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# Constitutional Democracy

MAPCC101

**CENTRE FOR DISTANCE AND ONLINE EDUCATION**



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**CONSTITUTIONAL DEMOCRACY  
(MAPCC101)**

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## SYLLABUS

### Constitutional Democracy

#### Objectives

- To provide the students with the practical knowledge of the fundamental concepts of democratic regime, legal system, federalism, politics and local government in India.
- To provide them with the intellectual information of the human aspects of public policy, interest groups, civil society, gender and development.

<b>Sr. No.</b>	<b>Content</b>
<b>1.</b>	Constitutional Democracy in India: Review of Constitutional Changes/Amendments, Diversity and Pluralism, Rights and Participation
<b>2.</b>	Federalism, Legislature, Legal System and Judiciary
<b>3.</b>	Bureaucracy, Police and Army, Media and Public Policy and Policy Making.
<b>4.</b>	Devolution of Powers and Local Self- Government, Political Parties and Participation, Workers and Peasants Movements, Interest Groups
<b>5.</b>	Inequality: Caste and Class, Religious Politics, Ethnicity and Nation – State, An Assessment of Indian Democracy

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## **Unit 1: Legacy of National Movement: Development, Rights and Participation**

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1.1 Development of Farmer Movement

1.2 Major Farmer Movement

1.3 Summary

1.4 Keywords

1.5 Review Questions

1.6 Further Readings

### **Objectives**

After studying this unit, students should be able to:

- get acquainted with farmer movement;
- know about India's major farmer movements.

### **Introduction**

History of movements is not a new topic in India. Here, movements have taken place in every era, but variances has also been found in their nature. Before independence, where on one hand the Revolt of 1857 took place, there on the other hand from time-to-time farmer movements also took place. Even after independence, for economic-social and political reasons, agitations occurred. Practically, violence, besiege, and demonstration all are actually the consequence of public dissatisfaction. However, in present times, many self-seeking politicians and political parties consider these movements as means of their rally and serve their own interests. Many such instances can be found in Indian politics. In India, many movements took place; but Tebhaga, Telangana and Naxalite movements etc. are among the major movements.

### **1.1 Development of Farmer Movement**

In India, endeavour to organize farmers and farmer movements can be believed to have begun in 19<sup>th</sup> century since when farmer movements took place in Bengal, Maharashtra, Punjab etc. Among these, Santhal Rebellion of 1855, Deccan Riots of 1875, etc. are popular. In 1917, Mahatma Gandhi organized farmers in Champaran and in 1918 performed passive resistance (Satyagraha) in Gujarat against land revenue. In 1920, when the leadership of Congress came into the hands of Gandhi, special emphasis was

**Notes**

given to ethics for supporting rural population and consequently, the politics of organizing farmers got vigorous. Congress, in its meetings, framed policies and plans to organize and develop farmers.

In 1936, by mixed efforts of some Congress and communist leaders, "All India Kisan Congress" was formed. In future, the word "Congress" was replaced by the word "Sabha." In 1939, "All India Kisan Sabha" was established. In this year, at All India Kisan Sabha, Prof. Narendra Dev in his presidential speech, told that such an organization has been formed, which is separated from Congress, because Congress is a multigroup organization, in which farmer-welfare is not fulfilled appropriately; because of reign of landlords in Congress many land-welfare related regulations were not being implemented. Hence, one singular organization was established in the form of "All India Kisan Sabha," which will be helpful in solving specific issues of farmers.

Kisan Sabha was a federal organization and agricultural organizations of various states were its members. In 1937 when Congress cabinet neglected the demands of the Kisan Sabha, then leftist constituents strengthened among the farmers and in 1939 after the resignation of the Congress cabinet and imprisonment of Congress leaders, supremacy of communist group was established. During the end of World War, internal oppositions began in Kisan Sabha and under the leadership of Swami Sahjanand, a singular confederation was organized, which was named as "All India United Kisan Sabha." Swamiji gave an allegation that communist group was building the Kisan Sabha as a platform for group propaganda. After independence, with a ban on Samajvadi party, ban was implemented on Kisan Sabha also. This ban was applied till 1950.

Kisan Sabha continued to weaken from the political and organizational point of view. Farmer movement was successful in Bengal and Bihar, but the influence of the farmer movement was limited in other states. Even till date, Kisan Sabha is active in the form of federation of communist organizations.



*Did u know?* Samajvadi party has its own separate farmer organization, which is known as "Hind Kisan Panchayat."

Small leftist groups have also formed another organization on all India bases in this manner, which is known as "United Kisan-Sabha." An independent organization has been formed by communists for agricultural labourers, which is known as "All India Agricultural Workers Union."

There is not much importance of farmer organizations from the view point of influencing for betterment of farmers in Indian politics and administration, because they are actually not led by farmers, but they are governed by their landlords or landowners and because their leadership is associated to political parties, these political parties use these organizations more for their political benefits and less for betterment of farmers. As a matter of fact, there is a lack of consciousness in farmers, which can enable them to work on their own initiative and hence, this is the reason why incidents, such as Telangana Riots of 1948, Tanjore Riots by rice manufacturers of 1960 in Tamil Nadu, Srikakulam movement of Andhra Pradesh and naxalite and Gorkha movements of 1969 in Darjeeling district took place. Political parties which publish their election manifesto necessarily should have projections for special reservations of farmers.

