. She noticed how confidently they shared their views and how their suggestions later reached the panchayat office. A few weeks later, she accompanied her mother to a Gram Sabha. There, she realised that many of the ideas discussed in the small neighbourhood circle were now part of the larger planning meeting. The experience opened her eyes to how local planning grows from everyday conversations. It made her curious about Kudumbashree, Self-Help Groups, and how people take part in shaping development in their own communities.

Keywords

Kudumbashree, Self-Help Groups (SHGs), Participatory Planning, Gram Sabha, Micro-Planning, Community Development Society, Livelihood Promotion

Discussion

5.3.1 Introduction

Participatory planning is a method of carrying out development where people themselves help shape the decisions that influence their daily lives. Instead of allowing only officials or elected representatives to plan for a community, this approach brings ordinary citizens into the process. People who live in a place understand its problems better than anyone else because they experience them every day. When residents come together in a village meeting or a ward gathering to discuss issues like drinking water, waste management, street lighting, or school facilities, they engage in participatory planning in its true sense.

In India, this idea received strong support after the 73rd and 74th Constitutional Amendments. These amendments recognised Panchayats and Municipalities as self-governing bodies and required them to prepare local development plans. They also granted legal status to the Gram Sabha and Ward Committees, which serve as open forums where people can share concerns and suggest solutions. With these reforms, India transitioned from a planning system largely controlled from the top to one that begins at the neighbourhood level.

Several concepts underpin participatory planning. One important concept is decentralisation, which simply means that decisions are made closer to the people they affect. When local governments have more powers and funds, they can respond better to the real needs of their communities. Another

concept is open participation. Citizens are encouraged to attend meetings, discuss their problems, take part in surveys, and follow up on how projects are carried out. This process relies on transparency, as people must know how money is spent and why certain decisions are made. Participatory planning also aims to include everyone, especially women, Scheduled Castes, Scheduled Tribes, persons with disabilities, and those from weaker economic backgrounds. At the same time, it expects local representatives and officials to be accountable to the people for the choices they make.

This method strengthens grassroots democracy in many ways. When people participate in decision-making, they begin to understand how public institutions function and how decisions progress from discussion to action. Their involvement often leads to better development outcomes, as they highlight needs that might otherwise be overlooked. Funds are more likely to be used wisely, and projects tend to align with the actual requirements of the community. Participatory planning also creates space for groups that typically find it difficult to be heard, giving them confidence and visibility.

The constitutional reforms mentioned earlier provide the formal foundation for this approach. The 73rd Amendment established a three-tier system of Panchayati Raj Institutions and placed the Gram Sabha at the centre of rural governance. It also introduced reservations for women and marginalised groups to ensure broader participation. The

74th Amendment strengthened Municipalities and established ward committees, allowing residents in towns and cities to participate in planning as well. Together, these changes helped local communities gain recognition and authority in shaping development.

Kerala is widely known for taking participatory planning seriously and turning it into a statewide practice. The People's Plan Campaign, launched in 1996, directed a large share of the state's development funds to local governments. This made local planning more meaningful, as people now had real resources to work with. The involvement of various community groups—including youth clubs, neighbourhood associations, and women's collectives—became a defining feature of Kerala's model. The creation of Kudumbashree in 1998 further strengthened this framework. This network of women's neighbourhood groups soon became an important part of local planning and helped large numbers of women engage in community development.

Over the years, participatory planning has adapted to new needs and challenges. Kerala recently revived its planning campaign with improved training programmes and the use of digital tools for preparing and tracking projects. Local bodies also began linking their plans with the Sustainable Development Goals, which helped them approach development in a more organised manner. Technology now makes it easier for citizens to access information and understand how projects progress. The role of Kudumbashree grew even more during the COVID-19 pandemic, when its members ran community kitchens, produced masks, helped with awareness campaigns, and supported those who were most affected. These activities demonstrated how important community networks are in times of crisis.

A simple example helps explain how participatory planning works on the ground.

Imagine a village where residents gather for a Gram Sabha meeting. People discuss the lack of safe drinking water, the poor condition of the local anganwadi, the need for street lights, and job opportunities for women. After discussing the issues and listening to one another, they agree on what needs attention first. The ward-level plan prepared from this meeting then becomes part of the panchayat's annual development plan. Through this process, planning becomes a shared responsibility rather than a distant administrative exercise.

Participatory planning is a practical and people-centred method that puts citizens at the heart of local development. It encourages them to share their views, suggest solutions, and follow up on public work. It is rooted in democratic decentralisation and supported by constitutional reforms that granted local bodies both authority and responsibility. Kerala's experience, especially through the People's Plan Campaign and the work of Kudumbashree, demonstrates how community involvement can improve both governance and public life. With continued community participation and the use of new tools, participatory planning remains an important part of India's development efforts.

5.3.2 Participatory Planning in Kerala: Background

Participatory planning in Kerala has its roots in the state's long history of public involvement in community activities. For many years, people in Kerala actively participated in literacy missions, cooperative movements, neighbourhood groups, and social reform efforts. These experiences encouraged open discussion and collective action. Because of this background, the idea of involving people directly in development planning did not feel new or unusual; it was a natural extension of the active public life that already existed in the state.



A major change came in 1996 when the government of Kerala introduced the People's Plan Campaign. This initiative aimed to shift a large portion of the state's development funds to local governments. Panchayats, municipalities, and corporations were not only given funding but also the responsibility to plan their own development projects. This meant that instead of planning occurring far away in higher offices, it would now take shape within the community. People suddenly had a say in how public resources were used in their own area.

The People's Plan Campaign made Gram Sabhas and ward-level meetings more meaningful. These meetings became spaces where residents could discuss the problems they faced and suggest what should be included in the annual plan. Issues such as drinking water, sanitation, road maintenance, waste management, and housing were openly discussed. Planning slowly became a shared exercise rather than a top-down decision-making process.

Kerala built a strong institutional system to support this model. Gram Sabhas and Ward Sabhas allow people to voice their needs. Working groups made up of teachers, engineers, health workers, Kudumbashree members, and other local representatives study these needs and prepare detailed project proposals. Because these groups include people familiar with local conditions, the plans they prepare tend to reflect what communities actually require.

A special feature of Kerala's system is the role played by Kudumbashree. Started in 1998, Kudumbashree is a large network of women's neighbourhood groups. These women often take part in surveys, meetings, and community discussions related to local planning. Their close connection to households helps them raise issues that might otherwise remain unnoticed, such as drinking water shortages, food security, children's needs, and safety concerns. Their

participation has helped make planning more inclusive and practical.

Over time, Kerala strengthened the planning process further. Elected representatives and officials received training on how to manage funds, organise public meetings, and prepare development plans. The use of digital tools made it easier to track projects, share information, and maintain records. These changes made the planning system smoother and more transparent for the public. Local governments also began connecting their plans with wider development goals, such as the Sustainable Development Goals. This helped them think not only about immediate needs but also about long-term concerns like the environment, health, gender equality, and poverty reduction. It encouraged a more balanced and thoughtful approach to planning.

Kerala's participatory planning system proved its strength during difficult times. When the state faced severe floods in 2018, local governments, volunteers, and Kudumbashree members worked together to coordinate relief and support for affected families. A similar level of cooperation was seen during the COVID-19 pandemic, when local bodies organised community kitchens, assisted health workers, and supported vulnerable households. These examples showed that communities familiar with working together are better prepared to handle crises.

Participatory planning in Kerala grew gradually through public involvement, decentralised governance, and strong community networks. The support of local institutions, the commitment of Kudumbashree, and the active participation of people have helped create a model that remains one of the most effective in India. It continues to evolve, but its core strength comes from placing people at the centre of the development process.

5.3.3 Kudumbashree: An Overview

Kudumbashree is one of the most significant community programmes in Kerala, particularly in the way it brings women together to improve their lives and support their families. The government launched Kudumbashree in 1998 with a simple idea: when women organise themselves at the neighbourhood level, they can help each other, share their problems, and find practical solutions. Over time, this idea evolved into a strong state-wide network and became an important partner in local development.

At the heart of Kudumbashree is the belief that women understand the everyday needs of their homes and communities better than anyone else. They deal directly with issues such as food, health, educational needs, and household expenses. Because of this close involvement in daily life, they are quick to notice when something is not working well. This thinking led to the creation of Kudumbashree's three-tier structure, which includes Neighbourhood Groups (NHGs), Area Development Societies (ADS), and Community Development Societies (CDS). Kudumbashree provides these women with a platform to come together and act on their concerns.

Neighbourhood Groups form the base of this structure. These are small groups of women who meet regularly to save money, discuss their concerns, and support each other. This small-scale setting helps build trust and cooperation. When NHGs in a ward come together, they form an ADS, which undertakes activities that require a larger effort, such as surveys, awareness drives, and coordination with local government offices. At the higher level, the CDS represents all the NHGs and ADSs in a panchayat or municipality. The CDS works closely with elected representatives and plays an active role in preparing and implementing development plans.

Kudumbashree focuses on reducing poverty and improving the lives of families, especially those facing financial difficulties. One of its main efforts is encouraging women to start small businesses or group enterprises. Many Kudumbashree members now run catering services, tailoring units, small shops, farming collectives, cafés, and other ventures. The support they receive—such as training, access to loans, and guidance—helps them earn a steady income and become self-sufficient. This has instilled confidence in many women who previously had little or no opportunity to work outside the home.

The influence of Kudumbashree extends beyond economic activities. Members participate in several social programmes related to health, nutrition, waste management, child development, and education. They assist local governments by conducting surveys, disseminating information about welfare schemes, and encouraging people to attend Gram Sabhas. Their close connection to households makes them effective in reaching groups that may otherwise remain unnoticed.

As Kudumbashree gained strength, its role in local planning also increased. Members provide valuable insights into the needs of women, children, the elderly, and impoverished families. Their suggestions help local governments prepare better development plans that reflect real conditions. By attending meetings regularly and remaining active in their communities, they ensure that planning is not merely theoretical but reflects actual needs on the ground.

Kudumbashree's commitment was especially visible during emergencies. During the COVID-19 pandemic, for example, its members worked in community kitchens, helped supply essentials, stitched masks, and assisted health workers. Their efforts supported thousands of families during a difficult period and demonstrated how strong community networks can make a significant difference.

Today, Kudumbashree stands as a successful example of what women can accomplish when they come together with a shared purpose. It continues to grow, take on new responsibilities, and support local governments in carrying out development activities. Its strength lies in its simple idea: when women support each other, they strengthen not only their families but the entire community.

5.3.3.1 Kudumbashree in Participatory Planning

Kudumbashree has become a robust support system in Kerala's participatory planning process because it is closely linked to everyday life in the community. Its members live in the same neighbourhoods where development decisions are made, and they interact with families regularly. This enables them to notice local problems early and understand what people truly need. As a result, Kudumbashree plays an active and consistent role whenever local governments prepare their development plans.

One of Kudumbashree's strengths is its ability to bring real and practical information to the planning process. Members often visit households, speak with residents, and observe situations firsthand. They identify issues related to drinking water, waste disposal, road conditions, school facilities, and health needs. These observations guide local governments while preparing plans, as they reflect real conditions on the ground rather than assumptions.

Kudumbashree also encourages people—especially women—to attend Gram Sabhas and ward-level meetings. Many women who previously hesitated to speak in public now feel more confident because they are part of a supportive group. Their presence in these meetings helps raise issues that often remain unnoticed, such as the needs of elderly people, single women, children,

and families facing hardship. This makes planning more inclusive and ensures that decisions are not based solely on the views of a few individuals.

Another important role of Kudumbashree is in collecting information needed for planning. Members help conduct surveys and gather details from households. Since they are familiar faces, people feel more at ease sharing their concerns with them. The information collected in this manner becomes a reliable foundation for local governments to prepare clear and realistic development plans.

Kudumbashree's involvement in micro-level planning is equally important. Small groups within the organisation, such as NHGs, often highlight issues specific to a locality—for example, poor street lighting in one area or drainage problems in another. These small suggestions may seem simple, but they assist local governments in addressing problems that affect daily life. Kudumbashree's inputs ensure that planning remains aligned with the real needs of the community.

Implementation of development activities is another area where Kudumbashree plays a useful role. Members contribute to programmes involving sanitation, health awareness, nutrition, and social welfare. Kudumbashree enterprises—such as cafés, small catering units, tailoring centres, and farming groups—also support local economies and create livelihoods. Their steady presence helps local governments carry out development projects smoothly.

Kudumbashree members often take part in social audits, which check whether public funds are used properly. Their participation brings trust to the process because they represent the community and understand local realities. People feel reassured when they know Kudumbashree is monitoring public projects. Over the years, Kudumbashree has also created groups with specialised roles,

such as gender resource persons and micro-enterprise mentors. These members help local governments address issues related to women's safety, counselling, livelihoods, and small businesses. Their support strengthens planning by adding practical knowledge from the community.

The value of Kudumbashree's involvement became especially clear during the COVID-19 pandemic. Members prepared food in community kitchens, helped deliver essential items, supported health workers, and checked on elderly residents living alone. Their quick and caring response demonstrated how strong community groups can make a significant difference in difficult times. Through these varied activities, Kudumbashree has become a key part of Kerala's participatory planning model. It integrates local knowledge, community support, and women's leadership into the planning process. Its strength comes from the everyday efforts of thousands of women who work together to improve the well-being of their neighbourhoods.

5.3.4 Self-Help Groups (SHGs) in India

Self-Help Groups, commonly called SHGs, are small community groups that have become an important part of rural life in India. Most of these groups are formed by women who come together to support one another, save small amounts of money, and seek ways to improve their families' lives. What began as simple neighbourhood groups has now grown into a strong movement that has helped millions of women gain stability and confidence.

An SHG is usually made up of a small number of women from the same village or locality. They meet regularly to discuss the challenges they face at home and in the community. During these meetings, they also set aside small savings, which are collected into a common fund. Members borrow

from this fund when they need money for household expenses, health needs, education, or to start small income-generating activities. This system reduces their dependence on moneylenders and helps them manage their finances more safely.

The SHG movement spread widely in the 1990s, especially after NABARD recognised its potential and supported many groups. Later, the government's National Rural Livelihoods Mission (NRLM), now called DAY-NRLM (Deendayal Antyodaya Yojana – National Rural Livelihoods Mission), expanded SHGs across the country. Through the SHG-bank linkage programme, groups receive loans from banks based on their saving habits and unity. This opened the doors of formal banking to women who had never entered a bank before, helping them take small loans at reasonable interest rates and build a more secure financial base. Many SHGs use these loans to undertake small income-generating activities. Some make pickles and snacks, some stitch clothes, some run small shops, while others engage in farming or dairy activities. These small ventures may not yield large profits, but they provide steady earnings that help families manage expenses. Training programmes by NRLM and other agencies guide women in managing these activities and improving their skills.