### After Independence

After attaining independence, many strategies for land reform were adhered central and state governments, but it could not be possible to make them completely operational. Consequently, many development plans were left on paper and no requisite development occurred in economic state of the farmers. Two characteristic results were found of this state –

- (i) Dissatisfaction pervaded among the farmers.
- (ii) Due to reason of economic problems of farmers, common farmers have lost interest in forming any organization.

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Whenever farmers have pressurized the government accounting for political groups and leaders for safeguarding their interests, then the ruling party has always strived for receiving farmers support by bringing land reform. On account of national economic development, there is much significance for land reforms. On account of political stability, security among farmers and creating the feeling to actively participate in economic functioning is also a part of politics of land reforms. One of the significant issues linked with land reforms is associated to landowners and negotiators. Although for abolition of such issues laws have been framed, still a new class has cropped up. Abolition of landownership has encouraged individual asset formation, but malpractice of shareout had no effect on abolition of negotiators. According to the Constitution, state governments are responsible for farmers and land reforms. If ethics of land reforms are not effectively operational, then time-to-time dissatisfaction of farmers will erupt and political-social economic revolution will be a headache for every government. The only reason for the occurrence of farmer movements, which have taken place from past few years, is inadequate land reforms.



Notes Farmer movement is naturally the result of dissatisfaction among the farmers.

From time to time, political gain of this dissatisfaction has been the aim of political parties and their leaders. On 23 December, 1979 in wide ground of Vote Club at New Delhi, the aim of conducting the massive farmer's conference was to demonstrate the political power of Choudhary Charan Singh. In political areas, this conference of farmers was usually found to be an influential demonstration by Charan Singh for his popularity. In this not only the farmers gathered in large numbers from supernumerary north territories, but chief ministers of Punjab, Haryana, Uttar Pradesh and Bihar also specified from this platform that their benefit lies in supporting Choudhary. In this conference, Sri Ravi Rai read a proposal related to economical and political affairs in which it was highlighted that from past 30 years the economic conditions in villages have only worsened. R. K. Ameen presented a requisition form in farmer's conference for which he announced that a "Charter" of rights instead of "Order Form." Criticizing the economic policies and programs of the central government, it was demanded that policy of the rural-oriented economic development should be implemented. In the 20 formulated charter, it was demanded that—

The party should fulfill the promises declared in its manifesto; to end the imbalance between the expenditure in and income obtained from agriculture; to remove ban from export of agricultural manufacturing by amending the export-import policy. Farmers should essentially be given representation in various types of economic organizations and associations; the costs of electricity, water, fertilizers, pesticides and seeds used in agriculture should be reduced. The land revenue should be exempted for cultivation done on land less than 1.25 hectare. The aforementioned system should be organized to store extra stock and to give costs of collateral security. Planning Commission should be rationalized such that plans should be decentralized. Development models should be developed in such a way that rural services should be accessible. Polytechnic schools should be opened in every district, farmer banks should be established in one block which should provide loans on convenient rates. Gram panchayats should be restructured and women should get suitable representation in these panchayats. The expenditure for irrigation should be kept at 20%. Planning of land should be done in such a way so that maximum barren land should come under cultivation, effective democratic organizations should be formed for decentralization of economic and political rights and maximum representation should be provided to women in panchayats, primary schools, handicraft-related committees, and small-scale industries.



**Notes**

On 23 December, 1978 a conference was convened. This day is the birth date of Choudhary Charan Singh. The chairmanship of this conference was handed by General Secretary Nanaji Deshmukh of Janata Party. In reality, this farmer conference was not an ordinary demonstration, but proved to be a significant political event that presented a foundation stone of an alliance, which was until now seen as inappropriate pact in Indian politics. The nature of this farmer's conference was such that many farmers who attended this rally did not know that why they are attending it. Some of them came only to visit Delhi. But on the whole, maximum farmers attended the rally to express their support to their leader Choudhary Charan Singh. The main aim of the farmer's conference was to pressurize the President Shri Morarji Desai to include Charan Singh and his party.

Even South India was also not left untouched by farmer movements. In September-October, 1980, Karnataka farmer assembly council intensified their agitation in such a way that Chief Minister Shri Gundu Rao had to accept their demands immediately. Still the leaders of the farmers were not satisfied. In the last phase of the year 1980, not only Karnataka but from Tamil Nadu to Punjab and Haryana and dissatisfaction increased among the rich farmers of other states also, who used to produce surplus quantities of grains and they prepared for the agitation in the form of a unionized authority. It was accepted in government sector that farmer movements in Karnataka and Tamil Nadu was not only massive, but it was also influential and aggressive. Efforts were also made so that a farmer's centre should be formed on a national level and the government should be challenged through a unionized authority. The 19-formulated demands presented to the government by the Karnataka Farmer Association could not be accepted by any government willing to continue the existing economics. Some of the demands were as follows - Land revenue is a remnant of the British feudal administration, hence it should be abolished. The costs of agricultural produce should be scientifically estimated and they should be arranged based on cost of tax investment and incorporated human labour term in a similar way as done in industrial sector. For every industrial manufacture, the government should publish the actual costs of the essential human labor and raw material. Agriculture should be declared as an industry and an agricultural laborer should get all those benefits that are provided to a factory laborer. All the farmers and agricultural laborers should get pension of old age after 55 years of age.