SHGs also play a social role. Their regular meetings provide women with a space to speak freely, share worries, and learn from each other. Over time, many women become more confident and start participating in village meetings, school committees, or discussions with local officials. Their involvement in topics such as health, sanitation, education, and nutrition has made SHGs trusted groups within the community. In many states, SHGs support government programmes by assisting with school meal preparation, running community kitchens, aiding anganwadi centres, and participating



in health campaigns. Since SHG members live in the same community, they can easily reach families and help carry out various activities more effectively.

In recent years, many SHGs have begun using mobile phones and digital tools to manage their accounts, receive payments, or promote their products. Some groups sell items such as handmade products, food items, or farm produce on online platforms. Support from state and central governments has helped many SHG enterprises expand their reach. The growth of SHGs demonstrates the power of collective effort. When women come together with a shared purpose, they can support one another, improve their families' conditions, and contribute to their communities. SHGs have become a strong foundation for women's empowerment and rural development in India, and they continue to play an important role in improving livelihoods and strengthening community bonds.

5.3.4.1 Role of SHGs in Participatory Planning

Self-Help Groups contribute meaningfully to participatory planning because they act as a link between families and local governments. Their strength lies in the close relationships they maintain within their neighbourhoods. Through regular interactions, SHG members understand how people experience public services such as water supply, waste collection, health facilities, and local infrastructure. This everyday awareness helps them bring clear and practical suggestions to the planning table.

One of their important roles in participatory planning is helping local bodies understand the specific needs of different groups within the community. SHG members often visit households and speak with women, children, elderly residents, and individuals who may

not attend public meetings. This engagement provides them with insight into the concerns of groups whose voices are not always heard. When SHG members attend Gram Sabhas or ward meetings, they carry these concerns with them, ensuring that planning includes people who might otherwise remain invisible.

SHGs also play a significant role in strengthening public participation. Many people hesitate to attend Gram Sabhas because they feel that their views may not matter or they are unsure of how such meetings operate. SHG members encourage participation by reminding families about meetings, helping them understand the issues on the agenda, and, when necessary, accompanying them. This increases the number of attendees at local planning discussions and leads to a more balanced set of opinions.

Another way SHGs support planning is through their involvement in data collection and local surveys. Local governments depend on accurate and updated information about households, and SHGs often assist with this work. Their familiarity with families enables them to gather information respectfully and efficiently. The data they collect—relating to housing conditions, access to services, or the needs of specific groups—helps working groups prepare realistic development plans.

SHGs also observe how public services function in their neighbourhoods. They notice when waste is not collected properly, when public taps stop working, when health outreach is irregular, or when certain areas remain unsafe after dark. These ongoing observations help local governments identify problems that may not be captured in official reports, making SHGs an informal but reliable source of local monitoring.

At the planning stage, SHGs help identify small but meaningful improvements that can have a direct impact on community life. For instance, they may suggest relocating a waste

bin to a more accessible area, improving a footpath used by schoolchildren, or adjusting the timing of a local service to benefit more people. These minor suggestions help shape plans that respond to the daily realities of residents.

SHGs also contribute during the implementation of projects. When local governments undertake activities related to health awareness, sanitation drives, nutrition programmes, or community events, SHG members help organise people, disseminate information, and offer practical support. Their presence ensures that programmes do not remain limited to official announcements but reach the intended households.

In many regions, SHGs assist in reviewing completed projects through community-level discussions and social audits. Their feedback highlights areas requiring improvement and encourages accountability. Because they are part of the community, their comments are taken seriously by both residents and officials.

During emergencies—such as floods, droughts, or health crises—SHGs provide support that goes beyond routine planning. They help identify families needing immediate assistance, coordinate the distribution of essential items, and share information quickly within the community. Their experience in managing group activities enables them to respond effectively when local governments require support. SHGs strengthen participatory planning by highlighting everyday issues, encouraging public discussions, providing reliable local information, and supporting both the planning and implementation of development programmes. Their contribution is not limited to representing women; they help ensure that planning remains closely connected to the lived experiences of the entire community.

5.3.5 Comparative Study: Kudumbashree and National SHG Model

Kudumbashree and the Self-Help Groups found across India share the basic idea of bringing women together to save money, support one another, and improve their families' lives. However, their functioning and roles in local development are quite different. Understanding these differences helps explain why Kudumbashree has developed such a strong presence in Kerala.

Across India, the SHG model mainly focuses on small savings, access to bank loans, and simple income-generating activities. Women come together to form groups, save regularly, and assist each other through internal loans. Most SHGs operate within this structure, and their involvement in local governance varies depending on the support they receive from government programmes. Kudumbashree also begins with similar neighbourhood groups, but it has evolved into a much larger community network. Its three levels—Neighbourhood Groups, Area Development Societies, and Community Development Societies—allow it to work closely with panchayats and municipalities. This close link gives Kudumbashree a steady role in local planning, surveys, and implementation. While SHGs in other states may occasionally share their concerns, Kudumbashree participates in planning in a more organised and continuous manner.

The range of activities undertaken by Kudumbashree is also broader. While national SHGs focus mainly on small earnings through tailoring, food products, or farming, Kudumbashree groups also run community kitchens, cafés, waste management teams, and other services in partnership with local governments. This involvement places

Kudumbashree at the centre of many public programmes, making its presence more visible in daily community life.

Kudumbashree's role in Gram Sabhas and ward-level meetings is another key difference. Members attend these meetings regularly, share the needs they observe in their neighbourhoods, and participate in preparing local plans. In many other states, SHGs may attend meetings when invited, but they are not usually part of the planning process in a structured manner. Leadership development is a strong feature of Kudumbashree. Women take on roles at different levels of the organisation, learn to coordinate activities, and work closely with local officials. Many Kudumbashree members later contest local body elections and take on public responsibilities. While leadership also develops in SHGs across India, Kudumbashree provides more opportunities because of its close link with local governance.

In terms of scale, the national SHG model covers almost the entire country, making it very large and widespread. Kudumbashree operates only in Kerala, but its presence is deep and well-rooted. It reaches almost every ward and works closely with local governments, making its impact more visible and immediate. Both systems have shown their strength during emergencies, but Kudumbashree's response has often been faster due to its strong connection to local authorities. During floods, health crises, or the COVID-19 pandemic, Kudumbashree groups worked closely with panchayats to run community kitchens, deliver essential items, and assist families in need.

In short, while both Kudumbashree and national SHGs aim to support women and improve community life, Kudumbashree combines economic activities with active participation in local governance. The national SHG model focuses more on financial support

and livelihoods, while Kudumbashree links these goals with community development and public service. This makes Kudumbashree a unique and influential model within India's larger SHG movement.

5.3.6 Success Stories and Best Practices

The work of Kudumbashree and Self-Help Groups becomes easier to understand when we look at the practical changes they have brought into people's lives. Across Kerala and other states, these groups have helped women start small ventures, improve community services, and support local governments in planning and development. In Kerala, *Kudumbashree cafés and canteens* are among the most familiar examples. Many of these units began with a few women who wanted regular work. Today, they run neat, well-managed eating spaces that offer affordable meals. These cafés have become part of daily life in many towns and panchayats, providing steady income to the groups that operate them. Their success has encouraged other groups to start similar ventures. Kudumbashree has also taken up important work in *waste management*.

In several panchayats, groups of women collect household waste, help with composting, and support local bodies in recycling efforts. Their work has improved cleanliness in many neighbourhoods and created jobs for women who needed stable work close to home. These efforts also show how local solutions, when backed by the community, can enhance essential services. During the COVID-19 pandemic, Kudumbashree proved its strength as a community organisation. Its members prepared food in community kitchens, delivered meals to families who could not cook, stitched masks, and helped spread health information. Their ability to respond quickly stemmed from their close connection with households and their experience

in working as a group. This support made a real difference during a difficult period for many families.

Self-Help Groups in other states have their own noteworthy achievements. In Tamil Nadu, many SHGs have taken part in *skill programmes* that helped women learn trades such as tailoring, simple manufacturing, and running small local businesses. These skills helped women secure small but steady incomes and improved the economic condition of their households. In Andhra Pradesh, women's collectives have formed strong *farming and producer* groups. By working together to grow vegetables and other crops and selling them directly in nearby markets, they have earned better prices and avoided middlemen. This collective effort has encouraged more women to engage in farming and contribute to their families' earnings.

States like Odisha have seen SHGs take up *millet processing and other food-related* activities. These groups have helped families improve their diets while creating income. In Gujarat, some SHGs have turned *kitchen waste into compost* and *small garden* products, showing how simple local efforts can support both livelihoods and the environment. SHGs have also become important partners in *health and nutrition* work. In several states, they help *anganwadi* workers identify children who need *special* care, encourage mothers to attend *health check-ups*, and support local campaigns on *hygiene and nutrition*. Their close contact with families makes them effective messengers of public health information.

Many SHGs also take part in local markets and fairs, selling *handmade products, traditional foods, clothes, and fresh* produce. These activities give women a chance to display their work, earn an income, and gain recognition in the community. Beyond

economic activities, both Kudumbashree and SHGs often support broader social needs. Groups help *elderly people living alone*, assist *children who need extra learning* support, or reach out to families facing difficulties. These acts of care strengthen community ties and demonstrate the social value of organised women's groups.

Taken together, these examples from Kerala, Tamil Nadu, Andhra Pradesh, Odisha, Gujarat, and other states show how small groups of women can bring steady and meaningful change. Their work demonstrates that development does not depend solely on large projects. Sometimes, it grows from small local actions that are repeated with commitment and supported by the community. Kudumbashree and SHGs continue to show how collective effort, when supported by local institutions, can improve both livelihoods and community life.

5.2.8 Conclusion

Participatory planning becomes meaningful when the people who live in a community take part in shaping its development. The experiences from Kerala and several other states show that local groups, especially Kudumbashree and Self-Help Groups, play a vital role in making this possible. Their close relationship with neighbourhoods helps them recognise everyday needs, share concerns that might otherwise go unnoticed, and support local governments in carrying out development work.

Through their steady involvement in meetings, surveys, community services, and small enterprises, these groups help local planning move beyond official documents and reach the households it is meant to serve. Their work during regular times and in emergencies shows how community networks can respond quickly and responsibly when people need support.

The examples from different states make it clear that women's collectives do more than improve their own income. They strengthen public services, support vulnerable families, and instil a sense of shared responsibility in local development. Kudumbashree's close link with panchayats and the wide reach of SHGs across India show that planning becomes more effective when people actively participate in it.

In short, the experience of these groups reminds us that development grows stronger when communities are involved. Trust, cooperation, and everyday participation create a foundation on which local governments can build. As more women and community members engage in planning, public life becomes more inclusive, and development becomes better connected to real needs.

Recap

- ◆ Participatory planning is effective only when local communities take part in identifying their own development needs.
- ◆ Kudumbashree functions through a three-tier system that connects neighbourhood groups with panchayats and municipalities.
- ◆ SHGs across India focus on savings, credit access, and small livelihood activities that strengthen household income.
- ◆ Kudumbashree's involvement in Gram Sabhas ensures women's voices are included in local plans.
- ◆ SHGs help gather local information and share the concerns of families who may not attend meetings.
- ◆ Community kitchens, cafés, and waste management units run by Kudumbashree demonstrate how groups can take up public services.
- ◆ SHGs in states like Tamil Nadu, Andhra Pradesh, Odisha, and Gujarat showcase successful examples of farming, food processing, and health-related work.
- ◆ These groups also support government programmes by assisting with surveys, awareness drives, and social welfare activities.
- ◆ Collective organisation helps women gain confidence and take on leadership roles in local governance.
- ◆ Kudumbashree and SHGs illustrate that community-based efforts strengthen grassroots democracy and make it more meaningful.

Objective Questions

1. Which organisation in Kerala supports women's neighbourhood groups for participatory planning?
2. What is the basic unit of Kudumbashree's three-tier structure?
3. Which national programme promotes SHGs across India?
4. In which meeting do local residents share their development needs with the panchayat?
5. Which activity helps SHGs provide accurate information for local plans?
6. Which state is known for Kudumbashree cafés and community kitchens?
7. Which state has SHGs actively involved in collective farming and market-linked agriculture?
8. Which group often supports health and nutrition awareness at the community level?
9. Which part of Kudumbashree works at the ward level to coordinate neighbourhood groups?
10. Which activity carried out by SHGs strengthens women's financial independence?

Answers

1. Kudumbashree
2. NHG
3. DAY-NRLM
4. Gram Sabha
5. Surveys
6. Kerala

7. Andhra Pradesh
8. SHGs
9. ADS
10. Livelihoods

Assignments

1. Explain how Kudumbashree has become an important partner in participatory planning in Kerala.
2. Discuss the role of SHGs in strengthening women's participation in local governance across India.
3. Compare the structure and functioning of Kudumbashree with the national SHG model under DAY-NRLM.
4. Describe how community-level enterprises run by Kudumbashree and SHGs support local development.
5. Assess the significance of women's collective action in improving public services such as health, sanitation, and nutrition.

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BLOCK

Challenges to Democracy



UNIT

Casteism and Communalism

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the meaning, forms, and historical roots of casteism and communalism in India
- ◆ analyse how caste and communal identities influence social relations, political behaviour, and democratic processes
- ◆ evaluate the constitutional, legal, and social responses aimed at reducing caste-based and communal tensions in India
- ◆ explore recent developments, case studies, and community-level efforts that shape the contemporary experience of casteism and communalism

Prerequisite

Ananya, a first-year political science student, grew up in a small town where people from different castes and religions lived side by side. She noticed that festivals were usually celebrated together, but she also heard quiet remarks when disagreements arose. During a visit to her friend Meera's village, she witnessed an argument between two groups over the route of a festival procession. Meera told her that old social divisions still shaped how people viewed each other. Later, in college, Ananya attended a seminar where survivors of a communal clash spoke about their experiences and described how fear had spread through their neighbourhood. These events made her wonder why caste and religion still have such a strong influence in society. She wanted to learn what the Constitution says about equality, how laws protect citizens, and how communities can prevent such conflicts. This unit begins with those questions.