In the beginning of 1981, the farmer movements took a new turn, the remaining tools of satyagraha took a support of long march. In the national movement, during the salt satyagraha through dandi march, Mahatma Gandhi focused on this. The dandi march started by farmers in free India, in vidarbha of Maharashtra in 1981, was observed to spread throughout India. Since the joining of leaders in farmer's movement, such as George Fernandes and Chitta Basu, it was speculated that now a mutual cooperation should be established and based on conflict in Indian politics, political embattlement will be done against Indira Congress. The Salt Satyagraha of Mahatma Gandhi was suppressed by British administration and "Dandi Satyagraha" of farmers was suppressed by their own government. Even after the immediate repression of the Abdul Rehman Antulay governance, the march by 25,000 farmers from every corner of Maharashtra was preceded by blowing cymbals sky-roaring slogans of "Victory of Farmer King" in second capital of, on the roads of Nagpur.

A series of imprisonment of dandi march continued. One of the higher police officers stated that thousands of farmers were ready to get arrested, but government was able to imprison only 5000 farmers and manage them. Police certainly refused that lahi charge was done, but the agitators saw sticks being used to hit by police, and Sansad Chitta Basu, former state minister Dutta Meghe, Gunnawanti Shah and Alka Desai were injured. After dandi, the political personality of Sharad Pawar raised to the extent that in front of him, Abdul Rehman Antulay seemed lower.

In 1980, under the leadership of Shrimati Indira Gandhi, after coming back again in ruling party, Congress (I) also organized various conferences to attract farmers. On 16 February, 1981 in Vote Club in New Delhi addressing a huge farmer's mob, Shrimati Gandhi said that her family started to think about farmers very long back. All members of her family did something and for the benefits of the farmers and welfare of villages, thought of leaving the city life. The organization of farmers mob was perhaps done to 'demonstrate the support of farmers'.

Both the ruling party and the opposition used to compete by promoting their strength and establishing their influence on farmers by conducting farmer movements and farmer rallies. On 26 March, 1981, at the call of farmer's coordinated committee, a huge mob of agricultural laborers assembled. It was organized by six parties of the opposition – Bhartiya Communist Party, Marxist Communist Party, Art Congress, Shiromani Akali Dal, Forward Block, Krantikari Samajvadi Party, Loktantrik Dal. Thousands of laborers of industrial sector were also included in this mob. In this conference, domination of communist parties was clearly observed. It was headed by former chief minister of Maharashtra, Sharad Pawar. In this farmer assembly, Choudhary Devi Lal declared that the charter related memorandum has been given to Lok Sabha Chairman and Rajya Sabha Vice-Chairman and the government should accept this immediately, else a movement will be started similar to the one started by Choudhary Chotu Ram during the British rule in Uttar Pradesh and Punjab and the government will have to confront this.

In effect, remunerative prices have been demanded for agricultural products since a long time. In this rally also, the following demands were asked, which included equality of prices in agricultural products and industrial products, end of taxes on growth rate, amendment of the minimal labor rate of agricultural labor, increase in the prescribed amount for the agricultural and rural development in the sixth plan, relief in rural debt, acquisition of the requisite things at reasonable prices, and to provide accommodation and domiciliary plots.

In March, 1981, this farmer rally was called a “premonition” of a universal movement and in this all the public speakers of the opposition bashed upon Shrimati Gandhi and her Congress party. In reality, “planning for benefits of farmers” was merely a demonstration, but substantive aim was power demonstration by adverse parties. Harikishan Surjit of Marxist Communist Party even told that he decided to plan the rally much before. But when Shrimati Gandhi came to know this, she used all of the governmental machinery to make his efforts ineffective and hence, people who were suppose to attend that rally went back with dissatisfaction.



*Task* Find out the present chief agricultural farmers and movements.

Since then various farmer meetings were organized and from view point of the massiveness, it will not be wrong to say such meetings as a movement. Almost every year, they can be seen with slogans to march toward Sansad Marg and conducting meetings and forums inside Sansad Marg police station. In these types of meetings and corteges, very vitriolic speeches were used. But still the majority of farmers of our country spend their lives in a simple and easy life, and they have believed not only farmer meetings organized through power demonstration and farmer movements, but also political leaders to be their sole well wishers. Even today, farmers and federations from many states keep on going from time-to-time to state government and central government, with their memorandums and demands. This does not mean that no improvements have been made in status of farmers, but these improvements are very less from the comparative and developmental view points. Today it is essential to see that these farmer unions and movements do not merely become a means of attaining political selfish motives.

## 1.2 Major Farmer Movement

Before the end of the World War, few large farmer movements took place, however, many of these had limited domain. Some of the major movements are described as follows:

**(1) Tebhaga Movement (1946-47)** – In independent India, the first movement amongst the farmer movements was the Tebhaga Movement of Bengal. This movement, which started during the last days of the British rule, continued even after freedom. This movement was chiefly a corporate effort between the intermediate farmers and croppers against the cultivators. This movement got the strength

**Notes**

from the hassles of a long time drought in Bengal in the year 1943. As a consequence of this drought, the administration of farmer assembly was established in few villages. But in 1947, this movement pacified. The basis of this movement was limited. The category of industrial labor was kept separate from this movement and the intermediate farmers kept distance from this movement on their own. This is the reason that, this movement ceased early.

One other reason also failure of this movement was because after 1947 Congress was able to increase its influence in the rural area of Bengal. In comparison to the principles of category-welfare of the communists, the intermediates and big landowners got much attracted by the slogan of rural coordination by the Congress party. On an average it can be said that in 1960, since the beginning of the Naxalite Movement, the Congress party was able to lay down its roots in rural Bengal. The influence of communists was limited only to Calcutta and other big cities around it.

**(2) Telangana Movement (1946-51)** – The second major farmer movement in the years after attaining independence was the Telangana movement. This was similar to a revolutionary farmer movement. It started during the obnoxious rule of Nizam in the state of Hyderabad in the year 1946 and it instantly spread to other districts of the state. This movement was started against the forced and extreme collections by vassals. It was suggested that all loans of farmers should be exempted as a consequence of the oppression cycle by the vassals, this movement extended further. In 1947, a gorilla army was also unionized in which there were approximately 5000 gorilla soldiers. This army seized weapons in bulk quantity from the vassals and frightened off the vassals and local government bureaucracies. The government for farmer's soviet was also subsisted under which there was a control of 15,000 square miles area for 40 lakh population. This distributed the land in large amount. But the army of independent India subjugated the Telangana movement in 1951.

In 1960, one other movement was also repressed in a similar way. In fact both these movements were fundamentally provincial. Besides this from implementation of land reforms, the farmers were not benefitted at all. These land reforms aided only the highly positioned lessees, who were able to receive proprietorship. Hence, in this way the capitalist agricultural system started. As a consequence of land reforms, big landowners harassed the lessees more and by evicting them, they themselves started cultivating on the land. However, from time-to-time, the farmer association expressed opposed against. But to confront it, no direct action was being taken. Instead of bringing development through revolutionary policy, much significance was given to over headed introduction of tactics. Because of being occupied in parliamentary politics, public agitation renounced the direct procedure.

**(3) Naxalite Movement** – The resultant of both the communist parties being busy in parliamentary politics was that the contested class parties got separated from these parties and started doing public services. In 1967, when a combined stand government was established in West Bengal under the leadership of Indian Communist Party (Marxwadi), almost then in North-West Bengal in the district of Darjeeling at a small place called Naxalbari, a farmer revolt blazed up. This revolt continued for two months and it was coerced by state police and military squads. But this had severe reactions in the whole of India. From this, such revolutionary agitators in Uttar Pradesh, Bihar, Punjab, and Kashmir became operative, who became popular by the name of "Naxalites". They established a third leftist group, which was named as Bhartiya Communist Party (Marxwadi-Leninwadi). It had maximum influence in Kerala and Andhra Pradesh and it was comparatively much stable also. This party was able to strengthen the state of the tribesman of Srikakulam. This party believed that only through freewill armed combat by farmers and through emphatically seizing the land from exploiting vassal category, socialism can be brought. By providing ideological training to farmers, this movement disapproved the necessity and usefulness of long and laborious methodology of forming a personnel-based organization. Charu Majumder and Kaanu Sanyal were the prominent leaders of this movement.

This movement rapidly intensified in the areas of Siliguri and Darjiling and in third week of May 1967, it reached the extremities. As a consequence of which there was massive violence and many assassinations.

This area was near to China and the revolutionaries had contacts with the Chinese government. As a result, this movement had a widespread expansion. In July, a large group of police seized the complete

area and repressed the revolt. But in the meantime, the Naxalite Movement had influenced the whole of India. This revolt was not only the revolutionary movement, but it was a historical phase of farmer movement. The problems of poor villagers, the stressful state of the rural areas, and the hard work done by people on land not getting the adequate rights, all these things became the central point of the public rights. From this it was clear that ignoring the welfare of farmers could be very dangerous, but one thing was also clear that what could be the limitations of such a revolt in front of the predominant polity.

**(4) Farmer Movement under the Leadership of Mahendra Singh Tikait**—Since past few years, in the history of Indian farmer movement, a new leader emerged, who is known by the name of Mahendra Singh Tikait. This straight forward leader from West Uttar Pradesh provided a new direction inspiration and to the farmer movement. He illuminated the independent conduct of his “Kisaan Panchayat” by keeping it completely separate from the political parties. Sri Tikait made tireless efforts to direct the unionization of the farmers and soon he became a big strength for Uttar Pradesh.