Keywords

Secularism, Social exclusion, Majoritarianism, Discrimination, Communal harmony

Discussion

6.1.1 Introduction

India is a country with many communities, languages, and beliefs, yet all of us share the same democratic framework. The Constitution promises that every person should be treated with dignity and have equal rights. In everyday life, however, these promises are not always fully realised. Some old social divisions still influence how people relate to one another.

It is important to understand how these divisions continue to shape society and politics. This unit explains how casteism and communalism developed, how they manifest in present-day India, and why they remain challenges for a healthy democracy.

6.1.2 Conceptual Understanding of Casteism

The caste system has shaped social life in India for a very long time. What may have started as a way of organising different kinds of work gradually turned into a strict arrangement where people were placed into groups by birth. These groups, known as jatis, developed their own customs and rules, and over time many of them came to be seen as higher or lower in status. Movement from one group to another became uncommon. During the colonial period, British officials recorded and classified castes in their surveys, which made these identities even more fixed. By the time India became independent, caste was deeply woven into social habits and community interactions.

Casteism arises when people treat others unfairly because of the caste to which they

belong. It means judging a person not for their qualities, but for the group they were born into. Even today, caste influences many aspects of daily life. Families may still prefer marriages within their caste. Some neighbourhoods remain divided along caste lines. A person might be refused a house or a job because their surname reveals their caste. Sometimes the prejudice is subtle, manifesting as a joke or a comment that reinforces a stereotype. These everyday actions illustrate how caste thinking continues to affect behaviour.

The signs of casteism are often evident in how people relate to one another. Some castes may be treated as superior, while others face distance or exclusion. In many places, traditional jobs are still linked to caste, limiting people's freedom to choose the kind of work they want. Decisions about marriage often involve strong pressure to remain within one's caste, and disagreements can lead to tension within families and communities. People from marginalised castes may be excluded from community discussions or treated with less respect. These experiences reduce their opportunities and affect their sense of dignity.

Caste-based discrimination creates real and lasting disadvantages. Individuals from oppressed castes may face difficulties in accessing education, employment, land, or public services. In some villages, they may still encounter restrictions on entering certain religious or residential areas. Conflicts sometimes arise when people challenge these unfair practices, especially regarding inter-caste relationships or disputes over land and

public spaces. Because such discrimination harms both self-worth and life opportunities, the Constitution clearly rejects untouchability and provides legal measures to protect those who face injustice.

Caste also has a strong presence in politics. Many political parties depend on caste groups for support during elections. Leaders often approach caste communities to gather votes, and discussions on reservations and representation are closely linked to caste identity. While this political engagement has helped many disadvantaged communities gain visibility, it has also kept caste identities active in public life. In several regions, caste-based groups and organisations influence political decisions and leadership patterns.

All of this demonstrates why casteism is a serious challenge to Indian democracy. Democracy rests on the belief that everyone should be treated equally and have an equal chance to participate in society. When people face discrimination or exclusion because of their caste, this basic promise is weakened. Casteism limits social mobility, creates divisions, and reduces trust among communities. For democracy to function as intended, every person should have the freedom to live with dignity and pursue opportunities without fear of bias. Casteism continues to obstruct this goal and remains one of the major barriers to building a more equal and inclusive nation.

6.1.2.1 Recent Developments Related to Caste

Caste-based discrimination continues to affect many people in India, even though the country has changed in many ways. Some may believe that caste no longer matters, but the daily experiences of many individuals show that it still plays a role in social life. In several villages and small towns, families from marginalised castes may be asked to live in separate areas or may be discouraged

from using public spaces that others use freely. They may find it difficult to enter certain temples or join community events. These practices create a constant reminder that social divisions continue to influence how people are treated.

Discrimination also appears in schools, workplaces, and local institutions. A student may be addressed differently because of their caste, or a person may lose out on a job because of the assumptions others make about their background. In some areas, local bodies still make decisions that favour dominant caste groups, leaving others with little say. When individuals try to challenge these old boundaries, disagreements often arise. Inter-caste marriages, for instance, remain sensitive in many families. Young couples who choose partners outside their caste sometimes face criticism, pressure, or even threats, which illustrates how strongly these beliefs continue to shape behaviour.

The Constitution acknowledges the harm caused by caste discrimination and sets clear rules to prevent it. It states that every person is equal before the law and that untouchability is not permitted in any form. To support these principles, laws have been enacted to protect Scheduled Castes and Scheduled Tribes from violence, humiliation, and unfair treatment. The SC/ST (Prevention of Atrocities) Act is one such law, ensuring that acts of discrimination are taken seriously. Reservation policies in education, government employment, and political representation have also opened doors for many who were once excluded from these opportunities. These measures have helped people gain confidence, access education, and participate more actively in public life.

However, legal protection alone is not enough to remove centuries-old attitudes. Many individuals hesitate to report discrimination because they fear



consequences or feel uncertain about whether their complaint will be addressed properly. Social change takes time, especially when beliefs are passed down through generations. This is why the role of civil society groups, student organisations, and community activists becomes important. Their campaigns against manual scavenging, their support for inter-caste marriages, and their efforts to promote dignity help bring awareness to issues that are often ignored. These voices encourage people to question long-standing practices and recognise discrimination when it occurs.

Recent developments show that caste remains a sensitive issue. In many states, conflicts related to caste continue to occur, often linked to disputes over land, honour, or local leadership. Social media has created a new space where caste prejudice sometimes appears in harsh comments or targeted insults. Yet, these platforms also give individuals from marginalised communities a chance to share their stories, organise support, and demand justice. The discussion around collecting updated caste data has gained attention in recent years, with some states conducting caste surveys to understand the social and economic situations of different groups. The Bihar Caste Survey of 2023 reopened questions about whether such information is needed to plan welfare programmes more effectively. Supporters of caste surveys argue that accurate data helps to reveal real inequalities, while others worry about how it might influence politics. These discussions have gained traction because studies continue to show differences in income, education, and job opportunities across caste groups.

At the same time, many leaders and organisations from marginalised communities have become more active in raising concerns about discrimination in education, public institutions, and everyday life. Their efforts bring these issues into public discussion and

challenge older structures of power. Groups like the Bhim Army have been vocal about discrimination, violence, and equal rights. Their work has encouraged more people to notice caste issues and pushed authorities to take reports of injustice more seriously.

Although progress has been made, caste-based discrimination still shapes opportunities and relationships for many people. Laws provide important protection, but real change depends on how society responds. When communities question unfair treatment and treat one another with respect, democracy becomes stronger. Understanding how caste discrimination continues today helps us work towards a society where everyone is treated with fairness and dignity.

6.1.3 Conceptual Understanding of Communalism

Communalism is a way of looking at society in which people begin to see their religious group as separate from others and believe that their community's interests cannot be shared with those who follow a different faith. In this view, religion becomes a dividing line rather than a personal belief or cultural practice. When this thinking grows stronger, people may start to view other communities with doubt, fear, or hostility, which creates distance and weakens social harmony.

The rise of communalism in India has deep historical roots. For many centuries, people of different religions lived together and shared common spaces, although small conflicts sometimes occurred. Religious identity did not control political rights or social roles as it does under communal thinking. The spread of communalism became more pronounced during British rule. The colonial administration often highlighted differences among communities to maintain control. They prepared separate records for different

religious groups and treated them as distinct blocks of society. These practices encouraged people to view one another more through religious labels than through everyday shared experiences.

One major step that strengthened communal thinking was the introduction of separate electorates. Under this system, members of certain religious communities could vote only for candidates from their own group. While the British argued that this would protect minorities, it had the opposite effect. It taught people to think of political issues in religious terms and created the impression that the interests of one community were inherently different from those of another. This increased mistrust and played a significant role in the rise of communal politics in the years leading up to Independence.

Communalism manifests at different levels. In its simpler form, it is the belief that one's religious community has its own needs and concerns. People may not feel any hostility, but they see their group as separate. A stronger form views other communities as competitors whose gains might harm one's own group. The most severe form occurs when a religious group is perceived as a threat or an enemy. This extreme stage often leads to fear, anger, and sometimes violence. It damages relationships, disrupts daily life, and leaves long-lasting divisions.

Communal ideas spread by drawing a sharp line between "us" and "them." They present communities as if they are uniform, ignoring that every religion contains people with different views, customs, and ways of life. Communal narratives often repeat selected historical stories to create fear or resentment. Over time, such ideas influence how people speak about one another, how they behave, and even how they choose their political representatives.

Communalism affects identity by turning religion into a political label. Religion, which for many people is a source of culture and personal meaning, becomes a tool for mobilisation. People are encouraged to vote or act in the name of religious identity rather than focusing on shared issues like education, health, or development. This shift often benefits political groups that use communal messages to strengthen their support. Some parties and organisations present themselves as protectors of a particular community and suggest that other groups pose a danger. These messages can deepen divisions and create suspicion between communities that have lived together for generations.

Political organisations that rely on communal ideas may use festivals, campaigns, and public events to reinforce group identity. When this continues over time, people begin to think of themselves primarily as members of separate religious groups rather than as citizens who share common needs and aspirations.

In this way, communalism is not just about religious differences. It is a process that turns those differences into sources of division. It encourages people to see each other as members of separate camps rather than as neighbours and fellow citizens. Understanding communalism is important because it affects social unity, democratic values, and peaceful living. When religion becomes a reason to divide people rather than guide them in their personal lives, it weakens the foundations of a just and inclusive society.

6.1.3.1 Communalism and Violence

Communalism becomes most harmful when it turns into violence. In such moments, people stop seeing one another

as neighbours or familiar members of the community. Instead, they begin to identify each other mainly by religion. This shift creates fear, suspicion, and anger. When communal violence breaks out, it does not just cause physical harm; it weakens relationships, destroys trust, and can affect entire generations.

Independent India has seen several disturbing incidents of communal violence. Early cases like the Jabalpur violence in 1961 and the Jamshedpur riots in 1979 showed how quickly small disputes can escalate when communities are already tense. The Mumbai riots of 1992–93 were a turning point, linked to the Babri Masjid demolition, and left deep emotional wounds. The Gujarat violence of 2002 again shocked the nation because of its scale and the lasting fear it created among affected families. More recently, the Delhi violence of 2020, which occurred during protests surrounding the Citizenship Amendment Act, and the clashes in Manipur in 2023 reminded the country that communal tensions can still flare up quickly when people feel insecure or unheard.

The media plays a powerful role during such situations. When news is reported carefully, it can help reduce fear and prevent rumours. However, when reporting is sensational or biased, it increases confusion and fuels tension. Social media has made this problem more urgent. Misinformation, edited videos, or misleading posts can spread rapidly and reach thousands of people within minutes. Many violent incidents have worsened because of such online messages, which often propagate anger faster than the truth.

Hate speech is another factor that feeds communal violence. When public figures, social media users, or influential groups use harsh language against an entire community, it normalises suspicion and resentment. Over time, constant exposure to such messages

leads people to believe that their religious group is unsafe or under threat. This creates an atmosphere in which violence becomes easier to justify.

Mob lynching is one of the most troubling forms of communal violence seen in recent years. Many of these cases start with a rumour—sometimes about a religious practice or an unfounded accusation. Crowds gather quickly, often influenced by messages circulating online, and take the law into their own hands. These incidents cause deep fear and sadness and weaken people's trust in the legal system because they illustrate what happens when anger replaces due process.

Communal violence rarely happens suddenly; it grows over time through prejudice, misunderstandings, irresponsible statements, and weak responses to early signs of tension. Once violence begins, it affects not only those directly involved but also entire neighbourhoods and communities. Business activities stop, schools close, and people who once lived together peacefully may become fearful of each other.

Reducing communal violence requires steady and honest efforts. Communities need spaces to talk and rebuild trust. Responsible reporting, quick action against rumours, and strong legal responses to hate speech and mob violence are essential. Most importantly, people must be encouraged to see one another as fellow citizens rather than as members of separate religious groups. When dignity, fairness, and understanding guide everyday behaviour, the chances of communal violence reduce, and society becomes safer and more trusting.

6.1.3.2 Impact of Communalism on Democracy

Communalism harms democracy because it encourages people to view each other primarily through religious divisions. A

democratic society can function well only when people trust one another, feel included, and believe that everyone deserves equal treatment. When communal ideas spread, these foundations begin to weaken. People start to think of themselves as part of separate groups rather than as citizens who share a common public life.

One major area affected by communalism is secularism. India's Constitution promises that the state will treat all religions equally. This is meant to reassure every citizen that the law does not favour any one community. However, when politics becomes influenced by communal thinking, this balance is disturbed. If communities begin to feel that one group is receiving more attention or protection than others, their faith in fairness declines. When this happens, the idea that all citizens are equal before the state becomes harder to maintain.

Communalism also leads to significant voter divisions. In a healthy democracy, voters choose leaders based on issues such as development, education, jobs, and public welfare. But when communal feelings influence elections, people may vote primarily due to religious identity. Political speeches may focus on religious pride or fear instead of discussing real problems. This narrows the public conversation and creates a divide in which people feel closer to their religious group than to the larger community. Over time, such divisions make it harder for citizens to consider shared issues and common goals.

As communal attitudes grow, trust between communities slowly erodes. Neighbours who once lived peacefully side by side may begin to doubt each other's intentions. Old rumours and stereotypes may resurface. Simple disagreements can become more serious when suspicion replaces understanding. This breakdown of trust affects everyday life—how people interact at work, in schools, in

markets, and in public spaces. Democracy depends on cooperation among citizens, and when trust weakens, working together becomes more difficult.

Communalism also affects the basic values of the Constitution. Equality is weakened when people begin to accept different treatment for different religious groups. Justice becomes harder to achieve when prejudice shapes the way incidents are reported or handled. Personal freedom suffers when individuals feel they must adjust their behaviour out of fear of being targeted. Most importantly, the sense of fraternity—the feeling that all Indians are part of one national family—becomes fragile when communities start seeing each other as separate or opposing groups.

Public institutions can also feel the strain of communal tensions. If people believe that the police, administration, or elected officials are favouring one community, they lose confidence in these institutions. Without trust in public institutions, resolving conflicts and maintaining peace becomes more difficult. When citizens do not feel equally protected, the democratic system itself becomes weak.

In the long term, communalism limits the way people think about society. It encourages fear instead of understanding and division instead of unity. For democracy to remain strong, citizens must be willing to look beyond religious boundaries and recognise that their wellbeing is tied to the wellbeing of others. Building trust, ensuring fairness, and treating every community with respect are essential steps toward protecting democracy from the harmful effects of communalism.