In 1987–88, Mahendra Singh became the center of attraction in the country and abroad. Under his leadership, the farmers of Uttar Pradesh attracted the attention of the country’s public for their demands of remitting the electricity and water bills and enjoying the appropriate benefits of their agricultural produce. It was the magnanimity of Shri Tikait’s movement that this besiege was completely peaceful, which continued for more than a month. A remarkable example of the unity of Hindus and Muslims was seen in the city of Meerut, where there was an atmosphere of communal tensions from so many years. Thousands of Hindu farmers stayed at Muslim families. The farmers stood fast for their demands by huddle-bubble of the hukkah. While, the government with the leadership of Shri Veer Bahadur Singh did not accept all the demands of the farmers, still the government had to declare many concessions by accepting the strength of this movement.

In October, 1988, Shri Tikait once again became the central point of public discussion. He picketed at the Vote Club of Delhi. Under his leadership, lakhs of farmers reached Delhi. This time, farmers from many states were engaged in this picketing. After taking receiving assurance for condolence decision from the central ground and transport minister, Shri Tikait concluded this movement.

## Self Assessment

Fill in the blanks –

1. The first farmer movement of independent India was .....
2. After independence, the second popular farmer revolt was .....
3. The name of the farmer association of the socialists is .....
4. The name of the farmer association of Mahendra Singh Tikait is .....
5. All India United Kisaan Sabha was headed by .....

## Evaluation

After independence, where the industrial labourer category has succeeded in attaining maximum labour, bonus, revision of wages and fulfilling the economic demands of work-related improved conditions, there neither the demands of the farmer category have been placed in appropriate fashion nor anybody has favoured and supported them. This is the reason why the standard of political consciousness is usually low. Even today, in many states of India, the situation is miserable.

As a consequence of the lack in association of farmers, not only the economic state of the farmers is lagging, but because of having no political consciousness, there is a characteristic impact of religion and caste on politics and the situation of farmers is miserable. Because of this community warfare has evolved in a new form.

From governmental policies and planning, no specific benefits are received by poor landless farmers, the rich farmers are getting richer and the farmer movements are also being conducted by these rich farmers

**Notes**

only. The political parties organize the farmer rallies for their power demonstration and to accumulate the support of farmers in their favour. In Indian politics, “politics of movement” have set in and in this race, neither the ruling party nor the opposition party is lagging. In the veil of the farmer movement, regional and minority leadership is also emerging. There is a profound difference in the farmer movement of north and south and that is in comparison to north India, in south India the farmer movement is an expansion of the movement of backward classes. The farmer category itself is not united. They neither have any coercive chain of strong national league of their own, nor any political party. Indian farmer is under influence of various political parties and easily victimized by tricky politics.

The farmers of India in the form of a producer have to face various hassles. In the name of the so-called green revolution, the economic equality has continually increased amongst the farmers. Only one-fourth of the farms of the country have arrangements for irrigation. More than half of the farmers are in miserable condition. They are so much dependent on nature that in every three years their crops are destroyed once by floods, drought or hoarfrost. Consequently, if like roads and electricity, there is a governmental procurement of irrigation, then poor and lowly farmers will also get many benefits.

Hence, it is clear from the character and activity of farmer movement in India that very few politicians are in favour of genuine upliftment of the farmers. Majority of the parties motivated farmer movements from time-to-time and also provided support, but their actual objective was nothing but to demonstrate their power. Hence, for resolution of their problems, farmers have to work together, use education in the form of a weapon and select a rational leadership. Apart from this, until the political parties will not be dynamic in preventing problems faced by the farmers, till then the miserable condition of farmers will probably remain unfeasible.

### **1.3 Summary**

- Before independence, where on one hand, the revolt of 1857 took place; on the other hand, various farmer movements also took place. Even after independence, because of economic-social and political reasons various movements took place. In reality, these movements, violence, besiege and demonstrations etc. are result of public dissatisfaction.
- In India, endeavour to organize farmers and farmer movements can be believed to have begun in 19th century since when farmer movements took place in Bengal, Maharashtra, Punjab etc. Among these, Santhal Rebellion of 1855, Deccan Riots of 1875, etc. are popular. In 1917, Mahatma Gandhi organized farmers in Champaran and in 1918 performed passive resistance (Satyagraha) in Gujarat against land revenue.
- After attaining independence, many strategies for land reform were adhered central and state governments, but it could not be possible to make them completely operational. Consequently, many development plans were left on paper and no requisite development occurred in economic state of the farmers.
- Even South India was also not left untouched by farmer movements. In September-October, 1980, Karnataka farmer assembly council intensified their agitation in such a way that Chief Minister Shri Gundu Rao had to accept their demands immediately.
- The second major farmer movement in the years after attaining independence was the Telangana movement. This was similar to a revolutionary farmer movement. It started during the obnoxious rule of Nizam in the state of Hyderabad in the year 1946 and it instantly spread to other districts of the state. This movement was started against the forced and extreme collections by vassals.
- In 1987 – 88, Mahendra Singh became the centre of attraction in the country and abroad. Under his leadership, the farmers of Uttar Pradesh attracted the called the attention of the country’s public for their demands of remitting the electricity and water bills and enjoying the appropriate benefits of their agricultural produce. It was the magnanimity of Shri Tikait’s movement that this besiege was completely peaceful, which continued for more than a month.

- In India, endeavour to organize farmers and farmer movements can be believed to have begun in 19th century since when farmer movements took place in Bengal, Maharashtra, Punjab etc. Among these, Santhal Rebellion of 1855, Deccan Riots of 1875, etc. are popular. In 1936, by mixed efforts of some Congress and communist leaders, "All India Kisan Congress" was formed. During the end of the Second World War, with the name of "All India United Kisan Sabha" a disparate organization was constituted.
- After independence, central and state governments agreed on various land reform plans, but they were not completely functional. Various principles were being followed even after their abolition by vassals and intermediates, but still the miserable condition of the farmers was the major reason of the movement, from time-to-time by means of rallies and corteges, farmers expressed their resentment.

## 1.4 Keywords

- **Naxalite** – A place called Naxalbari in the district of Darjling, where the revolt of farmers blazed up.
- **Abolition** – To completely destroy any malpractice, practice or mode.

## 1.5 Review Questions

1. "Even after attaining independence, farmer movements have taken place." Give analysis of this statement.
2. Give details of popular farmer movements before 1947.
3. Give interpretation of those reasons because of which even after independence farmer revolts took place.
4. Describe the popular farmer movement and their leaders of south India.
5. Evaluate the role of Mahendar Singh Tikait in providing new direction to farmer movements.

## Answer: Self Assessment

1. Tebhaga Movement
2. Telangana Movement
3. Hind Kisaan Panchayat
4. Kisaan Panchayat
5. Swami Sahjanand

## 1.6 Further Readings



Books

1. **Bhartiya Loktantra** – Rajesh Rawat, Satish Chaturvedi, Raj Publication.
2. **Bharat Mein Rajniti** – Abhay Kumar Dubey, Vani Publication.
3. **Bharat Mein Panchayat Raj** – George Mathew, Vani Publication.
4. **Loktantra ka Nayalok** – Arvind Mohan, Vani Publication.
5. **Bharat Mein Vikas Loktantra aur Vikendrikaran** – Chandansen Gupta, Rutlej Publication.
6. **Bharat Mein Algav** – Shamsul Islam, Vani Publication.

Notes

## Unit-2: Constitution and Social Transformation

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- 2.2 Constitutional Amendments and Idea of Constituent Assembly
- 2.3 Review of the Indian Constitution: Change for What and Why?
- 2.4 Summary
- 2.5 Keywords
- 2.6 Review Questions
- 2.7 Further Readings

### Objectives

After studying this unit, students should be able to:

- Get familiar with constitutional amendments.
- Get aware about the constituent assembly.
- Understand about constitutional review.

### Introduction

It is a universal renowned fact that social change is an indication of a nation's development. Social change is such a social revolution, in which there is an initiation of the process of economic and political development. From social revolution, it not only means that there is a mere change only in the existing political system, but the system should truly come in the hands of the common public, instead of the government and it should be governed by its reaction and decision. In such a system, the administration will become achievable inspite of lack of means and the public became ruler inspite of not ruling the people.

In India, in constructing the socialistic society, the supreme responsibility of leading a peaceful social revolution is on the shoulders of our parliament. The economic equality in the absence of social revolution and in the absence of economic equality, the political freedom remains a hallucination. The parliamentary history of past 25 years proves that our parliament is committed to bring a change in the desired integrated development and to provide uplifting services for country's re-development.

In a democratic society like in India, the initiation of socialist revolution is possible only by parliamentary procedures in a peaceful manner. It is a matter of satisfaction that our parliament is establishing such methodologies from the perspective of constitutional amendments from which there is a possibility of social, economical, and cultural upliftment of our people.