6.1.3.3 Constitutional and Legal Measures Against Communalism

Communalism challenges the basic promise of the Indian Constitution, which is



to give every citizen equal rights and dignity regardless of their religion. To protect these values, the Constitution and various laws offer strong safeguards. *Articles 14 and 15* ensure equality before the law and prohibit discrimination on religious grounds. *Articles 25 to 28* guarantee freedom of religion and ensure that the state does not favour any faith over another. These provisions give every person the confidence that they can follow their beliefs without fear or pressure.

Another important constitutional protection comes from *Article 30*, which gives minorities the right to establish and run their own educational institutions. This helps preserve cultural identity and offers minority communities a sense of security. When people feel that their language, traditions, and beliefs are respected through education, it reduces the fear of being marginalised. Article 30 also strengthens national unity because it ensures that no community must abandon its identity in order to participate fully in public life.

The representation of minorities in public institutions is also a crucial part of maintaining communal harmony. Bodies such as the *National Commission for Minorities* give communities a platform to raise concerns and seek solutions. Inclusive representation in legislatures and decision-making institutions helps minority groups feel heard and valued, reducing the chance of alienation or distrust.

The *National Integration Council (NIC)* supports this effort by bringing together leaders from different backgrounds to discuss issues related to communal harmony. While the NIC does not make laws, it guides governments and encourages timely responses to rising tensions. Its role is to remind the country that maintaining peace requires active attention and cooperation across political and social lines.

Responding to communal violence has been a matter of ongoing debate. Several

drafts of a Communal Violence Bill have been proposed, aiming to strengthen the protection of vulnerable groups, improve investigation procedures, and ensure accountability when authorities fail to act. Though the bill has not become law, the discussion itself shows that India recognises the need for stronger methods to deal with communal conflicts. India's criminal law has also undergone reform with the introduction of the *Bharatiya Nyaya Sanhita (BNS)*, which replaces the earlier Indian Penal Code. Provisions that address hate speech, the promotion of enmity, and the spread of harmful rumours now appear in sections such as *BNS 194, 195, and 356*. These sections continue to prohibit actions that insult religions, create hostility between communities, or encourage public fear. They remain important tools for preventing tensions from turning into conflict.

The *Election Commission of India* plays a key preventive role. Communal appeals and the use of religion during campaigns are strictly prohibited under the Model Code of Conduct. This is especially important because elections can often heighten emotions and deepen divisions. By keeping religion out of political campaigns, the Election Commission helps ensure that public discussions remain focused on issues rather than on identity-based appeals.

Peace-building at the local level is equally important. Many states maintain district-level peace committees and community policing units that monitor early signs of tension. These groups bring together elders, local leaders, and citizens to mediate disputes before they escalate. Community policing also helps build trust between the police and residents, making it easier to calm situations quickly and prevent violence.

When communal violence does occur, victims need support beyond legal justice. Many states have compensation schemes for

those affected by communal incidents. The *National Disaster Management Authority (NDMA)* has also issued guidelines for relief and rehabilitation. These include assistance for injured persons, rebuilding homes, and supporting families who have lost their livelihoods. These measures show that the state recognises the need not only to prevent violence but also to help communities heal after it occurs.

The police and judiciary also play a central role in responding to communal tensions. The police are often the first to intervene when conflicts arise, and their timely, fair action can stop violence from spreading. The judiciary ensures that those responsible for communal crimes are held accountable. Fair and timely trials restore confidence in the justice system and send a clear message that violence will not be tolerated.

Although laws and institutions create a strong framework, communal harmony depends on how these safeguards are implemented and how communities respond. Laws can guide and protect, but real peace comes from everyday interactions, respect among citizens, and a shared commitment to treating each other fairly.

6.1.3.4 Recent Developments Related to Communalism

Communalism in recent years has changed in noticeable ways, influenced by politics, technology, and everyday social life. One major development is the rise of majoritarian politics. In many discussions, the views of the majority community are presented as the views of the entire nation. This makes minority groups feel less secure and less included in public life. When political speeches and campaigns focus on religious identity, it becomes difficult to maintain a sense of equal belonging among all citizens.

Technology has also shaped how communal ideas spread. With smartphones and social media, information moves very quickly, including harmful messages. *Digital radicalisation* occurs when people repeatedly come across posts or videos that depict another community in a negative or threatening way. Over time, these messages influence how people think, even if they do not notice the change. Social media has also made misinformation a serious problem. False stories, edited videos, and rumours often circulate widely, especially when tensions are high. Many communal clashes in recent years have worsened because people reacted to unverified content instead of checking the facts.

Communal tension also tends to rise during *religious festivals*. A disagreement over the route of a procession, the use of loudspeakers, or the timing of an event can create tension when communities do not trust each other. What begins as a small issue sometimes escalates into a larger conflict because people feel that their identity or faith is being challenged. These incidents highlight how important communication and cooperation are during festivals.

The debate on the *Uniform Civil Code (UCC)* has also added to communal discussions. Those who support the UCC believe that it will bring equality, especially for women. Those who oppose it fear that it may affect the traditions and personal laws of minority groups. Because these concerns involve identity and personal life, the debate often becomes emotional. This illustrates how sensitive communal feelings can be when legal reforms are discussed.

Civil society organisations and interfaith groups are working quietly to reduce tensions. They bring people from different communities together through meetings, cultural programmes, and peace activities.

These efforts help people listen to each other and correct misunderstandings. Even small conversations in these settings can reduce fear and rebuild trust. Though such initiatives may not receive much attention, they play an important role in maintaining peace.

Other changes have also shaped the communal situation. Courts have taken strong positions against hate speech and mob violence. Many young people use social media to counter communal hate and spread messages of unity. Fact-checking groups work to expose false information before it spreads too far. At the same time, everyday disputes over land, business, or political influence are sometimes given a communal aspect, turning simple disagreements into tensions between religious groups.

All these developments show that communalism today is influenced by many different pressures—political statements, online behaviour, misunderstandings during public events, and fears carried forward from past experiences. Yet, there are also many committed individuals and groups working to protect harmony.

6.1.4 Case Studies

Understanding communalism and caste-based discrimination becomes clearer when we examine real events that have shaped public debate in India. These case studies illustrate how tensions build, how violence unfolds, and how communities struggle to rebuild trust. They also highlight the roles of the state, media, civil society, and local communities in responding to such incidents.

The *Khairlanji case of 2006* in Maharashtra is one of the most disturbing examples of caste-based brutality in recent decades. A Dalit family was attacked and killed by dominant caste groups in their village. The violence was not sudden; it grew from local tensions, land disputes, and long-standing prejudice. The incident

shocked the nation as it revealed the deep roots of caste hatred in rural India. The delayed police response, public protests, and the eventual legal proceedings brought attention to the continued vulnerability of Dalit communities.

Another tragic incident that reflects the difficulties faced by inter-caste couples is the *Ilavarasan–Divya case* in Tamil Nadu. Ilavarasan, a Dalit man, and Divya, a woman from a dominant caste, married despite resistance from her family and local community. Their marriage became a political issue, with caste organisations and local leaders getting involved. The situation took a tragic turn when Divya returned to her family, and Ilavarasan was later found dead under mysterious circumstances. The case highlighted how personal choices can become targets of caste pride, social pressure, and political involvement. It reminded the country that inter-caste marriages, although protected legally, remain difficult in many parts of India.

The *Gujarat riots of 2002* remain one of the most painful episodes of communal violence in independent India. The violence broke out after the Godhra train burning incident and spread across different parts of the state. The riots resulted in a large number of deaths, destruction of homes, and displacement of families. Many inquiries and court cases followed, raising questions about the role of the state, police response, and political pressures. The event is still remembered because it demonstrated how quickly fear and anger can escalate into violence when communities lose trust in each other and when institutions fail to intervene effectively.

More recently, the *Delhi riots of 2020* occurred against the backdrop of protests surrounding the Citizenship Amendment Act. Tensions in certain neighbourhoods escalated into violent clashes that left many people

dead and displaced. Social media played a significant role, with rumours and provocative messages spreading rapidly. The incident drew national and international attention and again raised concerns about policing, political rhetoric, and the mental strain on communities living in mixed localities.

The *Manipur ethnic conflict of 2023* was another reminder of how fragile peace can be when communities feel threatened. Violence broke out between two major groups over disagreements involving land, identity, and legal protections. Homes were burnt, people were displaced, and communication networks were shut down. The conflict revealed how quickly social tensions can overwhelm institutions, especially when people feel unheard or unsafe. It also demonstrated how difficult it is to restore peace once trust has broken down.

Civil society organisations have played crucial roles in responding to communal and caste-based violence. Groups like Anhad, Aman Trust, and several regional NGOs have worked to document incidents, support victims, and promote dialogue between communities. *Anhad* (Act Now for Harmony and Democracy) is known for its work on human rights, peace campaigns, and legal support for victims of communal violence, especially in states like Gujarat and Delhi. *Aman Trust* focuses on promoting communal harmony by supporting survivors, encouraging interfaith understanding, and conducting community-level peace initiatives. These organisations organise peace meetings, provide legal aid, offer counselling, and prepare fact-finding reports. Their efforts help reduce fear, rebuild trust, and ensure that the voices of survivors are not ignored. In many conflict situations, civil society groups have been the first to reach affected families, sometimes even before state authorities respond.

Let us look at a few additional incidents that have shaped public understanding. The *Muzaffarnagar riots of 2013* in Uttar Pradesh showed how quickly rumours and political speeches can fuel violence in rural areas. The conflict began after a minor dispute that was turned into a communal issue, leading to large-scale clashes and the displacement of many families. The *Dadri lynching of 2015* reflected how mob violence can grow from suspicion and misinformation related to food practices. In this incident, a man was killed after false rumours spread that he had stored and consumed beef, illustrating how easily fear and anger can be stirred through unverified claims. The *violence in Kandhamal, Odisha*, in 2008 revealed how religious identity and local grievances can mix to create long-lasting tension. The clashes broke out after the killing of a local leader, leading to attacks on Christian communities and forcing many people to flee their homes. These cases show that communalism and caste discrimination take many forms and arise from different local conditions, but they share common features: fear, misinformation, political influence, and unequal access to justice.

6.1.5 Conclusion

Casteism and communalism continue to shape social and political life in India and influence how people understand one another. These divisions grow from old social practices, unequal access to resources, and the belief that communities cannot share common interests. When such thinking spreads, it weakens the idea that every citizen has an equal place in the nation. It affects how people vote, how public conversations develop, and how communities interact in everyday life.

The Constitution provides strong protections against these divisions. It

promises equality before the law, freedom of religion, and specific safeguards for minority communities. These protections remind us that the state must treat all individuals fairly. Various legal and institutional mechanisms—the Bharatiya Nyaya Sanhita, the Election Commission, the National Integration Council, human rights bodies, and minority commissions—help maintain peace and address discrimination. Civil society groups and interfaith initiatives also contribute by encouraging dialogue, reducing misunderstandings, and supporting those affected by violence.

Recent developments, such as the spread of false information online, stronger political divisions, and tensions during religious events, demonstrate that new challenges continue to arise. Case studies from different parts of the country reveal

how quickly conflicts can escalate when fear and mistrust take hold. They also show how long communities may take to recover from violence and how important it is for institutions to respond fairly and promptly.

Lasting harmony cannot depend solely on laws. It also requires people to treat each other with respect, listen to different viewpoints, and reject attitudes that promote discrimination. When citizens support fairness in their daily lives and choose cooperation over mistrust, they strengthen the foundations of democracy. A society built on respect and understanding gives everyone the chance to live with dignity. Reducing casteism and communalism is therefore both a constitutional duty and a shared responsibility among all citizens.

Recap

- ◆ Casteism continues to shape social relationships and opportunities in India despite legal protections.
- ◆ Communalism grows when religious identity becomes more important than shared citizenship.
- ◆ The Constitution guarantees equality and freedom of religion to prevent caste and communal discrimination.
- ◆ Articles 14, 15, and 25–28 protect individuals from unequal treatment and safeguard religious practices.
- ◆ Social media misinformation and political polarisation have increased new forms of communal tension.
- ◆ Case studies like Khairlanji, Gujarat 2002, and Delhi 2020 show how quickly local disputes can turn violent.
- ◆ Civil society groups such as Anhad and Aman Trust play key roles in peace-building and victim support.
- ◆ Majoritarian politics and identity-based appeals during elections weaken democratic values.

- ◆ Local peace committees and community policing help prevent violence by addressing early signs of tension.
- ◆ Reducing casteism and communalism requires laws, fair institutions, and respectful behaviour from citizens.

Objective Questions

1. Which Constitutional Article protects every person's equality before the law?
2. Which Article prohibits discrimination based on religion, caste, sex, or place of birth?
3. Which Articles of the Constitution guarantee the freedom to practise and profess religion?
4. Which legal code replaced the Indian Penal Code in 2023?
5. Which process explains the spread of extreme ideas through online platforms?
6. Which political trend strengthens the idea that the majority community represents the nation's interests?
7. Which form of violence is often triggered by rumours and unverified social media content?
8. Which organisation regulates the conduct of political parties during elections?
9. Which type of community-level body helps prevent tensions by mediating disputes early?
10. Which term describes the efforts taken to rebuild trust and restore peace after communal violence?

Answers

1. Article 14
2. Article 15
3. Articles 25–28
4. BNS (Bharatiya Nyaya Sanhita)
5. Radicalisation
6. Majoritarianism
7. Mob lynching
8. Election Commission
9. Peace committees
10. Reconciliation

Assignments

1. Examine how caste-based discrimination continues to influence social and political life in contemporary India.
2. Discuss the constitutional and legal safeguards that protect individuals from communal and caste-based discrimination.
3. Analyse the recent developments—such as social media misinformation and majoritarian politics—that shape communal tensions today.
4. Compare any two major case studies of communal or caste-related violence and explain the role of the state and civil society in each.
5. Suggest community-level measures that can strengthen harmony and reduce identity-based conflicts in a diverse society.

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UNIT

Rising Economic Inequality

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the meaning, nature, and different dimensions of rising economic inequality in contemporary societies
- ◆ analyse the major causes that contribute to income, wealth, and opportunity gaps within democratic systems
- ◆ evaluate the impact of economic inequality on democratic participation, political representation, and the functioning of public institutions
- ◆ explore national and global policy measures that aim to reduce inequality and strengthen democratic values

Prerequisite

Asha, a second-year undergraduate student, lived in a small semi-urban town where people earned their living in various ways. Her neighbour, Mr. Ravi, had a steady job in a private company and could send his children to a good school. Only a few houses away, Meena, a daily-wage worker, often struggled to find work during off-seasons. When the pandemic began, Asha noticed that some families continued working from home, while many others lost their income almost immediately. She wondered why people living in the same place had such different experiences. Wanting to understand this better, she started reading about how income, education, public services, and job security shape people's lives. She soon realised that these differences were not individual problems but part of a larger pattern seen across the country. This made her eager to learn more about economic inequality and how it affects democracy.