## 2.1 Parliament and Constitutional Amendments

Notes

The powers of amendments in constitution are inherent in the parliament and the Indian parliament can make a change in any part of the constitution under Section 368. If the history from the first amendment of the constitution to the 95<sup>th</sup> amendment is analyzed, then it can be said that our parliament through elaborate and essential amendments of the constitution has made the constitution a unique document of a social charter for social and economic justice. Through the first amendment of the constitution, by making changes in Section 15, the state was given special power for development of classes which were backward from social and educational view points. Through this amendment, after Section 31, 31-A and 31-B, were also added. According to 31-A and 31-B, the practice zamindaari was assailed and the old walls of feudalism started to fall. Through the fourth amendment, the government will be able to own the wealth essentially for public welfare and no court will be able to provide justice for whatever rate of compensation will be decided. Through the eighth amendment, the duration of a special reservation for the scheduled castes and primitive castes is increased to 10 more years. Through the 17<sup>th</sup> amendment, initiative was taken for implementation of laws for land welfare and exploited system like raiyatwari were knocked out. Through 23<sup>rd</sup> amendment, reservation in government jobs for the scheduled castes and tribes has been increased to 10 more years. Through the 24<sup>th</sup> amendment, objectionable ban was removed in the constitution of the parliament from powers of making amendments for both the Supreme Court and the President. In this amendment, it was made clear that the Indian population will never favour the Supreme Court in this form that it will make any type of ban on the progressive principles of the parliament. Through the 25<sup>th</sup> amendment of the constitution, an effort was made to limit the right of wealth with aim of establishing socialism. The 26<sup>th</sup> amendment abolishes the privileges and royal wealth of the kings of the former native estates. The 28<sup>th</sup> amendment abolishes the privileges of the I.C.S. officers. Through the 29<sup>th</sup> amendment, it was assured that if by assimilating the land, the land of individual cultivation is also affected, then that land can be owned by the state. Through the 34<sup>th</sup> amendment, the land reform laws were placed in ninth schedule of the constitution. Through 42 amendment the directive principle have been preferred to fundamental rights. Through the 44<sup>th</sup> amendment, the right to wealth was abolished. Through the 45<sup>th</sup> amendment, reservation for the backward classes of the society was increased till the year of 1990. Through the 47<sup>th</sup> amendment, 14 more land reform laws were added in the ninth schedule of the constitution. Through the 49<sup>th</sup> and 51<sup>st</sup> amendments, the avenue of development for the tribes of the north-eastern region was paved and through the 52<sup>nd</sup> constitutional amendment, arrangement was made on a serious political evil of 'restriction on changing the political group'. Through the 65<sup>th</sup> amendment, a provision was made for constituting a national committee for the welfare of the scheduled castes and tribes. Through the 73<sup>rd</sup> constitutional amendment, the panchayati raj was provided a constitutional status. Through this, a provision was made available for reservation in panchayati raj associations for the women and the backward classes. Through the 95<sup>th</sup> constitutional amendment, the duration of the reservation for the scheduled castes and tribes has been increased to 25 January, 2020. The aim of the 81<sup>st</sup> amendment is to rehabilitate previous condition of reservation matter of 29 August, 1997. Through the 82<sup>nd</sup> amendment, provisions are made in government jobs for scheduled castes and tribes to get recruited in the vacant positions with minimal qualifications. The 83<sup>rd</sup> amendment gives a rebate on the implementation of the appendices of the Section 243G in Arunachal Pradesh.

Through the regulation of the 85<sup>th</sup> amendment of the constitution in the year 2001, a provision was made according to which laws of reservation for government employees of the scheduled castes and tribes, consequential priority was given to matters of promotions.

Through the regulation of the 86<sup>th</sup> amendment of the constitution in the year 2002, education was declared as an fundamental right. Through the 87<sup>th</sup> amendment of the constitution, now the delimitation of 2001 of the constituencies can be performed based on the population census. Through this, the demographic changes in these constituencies are reflected properly. Through the 91<sup>st</sup> amendment of the constitution (2003), a step was taken to effectively ban the changing parties by limiting the size of the cabinet at the centre and in the states. Through the 92<sup>nd</sup> amendment of the constitution (2003), the Bodo, Dogri, Maithili, and Santhali languages were included in the 8<sup>th</sup> Schedule of the constitution.



**Notes**

Through the constitutional amendment, exclusive rights were seized from the privileged classes, which abolished the practices of feudalism and zamindari system and arrangement was made for special provisions for the development of the backward classes. The right of hereditary inheritance of wealth was limited in terms of the economic justice, so that the exploitation of the weaker classes can be stopped and let us build an equalitarian society. As a matter of fact, there is an inherent supreme power of creativity ability in the constitutional amendment. A planning has been scheduled for a country's peace, progress and prosperity in these amendments. A hypothesis has been made in these amendments for a welfare society and a fair societal administration. For the disputes of Shankari Prasad and Sajjan Singh, the Supreme Court sanctioned the unique power associated to the parliamentary amendment. But later, in the **Golaknath** dispute, the court said that 'if any law of the amendment for the constitutional original jurisdiction does not comply with Part 3 of 13(2) Schedule of the constitution, then it will be illegal.' To get back the previous state of the decision of the Supreme Court of the parliament, a leader of Prosopa, the late **Nath Pai**, in the year 1967, presented his constitutional amendment bill, which because of the differences among the political group, could not be passed. After the election of the fifth Lok Sabha, the parliament passed the 24<sup>th</sup> constitutional amendment and retrieved its lost power. Now it was accepted that the parliament is capable of changing any appendix of the constitution. In the words of **Laxmi Mall Singhvi**, a large controversy took place on a national level on the trial of Golaknath and as a consequence of it, 24<sup>th</sup> amendment took place and the court accepted it procedurally. But despite accepting the justice of the controversial decision of Golaknath, in the majority of the trial of **Kesavananda Bharati**, the court decided that the **basic structure of the constitution** cannot be demolished. No one was unanimous on the fact that what is its basic structure?