Keywords

Wealth Gap, Social Protection, Digital Divide, Informal Sector, Public Services, Democratic Participation

Discussion

6.2.1 Introduction

Economic inequality has become a growing concern for many democracies today. Although democratic systems promise equal rights and equal opportunities, the everyday lives of people often present a different picture. Some individuals and families enjoy comfortable incomes, better schooling, and good healthcare, while many others struggle with low wages, uncertain work, and limited access to basic services. As these economic gaps widen, they begin to affect how people participate in public life and how they perceive the fairness of the political system.

Economic inequality mainly refers to the uneven distribution of income and wealth in society. However, it also encompasses differences in access to jobs, education, housing, and other essential needs. When people lack these basic supports, they find it harder to improve their lives or participate confidently in democratic processes. Over time, such disparities can weaken the sense of fairness that democracy relies on.

Changes in the global economy have played a significant role in widening these gaps. New technologies have created opportunities for some, but they have also reduced the availability of regular and secure jobs. Large companies that dominate the digital and financial sectors earn far more than small businesses or workers who depend on daily income. While the global market has opened up new possibilities, many workers have faced job losses or stagnant wages.

Consequently, a small segment of society has gained a much larger share of wealth, while the majority struggles to keep pace.

These economic disparities also influence politics. When wealth is concentrated in the hands of a few, they gain more power to shape public policy through funding, lobbying, and access to decision-makers. Ordinary citizens may begin to feel that political outcomes favour only the wealthy, leaving their concerns unheard. This reduces trust in institutions and impacts people's willingness to engage in democratic activities such as voting and community discussions.

India also experiences similar patterns. Economic growth has improved the standard of living for many, but the benefits have not reached all groups equally. Cities have expanded rapidly, yet many rural areas still lack basic infrastructure and job opportunities. Social factors such as caste, gender, and region continue to influence access to education, employment, and public services. Families belonging to marginalised communities often have fewer chances to advance economically. Women face lower wages, fewer job opportunities, and diminished economic independence.

The COVID-19 pandemic revealed how vulnerable large sections of society are. Workers in informal sectors lost jobs overnight, and many families had no savings to rely on. At the same time, certain industries and wealthy groups saw their incomes rise. This contrast highlighted how economic shocks tend to impact poorer families much



more severely. Studying economic inequality helps us understand how economic conditions shape political participation, social fairness, and public well-being. It also underscores why reducing inequality is essential for the future of democratic life.

6.2.2 Conceptual Foundations

To understand why economic inequality has become a major concern, it is useful to begin with the basic ideas behind the term. Economic inequality simply means that income, wealth, and opportunities are not shared fairly among people. While some differences will always exist, problems arise when these gaps become so wide that they limit what people can achieve in their lives. When families struggle to afford school fees, pay for healthcare, or find stable work, their chances of improving their situation become restricted. These limits also affect how confidently they can participate in public life, which is one of the key principles of a democratic society.

Economic inequality takes several forms that together shape people's everyday experiences. One form is *income inequality*, which refers to differences in what people earn through wages or business. When a small group earns much more than the rest, those at the lower end find it difficult to meet even their basic needs. Another important form is *wealth inequality*. Wealth includes land, houses, savings, and investments that families build over time. Since wealth can be passed from one generation to the next, families with more assets can provide better education and security for their children, while others may continue to struggle for years. A third form is *consumption inequality*, which highlights how much families are able to spend on food, housing, education, and other daily needs. Some households manage to maintain similar spending by taking loans or credit, which can cause long-term financial stress.

Inequality also reflects the differences between regions. Some states, districts, or urban areas have better facilities, more job opportunities, and greater resources, while others remain underdeveloped. Another important dimension is *inequality of opportunity*, which means that people do not start life on equal ground. Factors such as caste, gender, family background, and community influence the quality of schooling and resources a child receives. These early differences shape their chances in adulthood.

To understand how serious inequality is, researchers use different methods of measurement. One common tool is the *Gini coefficient*, which provides a number that indicates how evenly income or wealth is shared. A lower number means society is more equal, while a higher number shows a wider gap. Another method, the *Palma ratio*, compares how much the richest ten percent earn compared to the poorest forty percent. Poverty indicators, such as the percentage of people living below the poverty line, help illustrate how many households are struggling at the lower end. Measures like the *Human Development Index* remind us that people's well-being depends on education and health as much as on income. Studies on wealth distribution also examine how much of the country's assets are owned by the top segment of society. These figures help us understand how opportunities and resources are concentrated.

Having a clear idea of these basic concepts is important because inequality affects much more than finances alone. It influences how people grow, the choices they can make, and the confidence with which they participate in public affairs. When a society allows large gaps to widen, those who are left behind often feel disconnected from public policies and democratic processes.

6.2.3 Causes of Rising Economic Inequality

Economic inequality rises because certain groups in society have better access to opportunities and resources than others. These differences build up over many years and gradually create wide gaps in income and living conditions. To understand why inequality continues to increase, it is important to look at how social factors, economic changes, and government decisions shape people's lives.

One of the strongest reasons for rising inequality is the uneven access to basic services such as schooling, healthcare, and proper nutrition. Children who grow up without a good education or medical care start their adult lives with fewer skills and poorer health. This limits their chances of obtaining stable and well-paid work. In contrast, children from families with better resources can attend good schools and receive proper support, giving them a clear advantage. Social barriers also contribute to these differences. In many places, caste, gender, and community still influence who gets access to land, jobs, and public services. As a result, some groups carry the weight of disadvantages from one generation to the next.

Changes in the economy have also increased inequality. Jobs that require advanced skills or digital knowledge now offer higher wages and more security. However, not everyone has the training needed to work in these sectors. Many workers depend on traditional or low-skilled jobs where wages rise very slowly and employment is often uncertain. As technology becomes more prevalent in workplaces, machines and automated systems have replaced several types of manual work, leaving many workers with fewer job opportunities. This widens the gap between those with specialised skills and those without them.

A large section of the workforce, especially in countries like India, works in the informal sector. These workers do not have fixed wages, written contracts, or access to benefits such as paid leave or social security. Because they lack bargaining power, they cannot demand better pay or working conditions. This keeps their incomes low while the earnings of better-placed workers continue to rise. The decline of strong labour unions has further reduced workers' ability to negotiate fair wages.

Government choices also shape the pattern of inequality. Decisions about taxes, public spending, labour laws, and welfare schemes directly affect how resources are shared in society. When tax policies favour those with higher incomes or when governments reduce spending on essential services, it is usually the poorer groups who suffer the most. In some cases, wealthy individuals and large companies influence policy decisions in ways that benefit their interests. When public policies consistently support only a small section of society, the overall gap in income and opportunity widens.

Global developments also contribute to rising inequality. International trade and foreign investment bring benefits to skilled workers and business owners, but they can cause job losses or wage pressure in industries that cannot compete globally. As global wealth becomes concentrated in a few regions and sectors, countries with limited economic strength face greater challenges in creating equal opportunities for their people. All these factors together explain why economic inequality continues to grow. It is linked to the quality of people's early life conditions, the kind of work they can find, the policies governments choose, and the way the global economy functions.



6.2.4 Economic Inequality as a Threat to Democracy

Democracy is based on the belief that every citizen deserves an equal voice in public life. When economic inequality grows, this basic idea becomes difficult to maintain. People who have more wealth can take part in political activities more easily, while those with limited resources often find it harder to engage. As a result, the balance that democracy depends on begins to weaken.

Inequality affects democracy first by creating *unequal participation*. A person with a steady income, free time, and good access to information can attend meetings, follow political developments, and support candidates. Someone who struggles with long working hours or financial stress may not have the same freedom. Over time, this difference means that the concerns of wealthier sections are heard more clearly, while the voices of poorer or vulnerable groups become faint. When people feel that their problems are ignored, they may lose interest in voting or taking part in public discussions.

Inequality also shapes how policies are made. Wealthy groups often have ways to put forward their views more strongly. They can support campaigns, maintain links with policymakers, or influence debates through media ownership. When public policies repeatedly lean in favour of a small section, ordinary citizens may feel that political decisions do not reflect their needs. This creates a sense that money, rather than fairness, guides the direction of government action.

Public institutions, which should serve everyone equally, can also be affected by rising inequality. When a small number of individuals or companies hold significant economic power, they may gain influence

over the media or other public platforms. This reduces the range of viewpoints that reach the public and can limit open discussion. Institutions lose credibility when people sense that they are more responsive to powerful groups than to the general population.

Growing inequality can also unsettle *social relations*. When people see others moving forward while they face increasing difficulties, frustration and disappointment can build up. These feelings can make society more divided and make it harder for people to trust democratic processes. In such situations, individuals may turn towards quick or extreme solutions suggested by leaders who do not always respect democratic norms. This weakens the values of cooperation and mutual respect that democracies rely on.

In countries where social differences already exist, such as those based on caste, gender, or region, economic inequality often exacerbates these divides. Groups that have been historically disadvantaged may find it even harder to participate in political life or benefit from economic growth. When these groups feel excluded from both economic progress and public decision-making, the democratic system loses their confidence.

In this way, rising economic inequality puts pressure on democracy by widening gaps in participation, influencing policymaking, weakening institutions, and creating social tensions. A democracy functions well only when citizens believe that their voices matter and that the system treats them fairly. When inequality grows beyond a certain point, this belief begins to erode, making it harder to maintain a healthy and inclusive democratic society.

6.2.5 Case Study: Indian Scenario

India illustrates how economic inequality can grow even when a country is developing steadily. Over the past few decades, the

country has improved in many areas such as transport, communication, education, and technology. These changes have helped many people find better jobs and raise their standard of living. However, the benefits of this progress have not reached everyone equally. While some groups have advanced, others continue to struggle with low incomes, fewer opportunities, and limited access to basic services.

One of the clearest signs of inequality in India is the disparity between those working in *modern, well-paid sectors* and those employed in casual or traditional jobs. Workers in areas like information technology, banking, or organised manufacturing usually enjoy steady incomes and better workplace protections. Conversely, a large part of the population still works in the *informal* sector, where earnings are uncertain and job security is weak. These workers often live under constant financial pressure, and a single illness or job loss can push their families into deeper hardship.

Differences across states also contribute to the problem. States such as Kerala, Tamil Nadu, Gujarat, and Maharashtra tend to perform better in areas like health, education, and industry. They attract more investment, create more organised jobs, and offer stronger public services. In contrast, several states—including Bihar, Jharkhand, Uttar Pradesh, Odisha, Madhya Pradesh, Rajasthan, and parts of the North-East—continue to face shortages in essential services and have fewer job opportunities. Many of these states struggle with underdeveloped infrastructure, weaker school systems, limited access to quality healthcare, and slower industrial growth. As a result, young people in these regions often migrate to more developed states in search of work. This uneven pattern of development means that the opportunities available to a person depend heavily on where they are born and raised, leading to long-term disparities in income, health, and overall well-being.

Social identity continues to shape economic life in India. Communities such as Scheduled Castes, Scheduled Tribes, and many backward classes still face long-standing barriers that limit their access to land, quality education, and stable employment. Although improvements have taken place, these groups continue to lag behind in many indicators. *Women* face additional challenges. Even though more girls are attending school and college, many women find it hard to enter the workforce due to household responsibilities, safety concerns, and social expectations. Those who do work often earn less than men for similar jobs.

Urban and rural differences also influence inequality. While cities offer better hospitals, schools, transport, and digital services, they also exhibit stark contrasts. Wealthy neighbourhoods stand next to crowded settlements where families struggle with poor housing and limited public services. In rural areas, the quality of roads, healthcare centres, irrigation, and teaching facilities varies widely across districts. These differences shape people's choices and limit their chances of improving their circumstances.

The COVID-19 pandemic made these inequalities more visible. Many informal workers lost their jobs during the lockdowns and had no savings to rely on. Migrant workers faced severe difficulties returning home. At the same time, sectors linked to technology and essential services continued to grow. Studies showed that while many families slipped into poverty during this period, a small section became wealthier. This contrast revealed how vulnerable large parts of the population are during a crisis.

Government programmes—such as rural employment guarantees, food distribution schemes, and cash transfers—have provided important support to many families. Still, access to these benefits varies from place to place, and many people continue



to face difficulties in receiving consistent help. Improving public healthcare, strengthening schools, creating more secure jobs, and supporting women's economic participation remain important goals for reducing inequality.

India's experience shows that inequality is shaped by many factors: the type of work people do, where they live, their social background, and their access to public services. Although the country has made significant progress, the gains are uneven. Understanding these patterns helps explain why reducing inequality is essential for strengthening both social well-being and democratic life.

6.2.6 Government Policies to Address Inequality

Governments play an important role in reducing inequality because they decide how public money is used and how support reaches those who need it most. Economic growth alone cannot guarantee fairness; it is government action that helps ensure that the benefits of growth are shared more evenly. In India, many programmes have been created to improve living conditions, support disadvantaged groups, and expand access to essential services. These efforts aim to give everyone a better chance to build a secure and dignified life.

One major area of government action is *social protection*. Schemes such as the *Mahatma Gandhi National Rural Employment Guarantee Act* (MGNREGA) offer paid work to families when other jobs are not available. The *Public Distribution System* (PDS) and the *National Food Security Act* (NFSA) help poor households buy basic food grains at low prices. Programmes like PM-KISAN provide income support to small and marginal farmers. Social pensions under the *National Social Assistance Programme* (NSAP)—including *old-age pensions*, *widow pensions*, and *disability pensions*—provide

steady support to vulnerable groups. During the pandemic, the government also launched *PM Garib Kalyan Anna Yojana* (PMGKAY) to distribute free food grains to millions of families. These measures help prevent people from falling deeper into poverty during difficult times.

Education and skill development receive significant attention because inequality often begins when children do not have the same opportunities. Government efforts to expand school access include the *Samagra Shiksha Abhiyan*, the upgraded *Mid-Day Meal Scheme* (PM POSHAN), and improved teacher training programmes. The *Right to Education Act* ensures free schooling for children between 6 and 14 years. For higher education, reservations, scholarships, and hostels assist students from disadvantaged backgrounds. Skill development initiatives like the *Pradhan Mantri Kaushal Vikas Yojana* (PMKVY), *Deen Dayal Upadhyaya Grameen Kaushalya Yojana* (DDU-GKY), and various state-level training programmes aim to prepare young people for modern jobs.

Improving *access to healthcare* is another key part of reducing inequality. Poor health can trap families in debt and diminish their ability to earn a steady income. To prevent this, the government launched the *Ayushman Bharat – Pradhan Mantri Jan Arogya Yojana* (PM-JAY), which provides health insurance to low-income families. The establishment of *Health and Wellness Centres* under Ayushman Bharat aims to strengthen primary healthcare in both rural and urban areas. Programmes such as the *National Health Mission* (NHM), *Janani Suraksha Yojana* (JSY), and *Mission Indradhanush* work to improve maternal health, child immunisation, and overall health services.

Support for livelihoods is also important. The *Pradhan Mantri Jan Dhan Yojana* (PMJDY) has helped millions open bank accounts, improving financial access.

Initiatives like the *Pradhan Mantri Mudra Yojana (MUDRA loans)* support small businesses and self-employed workers by providing collateral-free loans. Rural development efforts such as the *Pradhan Mantri Gram Sadak Yojana (PMGSY)* for road connectivity, the *Deen Dayal Upadhyaya Antyodaya Yojana (DAY-NRLM)* for promoting self-help groups, and various irrigation schemes like the *Pradhan Mantri Krishi Sinchai Yojana (PMKSY)* help farmers and rural families improve their livelihoods.

Tax policies also influence inequality. When higher-income groups contribute more through taxation, governments can use that money to fund services that benefit everyone. India's income tax system is designed so that those who earn more pay more. Revenues from taxes support public hospitals, schools, and welfare programmes. Recent efforts to increase transparency and reduce tax evasion, such as the *Goods and Services Tax (GST)* system and improved digital tracking, also aim to make public finances more efficient.

Reducing *regional differences* is another major goal. The central government supports states that face larger development gaps through programmes like the *Aspirational Districts Programme*, which focuses on improving health, education, and infrastructure in some of the country's most backward districts. Special initiatives for the *North-East region, tribal areas, and hill regions* aim to reduce long-standing inequalities in development.

India has also created policies for communities that have faced *discrimination or exclusion* for many generations. Reservation in education and public employment helps Scheduled Castes, Scheduled Tribes, and Other Backward Classes secure better opportunities. Schemes such as *Beti Bachao Beti Padhao, Ujjwala Yojana* for clean cooking fuel, and the *National Rural Livelihood*

Mission (NRLM) support women's welfare and economic participation. Programmes for minority communities, such as scholarships and skill training under the Ministry of Minority Affairs, aim to improve access to education and employment.

Countries around the world use different methods to reduce inequality. Some provide universal healthcare, free education, and strong labour protections. Others offer cash support to poor families, raise minimum wages, or provide childcare services. These examples show that long-term government commitment is needed to reduce inequality in meaningful ways.

Even with many programmes in place, reducing inequality remains a challenge. Some schemes do not reach all the people they are meant to help. Differences in local administration affect how policies work on the ground. As technology and work patterns continue to change, new kinds of inequality appear. Ensuring that everyone has access to basic services, secure work, and fair opportunities remains one of the most important tasks for governments.

6.2.7 Recent Developments

In recent years, many changes in society and the economy have influenced the way inequality grows and is experienced by people. These changes demonstrate that inequality is not fixed; it shifts with new technologies, policies, and global events. Understanding these developments helps us see why some groups advance while others continue to struggle.

One major change has been the *growth of digital* technology. Online payments, mobile apps, remote work, and digital services have made life easier for many people who have internet access and the skills to use these tools. At the same time, many families still lack a smartphone, good connectivity, or the training needed to participate in the digital



world. This difference has created a digital divide, which affects education, job opportunities, and access to government services.

Another important development is the rise of *gig* work. Many people now work as delivery riders, cab drivers, freelancers, or part-time workers through digital platforms. These jobs offer flexibility but often lack stability. Most gig workers do not have a fixed salary, secure contracts, health insurance, or paid leave. Their income can vary from day to day, and they have little protection if something goes wrong. As more people depend on this kind of work, questions about fair wages and worker safety have become more urgent.

The COVID-19 pandemic made inequality more visible. Lockdowns left millions of informal workers without income almost overnight. Migrant workers faced long journeys home with little support. Many households struggled to afford basic needs or obtain medical help. At the same time, businesses linked to technology, online shopping, and essential goods continued to grow. Reports showed that while many people lost jobs and income, a small section of society became wealthier. This contrast revealed how unevenly crises affect different groups.

Rising prices have added pressure on many families. Increases in the cost of food, fuel, and household items have reduced savings and made daily expenses harder to manage. Poor and middle-income families feel this burden more acutely, as most of their earnings go towards essential needs.

Government actions in recent years have helped in some ways. *Free COVID vaccinations*, financial assistance through direct benefit transfers, and expanded food distribution programmes supported families during difficult times. The increased use of digital systems such as *Aadhaar* and *UPI* has made it easier for many people to receive government benefits directly. However, those

without digital access or digital skills still face challenges in using these services.

Global developments have also shaped inequality. Conflicts, disruptions in supply chains, and climate-related disasters have affected food prices, employment, and migration. Countries with strong economies recovered faster from these shocks, while developing countries experienced slow recovery and unstable job markets. Climate change has created new risks, especially for poor communities that have fewer resources to protect themselves from floods, droughts, and extreme heat.

Across the world, there is growing discussion on how to reduce inequality. Some countries are raising minimum wages, offering childcare support, improving public healthcare, or considering higher taxes on the very wealthy. These debates demonstrate that many societies are trying to make their economies fairer and more balanced. In short, recent developments show that inequality changes over time and is shaped by technology, global events, and public policies. These changes remind us that reducing inequality requires constant attention and updated efforts to ensure that people from all sections of society have a fair chance to progress.

6.2.8 Conclusion

Economic inequality has become a major concern in many countries, including India. Even though development has brought new opportunities and improvements in people's lives, these benefits have not reached everyone in the same way. Some groups enjoy steady incomes, good schooling, and reliable healthcare, while many others continue to face low wages, limited choices, and uncertain living conditions. These gaps shape how people live and how they feel about the society around them. When such differences become too pronounced, they

begin to weaken the sense of fairness that democracy depends on.

Inequality grows for many reasons. It starts with unequal access to basic needs such as education, healthcare, and nutrition. It is also shaped by social identity, the region a person comes from, the type of work available, and changes in technology. Events like the COVID-19 pandemic and climate-related disruptions have added new challenges. In India, these patterns are visible across states, between urban and rural areas, and among different social groups. Some people move ahead more easily, while others struggle to secure even the basics.

Government programmes have helped reduce some of these pressures. Schemes

in areas like food security, health insurance, rural employment, financial inclusion, and skill development have supported millions of families. However, these efforts need to be strengthened and updated as new challenges emerge. A more equal society requires steady improvement in public services, fair access to opportunities, and support for groups that face long-standing disadvantages. As times change, reducing inequality will require ongoing attention and sincere efforts from governments and communities. By recognising the causes of inequality and addressing them step by step, societies can move toward a future where people have genuine opportunities to improve their lives and contribute fully to public life.

Recap

- ◆ Economic inequality refers to the unequal distribution of income, wealth, and opportunities among individuals and groups.
- ◆ Inequality in India appears across regions, social identities, occupations, and levels of access to basic services.
- ◆ Social background, skill levels, education, and early life conditions strongly shape a person's economic opportunities.
- ◆ Technological changes and the growth of digital work have created new chances for some while excluding others.
- ◆ Informal workers face unstable incomes, limited protection, and higher vulnerability during economic crises.
- ◆ Rising inequality reduces people's ability to participate equally in political and civic activities.
- ◆ Public policies in education, health, food security, and employment play a major role in reducing inequality.
- ◆ Government schemes such as MGNREGA, PMJDY, PM-JAY, and PDS support vulnerable groups in crucial ways.

- ◆ Global disruptions, inflation, and climate-related challenges have added new layers to existing inequalities.
- ◆ Reducing inequality is essential to protect democratic values and ensure fair participation for all citizens.

Objective Questions

1. What does economic inequality mainly refer to in a society?
2. Which sector in India employs a large share of workers with unstable incomes?
3. Which government programme guarantees paid work to rural households?
4. What term describes the gap in access to digital tools and services?
5. What is one major impact of rising inequality on democracy?
6. Which scheme in India provides health insurance support to low-income families?
7. Which social group continues to face long-standing barriers in education and employment?
8. What does the Public Distribution System aim to provide to poor households?
9. Which recent global event widened income and employment gaps in India?
10. Which type of government policy helps ensure fair access to schooling for all children?

Answers

1. Inequality
2. Informal
3. MGNREGA
4. Digital divide
5. Exclusion
6. PM-JAY
7. Marginalised
8. Food grains
9. Pandemic
10. Education policy

Assignments

1. Explain the major economic, social, and regional factors that contribute to rising economic inequality in India.
2. Discuss how economic inequality affects democratic participation and representation.
3. Examine the role of government programmes in reducing inequality, with suitable examples.
4. Analyse how recent developments, such as digital growth and the expansion of the gig economy, have shaped new forms of inequality.
5. Evaluate the impact of the COVID-19 pandemic on income, employment, and access to services among different groups in India.

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UNIT

Corruption and Criminalisation of Politics

Learning Outcomes

After the successful completion of the unit, the learner will be able to:

- ◆ understand the meaning of corruption and criminalisation of politics and how they weaken democratic values
- ◆ analyse the reasons that allow corruption and criminal influence to grow within political and administrative systems
- ◆ evaluate the effects of these issues on governance, elections, public trust, and the rule of law
- ◆ explore the legal, institutional, and social measures needed to strengthen transparency and promote clean public life in a democracy

Prerequisite

Ravi, a first-year undergraduate student, lived in a small town where people often spoke about politics with a mix of hope and disappointment. One evening, while walking back from the market, he overheard two neighbours discussing how a local leader with several criminal cases had recently won an election. They wondered how such a person could gain public trust. Ravi felt confused. He had always believed that leaders were chosen for their honesty and their willingness to help others. At home, his father explained how corruption and criminal influence sometimes enter politics because of money, power, and weak systems. Curious and slightly disturbed, Ravi began reading newspapers and watching reports about political funding, delayed court cases, and public protests for clean governance. This experience made him realise that understanding corruption and the criminalisation of politics is essential to knowing how a democracy functions and how citizens can protect its values.

Keywords

Transparency, Accountability, Rule of Law, Political Funding, Public Trust

Discussion

6.3.1 Introduction

A democracy works well only when people trust the leaders they elect and the institutions that serve them. When this trust weakens, everyday life is affected. Two major reasons for this decline in trust in many countries, including India, are *corruption and the criminalisation of politics*. These problems do not appear suddenly; they slowly grow through small practices, poor supervision, political pressure, and sometimes through silence or acceptance in society.

Corruption affects people in different ways. It may involve money taken for a service that should be free, special treatment for certain groups, unfair decisions in public contracts, or a lack of clarity in how political parties raise funds. When such actions become common, people begin to feel that honesty does not matter and that power operates differently for different groups. This undermines the concept of fairness, which is central to any democracy.

The criminalisation of politics adds another serious concern. When individuals facing serious criminal charges contest elections or influence political parties, it impacts how citizens view the entire system. This may create fear in some areas, weaken the confidence of the police, and lead people to wonder whether the law will protect them impartially. Over the years, courts, committees, and civil society organisations have repeatedly highlighted how this trend harms democratic life. This unit explains what corruption and criminalisation mean, why they occur, and how they affect democracy.

It also describes the steps taken by the government, the courts, and the public to address these issues.

6.3.2 Meaning and Nature of Corruption in Politics

Corruption in politics occurs when individuals in positions of public authority use their power for reasons that do not serve the community. Instead of acting for the common good, they make decisions that provide some form of personal benefit. When this becomes widespread, the purpose of government weakens, and ordinary citizens begin to feel that public institutions do not treat everyone equally.

In simple terms, corruption involves some form of exchange—money, favours, promises, or influence—that leads to decisions that violate the rules. Sometimes it may involve a small payment to expedite a simple service. In other cases, it may encompass large contracts, public land, or significant government projects. The scale of the act may vary, but the harm is similar because every such action diminishes fairness and causes people to doubt the system.

Elections often become a space where corruption is evident. Candidates may spend more money than allowed or attempt to influence voters with gifts or cash. When this occurs, the integrity of free and fair elections is compromised. Those with greater financial resources gain an unfair advantage, while honest candidates find it increasingly difficult to compete. A similar issue arises when policies are crafted to benefit a select

few individuals or groups. Decisions intended for public welfare may instead be swayed by private interests. This affects how laws are made and how resources are allocated.

Corruption is also experienced in everyday administration. People may encounter delays in obtaining certificates, licences, or services unless they agree to unofficial payments or have connections with influential individuals. Contracts may be awarded to those with personal ties rather than to those who are most capable of performing the job effectively. These experiences generate frustration and gradually erode people's confidence in public offices. Citizens begin to feel that rules do not apply equally and that honesty holds little value.

Political corruption is especially harmful because elected representatives are expected to act responsibly and protect public funds. When they misuse their position, the effects spread across departments. Officials may start to accept irregular practices as normal. People lose faith in institutions, and a sense of helplessness begins to grow in society.

India has seen many examples of political corruption in areas such as public projects, land allocation, mining, and telecommunications. Several cases have led to public debate, investigations, and legal action. Civil society organisations, journalists, and public interest groups have played an important role in bringing such issues to light. International reports, such as the Corruption Perception Index, also show how countries are viewed in terms of corruption. India's position in these reports changes from year to year, reminding us that constant effort is needed to improve governance.

Recent years have seen some positive steps to reduce corruption. Digital systems have replaced many manual procedures, making it harder to tamper with records. Online tenders, direct benefit transfers,

and digital payments have helped increase transparency. Changes in the Prevention of Corruption Act have provided more clarity in the investigation of corruption cases. The courts have also spoken strongly about the need for honest public life and faster legal processes. Corruption harms democracy because it breaks the trust between citizens and their government. It wastes public money, creates unfairness, and reduces confidence in institutions meant to serve everyone.

6.3.2.1 Causes of Corruption

Corruption takes root when public systems leave space for confusion, delay, or personal influence. It does not grow in a day. It slowly spreads when people start using shortcuts to manage everyday tasks in government offices. Many official procedures are long and unclear. A single file may pass through several desks, and people often do not know how long the process will take. This creates pressure on citizens, who may feel that giving a small payment or approaching someone with influence will help them complete their work faster. When these practices become common, corruption becomes part of everyday experience.

Politics also plays a major role in encouraging corruption. Elections require large sums of money, and candidates often depend on private supporters to cover their expenses. Once elected, some leaders may feel obliged to return favours to those who funded their campaigns. When political parties are not open about their sources of money or how they spend it, it becomes difficult to know who is influencing their decisions. This lack of openness weakens public trust and allows private interests to shape government actions.

Social and economic conditions contribute to this problem. Many citizens are unsure about the correct procedure for accessing government services. They may not know



their rights or the steps involved in obtaining documents or approvals. This makes them vulnerable to middlemen or informal agents who promise quick results in exchange for money. In areas where poverty is high and public services are difficult to access, people may agree to pay simply to avoid long delays. These small acts, repeated many times, gradually strengthen a wider culture of corruption.

Weaknesses in the legal system also facilitate corruption. Many cases do not progress quickly, and investigations often take years to complete. When people see that those involved in wrongdoing rarely face timely punishment, they begin to believe that the rules can be bent without consequence. Loopholes in laws, delays in courts, and poor coordination between agencies further weaken the system. In some situations, political pressure may influence investigations, making accountability even harder to achieve.

Institutional practices also shape the spread of corruption. If senior officials ignore irregularities or allow unfair practices to continue, others within the institution may assume that such behaviour is acceptable. Honest officials may feel unsupported, while those who misuse their position may feel confident that nothing will happen to them. When no one speaks up and no corrective action is taken, corruption becomes part of the working culture.

Economic growth and development projects bring their own challenges. Large public works, land deals, and major infrastructure activities involve huge amounts of money. Without strict monitoring and transparent procedures, these areas become easy targets for misuse. Decisions about natural resources, permissions, and public contracts may attract private groups seeking special benefits. If these decisions are not transparent, corruption can silently grow in these sectors.

New forms of influence, such as *organised groups or private organisations* attempting to shape policies in their favour, also create opportunities for corruption. When the rules guiding these interactions are unclear, it becomes difficult to separate genuine suggestions from unfair pressure. In simple terms, corruption develops when systems are slow, rules are unclear, money plays an outsized role in politics, and institutions fail to take timely action. It also grows when society accepts shortcuts as normal.

6.3.2.2 Impact of Corruption on Democracy

Corruption harms democracy because it undermines the trust that people place in their leaders and public institutions. A democracy can function effectively only when citizens feel that the system treats everyone fairly. However, when corruption becomes widespread, people start to believe that rules differ for the powerful and that ordinary citizens must struggle for services that should be readily available. This weakens their faith in the entire system.

One major effect of corruption is the *loss of confidence in government*. When people repeatedly face delays, unfair demands, or biased decisions, they begin to feel that their voice does not matter. They may stop voting, avoid public meetings, or give up complaining about issues. When fewer people take part in public matters, the democratic process becomes weaker because it depends on active participation from citizens.

Corruption also affects how well the government functions. Decisions that should be based on public welfare may be influenced by private interests. This leads to poor planning, incomplete projects, and misuse of public funds. Important services like roads, schools, hospitals, and welfare schemes often suffer because money is not used as it should be. When such essential

services fail to reach people, the effects are felt in their daily lives and in the long-term development of the country.

Another serious impact is on the *rule of law*. Democracy is built on the idea that everyone is equal before the law. But when those involved in wrongdoing can escape punishment through influence or money, this idea loses its meaning. People begin to believe that justice is not the same for all. This reduces trust in the police, the courts, and other institutions meant to protect citizens. Corruption also increases *inequality*. Those who can pay or use connections get better access to services, while others face long delays or poor treatment. This creates frustration and widens the gap between different sections of society. Over time, such unfairness can damage social unity and lead to a sense of division.

The *political process* is also badly affected. Elections may not reflect the real choice of the people when money plays a stronger role than public support. Candidates with more resources can influence voters more easily, while those who genuinely want to serve may not get a fair chance. When political parties do not clearly show how they obtain their funds, citizens cannot properly judge whose interests the parties represent. Corruption also discourages honest people from entering politics. Many feel that they cannot compete in an environment where money and influence seem more important than sincerity and hard work. This reduces the quality of leadership available to the country.

The *economic impact* of corruption is also significant. It increases the cost of public projects, slows down development, and reduces the benefits of welfare schemes. Investors may avoid areas where they fear unfair practices. Public money meant for improving people's lives often does not reach the right places, slowing the progress of the

entire nation. In short, corruption affects every part of democracy. It reduces trust, weakens institutions, encourages inequality, and slows development. Understanding these impacts helps us see why honesty, openness, and accountability are essential for a healthy democratic system.

6.3.3 Criminalisation of Politics – Meaning and Scope

Criminalisation of politics refers to a situation where individuals facing serious criminal charges become part of the political system. They may contest elections, hold positions of authority, or influence political parties from within. This problem also encompasses cases where politicians rely on groups with criminal backgrounds to win or control an area. When this occurs, public life becomes unsafe, and the fundamental spirit of democracy is undermined. The concern is not about minor cases or past disputes; it primarily revolves around individuals facing charges related to violence, corruption, misuse of power, or other serious offences. When such individuals enter politics, they weaken the expectations that citizens have of their leaders. Public representatives are supposed to uphold the law, act responsibly, and protect the interests of the people. However, these expectations become difficult to maintain when those facing serious allegations hold important positions.

Criminalisation manifests in various ways. Political parties may select candidates with strong financial backing or local influence, even if they have criminal cases pending against them. In some areas, criminal groups assist candidates with campaigns or voter control, anticipating favours in return after the election. There are also situations where politicians seek support from such groups to secure votes, creating an atmosphere where fear can overshadow free choice. This issue adversely affects the normal functioning of government. When individuals with criminal



creates fear, reduces trust, weakens public institutions, and undermines the fairness that a democracy promises to its people.

The criminalisation of politics grows when the political and social environment allows people with serious criminal cases to gain influence. One of the main reasons is the *high cost of elections*. Campaigning requires a significant amount of money for travel, publicity, workers, and local activities. When political parties cannot meet these expenses through clean and open sources, they often depend on individuals who have money and strong influence in their area. Some of these individuals may have criminal cases, but parties still choose them because they believe such candidates can win. Over time, this becomes a regular practice, and parties start prioritising financial strength over a clean public life.

Another important reason is the *pressure to win elections*, especially in areas where local strongmen or groups have a firm hold over the community. These groups can influence voters, settle disputes quickly, or create fear when needed. Candidates feel that gaining their support improves their chances of winning. Once a politician starts depending on such groups, it becomes difficult to separate lawful political activity from the influence of criminals.

The *slow functioning of the legal system* adds to the problem. Many cases take years to reach a final judgement. During this time, people facing serious charges remain free and can contest elections. Since punishment is often delayed, they do not feel discouraged from entering politics. Some even use their political position to further delay cases or weaken investigations. This gives them the confidence to continue in public life despite the charges against them.

Political interference in policing also plays a role. When leaders influence the police by offering rewards or threatening transfers, officers may hesitate to take action against individuals close to these leaders. This weakens law enforcement and creates a sense that those with political connections can act without fear. As a result, individuals with criminal backgrounds feel more secure and become active in political spaces.

Social conditions also contribute. In many places, government services are slow or limited. People sometimes rely on strong local figures, even those with criminal records, because they can provide quick help or settle problems when official systems fail. Communities may support such individuals out of loyalty, fear, or a belief that they can “get things done.” This support later helps these individuals enter politics.

Caste and community identities also influence candidate selection. If a strong local figure belongs to a particular community or caste group, people may support them regardless of their criminal past. Emotional and social ties often overpower concerns about legality or ethics. This helps such leaders gain legitimacy and political power.

Another cause is the *lack of transparency within political parties*. Candidate selection is often controlled by a small group of senior leaders. The process is rarely open or based on clear criteria. If a candidate promises to bring money or secure votes, they may be chosen even if they have a criminal background. This weakens the internal health of political parties and allows criminal elements to enter easily. Economic hardship in many regions also encourages the rise of such leaders. When people face unemployment, poor services, and limited opportunities, they may support individuals who promise quick relief, even if their methods are questionable. These immediate benefits make people overlook the long-term harm such leaders may cause.

Another reason is the belief among citizens that nothing will change even if they protest. Many people think corruption and crime in politics are unavoidable, and this sense of helplessness prevents them from questioning the choice of candidates. When society remains silent, the problem grows quietly. In simple terms, the criminalisation of politics is caused by high election costs, slow legal action, political pressure, weak policing, social acceptance, and a lack of openness within parties. These conditions together create a space where individuals with criminal backgrounds can enter politics and gain power.

6.3.3.2 Consequences of the Criminalisation of Politics

The criminalisation of politics harms democracy because it *weakens people's trust* in their leaders and in the system meant to serve them. When individuals with serious criminal cases enter public life or hold positions of power, citizens begin to feel uncertain and unsafe. They expect their representatives to respect the law and act responsibly. When this does not happen, confidence in leadership slowly fades.

One major consequence is the *weakening of the rule of law*. In a healthy democracy, the law should apply equally to everyone. However, when powerful leaders facing criminal charges are able to influence the police or delay legal action, this equality is lost. Officers may hesitate to take action against them because they fear transfers, pressure, or other repercussions. As a result, ordinary people struggle to attain justice, while those with influence escape accountability. Over time, this creates a perception that the system favours the powerful.

Governance also suffers when such individuals hold office. Decisions that should be based on public needs may instead be shaped by personal interests or the interests



of a few. Public money may be spent without proper care or honesty, and important services such as healthcare, education, roads, and welfare schemes may not reach the people who need them. When leaders focus more on maintaining their power or protecting their networks, the quality of public services declines, and communities suffer.

Elections are affected as well. When candidates with criminal influence contest elections, voters may feel afraid or pressured. Instead of choosing leaders freely, they may vote out of fear or loyalty to local strongmen. Some may lose interest in voting altogether because they feel their choice will not bring about change. This weakens the purpose of elections, which is to allow citizens to choose their leaders without fear or influence. Criminalisation also deters honest and capable individuals from entering politics. Many sincere people may feel discouraged when they see candidates winning through money, fear, or influence rather than through public service and commitment. This reduces the quality of leadership available to the country and limits the possibility of positive change. A democracy needs good leaders, and criminalisation makes it harder for such leaders to emerge.

Public respect for institutions also declines. When lawmakers themselves face serious charges, people may question how laws are made and whether decisions truly serve the public. This reduces trust in legislative bodies and undermines the moral authority of the government. Another concern is the *rise of fear in society*. In areas where politicians have close ties with criminal groups, people may avoid speaking openly or raising complaints. Disputes may be settled through coercion rather than through lawful processes. This goes against the basic values of democracy, which depend on freedom, fairness, and security.

Corruption often increases when criminalisation grows. Leaders with criminal backgrounds may misuse their influence to interfere in investigations, delay cases, or secure benefits for themselves and their supporters. Public money may be diverted, and contracts may be awarded to favoured groups. This makes it harder to control corruption and creates a chain of unfair practices. Inequality also deepens. Those close to powerful leaders receive better treatment and easier access to services, while others, who lack money or influence, face delays or neglect. This creates frustration and widens the gap between different groups in society. In short, the criminalisation of politics harms democracy by weakening trust, reducing fairness, lowering the quality of leadership, and creating fear and inequality. It affects how people live, how government functions, and how much faith citizens have in public institutions.

6.3.4 Legal and Institutional Measures to Address Corruption and Criminalisation

India has taken many steps to control corruption and reduce the presence of individuals with criminal backgrounds in politics. These measures aim to make public life cleaner and help citizens trust their leaders and institutions. While not all problems are solved, these initiatives demonstrate a clear effort to protect democratic values and improve the functioning of government.

One important law is the *Prevention of Corruption Act, 1988*. This law defines corrupt behaviour and sets punishments for public officials who misuse their position. Over the years, the Act has been updated to clarify investigations and reduce delays. These changes help officials handle cases more effectively and remind everyone that public power must be used responsibly.

Another major step was the creation of the *Lokpal and Lokayuktas*. The Lokpal operates at the national level, while Lokayuktas function in the states. They are independent bodies where people can file complaints against public officials, including senior leaders. These institutions were established to provide citizens with a safe avenue to report wrongdoing. Although their functioning has been uneven, their presence is an important sign that accountability matters.

The Right to Information (RTI) Act, 2005 has been one of the most powerful tools for ordinary people. It allows citizens to request information from government offices and question decisions when something appears unclear. The RTI has helped expose many cases of misuse of funds and poor administration. It has also encouraged government offices to be more transparent in their operations.

The Election Commission of India has taken steps to ensure cleaner elections. Candidates must disclose any criminal cases when they file their nomination papers. This helps voters understand the background of those seeking their support. The Election Commission also closely monitors election spending and issues guidelines to ensure fair campaigning. Courts have supported these efforts by asking parties to explain why they select candidates with criminal records.

Judicial decisions have also played a significant role. The Supreme Court has repeatedly called for faster trials for elected representatives facing criminal cases and has insisted on transparency in political funding. Recently, the Court struck down the Electoral Bonds Scheme (2019) because it felt that citizens have the right to know who funds political parties. Such steps help improve trust in the political process.

Digital systems have also contributed to reducing corruption. Many government

services now operate online, minimising face-to-face interactions where corruption often thrives. Online tendering, digital payments, direct benefit transfers, and online grievance portals leave less room for manipulation. These tools make it harder to conceal wrongdoing and enhance the system's transparency.

Institutions like the *Central Vigilance Commission (CVC)* and the *Comptroller and Auditor General (CAG)* also play a crucial role in combating corruption. The CVC receives complaints about corruption in central government departments and advises on preventive measures. The CAG audits how public money is used and reports cases where funds have been wasted or misused. Their work helps identify problems that need correction. Civil society organisations, journalists, and activists continue to play a meaningful role by raising awareness and bringing improper practices to public attention. Their efforts keep issues alive in public discussion and encourage authorities to take action.

6.3.5 Role of Civil Society and Media

Civil society and the media help keep a democracy strong by ensuring the public is informed about government activities. They raise questions, highlight wrongdoing, and remind leaders that they are answerable to the people. Their work empowers citizens to speak up and demand fairness.

Civil society encompasses a wide range of groups—*community organisations, student groups, voluntary bodies, research centres, and ordinary people*—who come together to address public issues. These groups raise awareness about people's rights and highlight instances of public money misuse or unfair actions by officials. They organise meetings, discussions, and campaigns to help people understand how corruption and criminal



activities affect daily life. When civil society raises its voice, it becomes more challenging for improper practices to continue unnoticed.

Some groups focus on elections by collecting information about candidates, such as the criminal cases they face, their financial backgrounds, and their past performances. They publish this information to enable voters to make informed choices. This helps people understand the true backgrounds of those who seek to represent them and encourages political parties to select candidates with clean records. Civil society also promotes transparency by assisting citizens in using the Right to Information (RTI) Act. Many organisations teach people how to file RTI applications and how to interpret official documents. Through RTI, citizens have been able to uncover cases of wasted funds, poor planning, and incomplete work. These findings often compel authorities to rectify mistakes and act more responsibly.

The media plays an equally important role. Newspapers, television channels, online platforms, and independent journalists often bring to light stories of corruption and misuse of power. They investigate issues that might otherwise remain hidden and share them with the public. This kind of reporting creates pressure on authorities to take action and helps prevent wrongdoing in the future. The media also helps people understand the problem of criminalisation in politics. By reporting on the backgrounds of candidates, pending cases, and election practices, the media gives voters a clearer picture of who is seeking their support. This enables citizens to make informed choices during elections.

Social media platforms have become important spaces for public discussion. People share their experiences, highlight problems, and spread information faster than ever before. While care is needed to avoid

misinformation, social media has enabled many citizens to bring attention to issues that require urgent action. Civil society and the media also stand with those who face injustice. They help citizens file complaints, guide them to the appropriate authorities, and highlight their struggles. This support is crucial for individuals who may feel isolated when dealing with unfair treatment or corruption. By consistently raising issues and keeping the public informed, civil society and the media encourage political parties to act more responsibly. They advocate for cleaner candidates, transparent funding, and fairer election practices. They also highlight honest leaders and successful efforts to improve governance, inspiring others to follow similar paths.

6.3.6 Recent Developments

In the past few years, India has taken several steps to make public life more honest and open. These efforts have come from the courts, government bodies, and active citizens who desire cleaner politics and better governance. Although many challenges remain, these developments indicate that the country is slowly moving in a positive direction.

A major change occurred in 2024 when the Supreme Court cancelled the Electoral Bonds Scheme. The Court made it clear that people have the right to know who is funding political parties. This decision was significant because hidden funding can influence decisions without the public's knowledge. Following the ruling, political parties were required to disclose information that had previously been kept secret. This has initiated a broader discussion about the need for clean and transparent political funding.

There has also been an effort to *speed up cases involving MPs and MLAs*. Many of these cases remain pending for years, allowing individuals facing serious charges to

continue in public life. To address this, courts have urged states to establish special courts for faster trials. When cases progress more swiftly, voters gain a clearer understanding of their leaders and can make better choices during elections.

Digital governance has also grown rapidly. Many services—such as land records, welfare benefits, and tendering—are now available online. This reduces the need for people to visit offices, where corruption often occurs. *Direct Benefit Transfer (DBT)* has helped ensure that welfare payments reach recipients directly, reducing the chances of middlemen misusing funds. *The Election Commission* has introduced several measures to make elections cleaner. Citizens can now report violations through mobile apps. There are stricter checks on the movement of cash during elections, and campaign spending is monitored more closely. These steps help reduce unfair practices and encourage a more level playing field.

Civil society groups continue to play an active role by collecting and sharing information about candidates, including their criminal cases and financial backgrounds. This information is easily accessible online, and many voters use it to understand who is seeking their support. This shows that more people are taking their voting choices seriously. The *Lokpal* has also received attention. Although it still faces difficulties, efforts have been made to fill key positions and review complaints. People expect the Lokpal to become stronger in the coming years and play a bigger role in handling cases of corruption at higher levels.

Technology is being used more widely to track government projects. Online dashboards now display the progress of roads, schools, health centres, and other public works. When people can see this information, it becomes harder for funds to be misused or

for projects to remain unfinished. Social media has also changed the way issues are discussed. Citizens share information quickly, whether it is a video of wrongdoing or a complaint about a public office. This often forces authorities to respond more swiftly. While social media must be used responsibly, it has helped bring attention to problems that might have been ignored previously.

Public awareness about clean politics has also grown. Many schools, colleges, and community groups conduct programmes on voting, public responsibility, and ethical leadership. Young people, in particular, are showing greater interest in how the political system works. Recent developments in India indicate a growing effort to make politics more transparent and accountable.

6.3.7 Conclusion

Corruption and the criminalisation of politics continue to trouble Indian democracy because they weaken the trust that people place in their leaders and public institutions. When public power is used for personal benefit or when individuals with serious criminal cases enter politics, citizens begin to feel that the system is not functioning fairly. This loss of trust affects how people view the government and their willingness to engage in public life.

As we saw in this unit, these problems do not appear all at once. They grow slowly when rules are not followed properly, when elections depend too much on money and influence, and when legal cases move at a slow pace. Over time, such conditions affect how government offices operate, how public money is used, and how confidently people can expect justice. Ordinary citizens often face the consequences, whether in the form of delays, poor services, or fear in their neighbourhoods.

Even so, many steps have been taken to



improve the situation. Courts have pushed for more openness, institutions like the Election Commission and Lokpal have implemented new measures, and digital systems have made many processes more transparent. Civil society groups, journalists, and active citizens continue to highlight wrongdoing and encourage cleaner public life. These efforts show that change is possible when people and institutions remain vigilant.

A strong democracy needs honesty, fairness, and a sense of responsibility from everyone involved. Political parties also have an important role in selecting candidates with clean backgrounds and maintaining transparency in their functioning. Protecting democracy is a shared task. It depends on government bodies, the courts, public institutions, and the people themselves. When transparency and fairness guide public life, the entire system becomes stronger.

Recap

- ◆ Corruption in politics weakens public trust and creates unequal access to government services.
- ◆ The criminalisation of politics allows individuals facing serious charges to gain influence in public life.
- ◆ High election costs and weak internal systems in political parties often support the rise of candidates with criminal backgrounds.
- ◆ Slow trials and legal delays reduce the fear of punishment for those involved in wrongdoing.
- ◆ Administrative weaknesses, such as delays and unclear procedures, create space for corruption to grow.
- ◆ Elections become less fair when money, fear, or local influence affect the voting choices of citizens.
- ◆ Public institutions lose credibility when leaders with serious charges participate in lawmaking.
- ◆ Digital governance has reduced opportunities for corruption by making many processes open and traceable.
- ◆ Civil society and the media play a crucial role in exposing wrongdoing and encouraging accountability.
- ◆ Strong laws, active citizens, and cleaner political practices are necessary to protect the values of democracy.

Objective Questions

1. What is the main result when corruption becomes common in public offices and people lose faith in fair treatment?
2. What form of influence often pushes political parties to select candidates facing serious criminal cases?
3. What condition in the judicial system allows accused politicians to continue in public life without facing consequences?
4. What democratic principle becomes weak when powerful individuals avoid punishment through political influence?
5. What function of the Election Commission helps prevent unfair advantages during elections?
6. What essential democratic value becomes stronger when voters clearly know the sources of political funding?
7. Which law empowers citizens to question government decisions by accessing official documents?
8. What process in e-governance reduces face-to-face dealings and lowers the chances of bribery?
9. What structural reform helps ensure that cases involving MPs and MLAs are handled without long delays?
10. What contribution from civil society helps voters understand the background of candidates contesting elections?

Answers

1. Distrust
2. Money-power
3. Backlog
4. Accountability



5. Supervision
6. Transparency
7. RTI
8. Digitisation
9. Fast-track trial
10. Disclosure

Assignments

1. Explain how corruption affects the quality of governance and public trust in a democracy, using suitable examples.
2. Discuss the reasons that allow the criminalisation of politics to grow and suggest measures to address these concerns.
3. Examine the role of the judiciary and the Election Commission in controlling corruption and criminalisation within the political system.
4. Analyse how digital governance has contributed to reducing corruption in public services.
5. Evaluate the contribution of civil society and the media in promoting transparency and accountability in democratic life.

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MODEL QUESTION PAPER SETS

SGOOL



SREENARAYANAGURU OPEN UNIVERSITY

QP CODE:

Reg. No.:

Name:

MODEL QUESTION PAPER I

Fourth Semester - BA Political Science Examination

Discipline Core- B23PSO4DC-Indian Government and Politics

(CBCS - UG)

Time: 3 Hours

2024 Admission Onwards

Max Marks: 70

Section A (*Objective Type Questions*)

I Answer any ten of the following questions in one word or sentence.

1. In which year did the Constituent Assembly of India first meet?
2. Who moved the Objectives Resolution in the Constituent Assembly of India?
3. What form of republic is declared in the Preamble of the Constitution of India?
4. In which part of the Constitution are the Fundamental Rights included?
5. From which country were the Directive Principles of State Policy borrowed?
6. Which Constitutional Amendment introduced the Anti-Defection Law in India?
7. Which constitutional body is responsible for conducting elections in India?
8. In which Article of the Constitution is India described as a "Union of States"?
9. Which Article of the Constitution deals with the distribution of legislative powers between the Union and the States?
10. In which year was the Supreme Court of India established?
11. During which decade did Public Interest Litigation gain significant prominence in India?
12. Which Constitutional Amendments gave constitutional status to Panchayati Raj institutions?
13. In which Indian state was the Kudumbasree programme first launched?
14. Which democratic challenge is associated with the political mobilisation of caste identities?
15. What term is used to describe the participation of individuals with criminal backgrounds in electoral politics?

(10×1=10 marks)

Section B (*Very Short Answers*)

II Answer any ten of the following questions in one or two sentences.

16. Define the term Constitution.
17. Mention any two important features of the Preamble of the Constitution of India.
18. State any two Fundamental Duties of Indian citizens.
19. What are Directive Principles of State Policy?
20. What is meant by coalition government?
21. Mention two features of regional political parties in India.
22. Define federalism.
23. What is meant by the Concurrent List in the Constitution of India?
24. Mention two important functions of the Supreme Court of India.
25. Define Judicial Activism.
26. What is Public Interest Litigation?
27. What is meant by decentralisation in governance?
28. Mention two functions of Panchayati Raj institutions.
29. What is communalism?
30. Define corruption in politics.

(10×2=20 marks)

Section C (*Short Answers*)

III Answer any five of the following questions in one paragraph

31. Explain the process involved in the making of the Constitution of India.
32. Discuss the significance of the Preamble to the Constitution of India.
33. Examine the relationship between Fundamental Rights and Directive Principles of State Policy.
34. Describe the evolution and development of the party system in India.

35. Explain the major characteristics of coalition politics in India.
36. Discuss the constitutional provisions relating to Indian federalism.
37. Explain the structure and organisation of the Indian judiciary.
38. Analyse the role of judicial activism in protecting citizens' rights in India.
39. Describe the objectives and significance of the 73rd Constitutional Amendment.
40. Explain the impact of economic inequality on the functioning of democracy in India.

(5×4=20 marks)

Section D (*Long Answers/Essay*)

IV Answer any two of the following questions in 300 words.

41. Analyse the salient features of the Constitution of India.
42. Discuss the growth of regional political parties and their impact on Indian politics.
43. Examine the nature of Indian federalism and the changing trends in Centre–State relations.
44. Evaluate the role of local self-government institutions in strengthening grassroots democracy in India.

(2×10=20 marks)



SREENARAYANAGURU OPEN UNIVERSITY

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MODEL QUESTION PAPER II

Fourth Semester - BA Political Science Examination

Discipline Core- B23PSO4DC-Indian Government and Politics

(CBCS - UG)

Time: 3 Hours

2024 Admission Onwards

Max Marks: 70

Section A (*Objective Type Questions*)

I Answer any ten of the following questions in one word or sentence.

1. Under which plan was the Constituent Assembly of India established?
2. Who served as the Chairman of the Drafting Committee of the Indian Constitution?
3. By which Constitutional Amendment were the words “Socialist” and “Secular” added to the Preamble of the Constitution?
4. Which Article of the Constitution guarantees the Right to Constitutional Remedies?
5. Which Constitutional Amendment introduced Fundamental Duties in India?
6. How is the party system in India generally described by political scientists?
7. Which political party dominated Indian politics during the early decades after independence?
8. In which schedule of the Constitution is the distribution of subjects between the Union and the States provided?
9. Which commission examined Centre–State relations in the 1980s and made important recommendations?
10. Which constitutional principle empowers the Supreme Court of India to review laws passed by the legislature?
11. Which judge of the Supreme Court is widely associated with the expansion of Public Interest Litigation in India?
12. Which Constitutional Amendment deals with the establishment of urban local self-government institutions in India?
13. What type of development is mainly promoted through Self-Help Groups in India?

14. Which social factor is closely linked with identity-based political mobilisation in India?
15. What term is used to describe the misuse of money power during elections?

(10×1=10 marks)

Section B (*Very Short Answers*)

II Answer any ten of the following questions in one or two sentences.

16. What is meant by the Objectives Resolution?
17. Mention any two salient features of the Constitution of India.
18. Define Fundamental Rights.
19. What are Directive Principles of State Policy?
20. Write two ideological bases of political parties in India.
21. What is meant by a national political party?
22. Mention two important features of Indian federalism.
23. What is meant by Centre–State conflict?
24. What are the advisory powers of the Supreme Court of India?
25. Define judicial review.
26. What is meant by Panchayati Raj?
27. Mention two functions of municipalities in India.
28. What is participatory planning?
29. Define casteism.
30. What is meant by criminalisation of politics?

(10×2=20 marks)

Section C (*Short Answers*)

III Answer any five of the following questions in one paragraph

31. Explain the role of the Constituent Assembly in framing the Constitution of India.
32. Discuss the significance of Fundamental Duties in Indian democracy.

33. Examine the functions performed by political parties in India.
34. Explain the ideological differences among major political parties in India.
35. Describe the major tension areas in Centre–State relations.
36. Explain the role of the Supreme Court as the guardian of the Constitution.
37. Discuss the importance of Public Interest Litigation in protecting public rights in India.
38. Explain the structure and powers of local self-government institutions in India.
39. Describe the role of Kudumbasree in participatory development in India.
40. Discuss the problem of corruption in Indian politics.

(5×4=20 marks)

Section D (*Long Answers/Essay*)

IV Answer any two of the following questions in 300 words.

41. Critically examine the Fundamental Rights and Directive Principles in the Constitution of India.
42. Analyse the nature and development of the party system in India.
43. Discuss the structure and functions of the Indian judiciary.
44. Examine the major challenges to Indian democracy such as casteism, communalism and criminalisation of politics.

(2×10=20 marks)

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