If we talk about the basic structure by taking into account the controversy of Kesavananda Bharati, then it should be said that no list for that has been prepared yet. According to **Dr. Singhvi**, "In our republic state system, the elements of religion dispassion and legislative equality can be said to be essential parts." According to Justice Chandrachud the Rule of Law and Judicial Review are also essential parts of our system. According to **N.A. Palkhivala**, there are following nine elements in the basic structure of the constitution or in the essential parts: (i) the supremacy of the constitution, (ii) sovereignty of India, (iii) integrity of the country, (iv) republic administration ordinance, (v) democratic life-style, (vi) religion dispassion, (vii) independent and unbiased judiciary, (viii) federal system, and (ix) established assimilation between execution, legislation and jurisdiction.

Further, **Palkhivala** writes that "There will be a far reaching effect of the decision of the Supreme Court in the Kesavananda controversy." The court has agreed that right to wealth is not a part of the fundamental basic structure of the constitution and this right can be changed. Hence, for establishing the economic justice, the constitution can frame principles and it can make amendments to it as and when required. There is only one limit on the constitutional amendments of the parliament, according to which the parliament cannot change the fundamental basic structure of the constitution.

As a matter of fact, the basic structure is an ideological thing. In realty, whenever there is a discussion to bring a change in the constitution, then it is essential to understand what do we want to change? Before making amendment, we should see that 'till where the present system is contributing in our development and societal justice and till which limit it is stopping it? In case any provision of the constitution holds against the development and advancement of the country, then it should be changed immediately.'



*Did u know?*

A leader of Prosopa, the late **Nath Pai**, in the year 1967, presented his constitutional amendment bill, which because of the differences among the political group, could not be passed.

## 2.2 Constitutional Amendments and Idea of Constituent Assembly

Notes

The Supreme Court presented its opinion while giving its decision for the 'Golaknath controversy' that to make an amendment in the constitution, the constituent assembly needs to be called. **Chief Justice K. Subba Rao** has specified in one of his speeches that "if the parliament tries to seize or reduce the basic rights, then with the help of the citizens it should frame a new constituent assembly." The parliament has been provided with residue powers and according to this right, laws can be made and a new constituent assembly can be formed. In case the parliament changes itself into a constituent assembly, then it will be an illegal task, because while doing this it has not received a mandate from the citizens. On the other hand, some people believe that there is no necessity to form a constituent assembly for a change in the constitution. Our parliament is a representative organization of the citizens instead of a constituent assembly. The citizens have obtained the right to prepare the constitution after great struggle. In its framing, many chief jurists have also participated. In this country, whatever is being done should be done according to the desires of the citizens. According to **Dr. Laxmi Mall Singhvi** that constitutional amendment is a deep critical topic and it should be done after a complete deliberation. For this, a committee should be appointed. Forums should be organized on constitutional amendments, in which legislators, social workers, legal experts, and various classes of the population should participate. Based on these forums, organized throughout the country, the committee should prepare a report, only then the entire country will get a proper understanding and conformity. **Justice P. N. Bhagwati** has said that "Whatever change is made in the constitution, should be done after complete legislatively and societal-juristic investigations. In this relation, every article of the constitution should be investigated that till where it has acted as a barrier in the progress of the country. For this, the facts and numbers should be collected with scientific methodology." For the constitutional amendments, the constituent assemblies are not required. Till date, all the amendments have been made in the constitution by the parliament only. By the constitution, the parliament not only has been given the responsibility of law-making task, but it can also make reasonable amendments in it. In the perspective of the constitutional amendments of the executive and cabinet should help and guide the parliament and through discussions in the parliament for bringing changes in the constitution only seems to be appropriate.



*Notes* There is only one limit on the constitutional amendments of the parliament, according to which the parliament cannot change the fundamental basic structure of the constitution.

## 2.3 Review of the Indian Constitution: Change for What and Why?

The West Bengal's lawyer's assembly, in one of its proposals said that, "A complete review will have to be done of the constitution so that appropriate changes can be made to it to make it a vivid record for the urgency of the present circumstances and for an effective fulfillment of the demands of the population." **Dr. Singhvi** According to "Till now all those amendments have been made, they were situation-orientated. Now the time has come that the entire context should be tested, because an important change made to one part of the constitution will lead to make a change in another part also." On the occasion of the twelfth Lok Sabha election, the Bhartiya Janta Party in its published election manifesto said that "In the light of 50 years of experience of the Bhartiya Janta Party will create a committee to doubly review the Indian constitution, in which there will be experts and eminent parliamentarians." In the election manifesto of 'National Democratic Alliance' (published before the 1999 Lok Sabha election) it was also said that after the Alliance comes into power, a high power committee will be appointed in the constitution for proposing a comprehensive revision.

**Notes**

An intense study of our constitution reveals that in some topics, the constitutional situations are not even specified. It seems that while framing it, the founders of the constitution gave much attentiveness to idealism instead of pragmatism. The environment and the situations in the country are also changing speedily and in these special situations many articles of the constitution do not match these. After the year 1971, when the rate of social-economic change in the country increased, then the number of amendments in the constitution also increased. In the world economy, a new trend of liberalization has started. In India also, in this new trend of liberalization, a new course has started of economic structural amendments. Hence, in the changing economic-social background, there will be a consequent change in the constitution.

Hence, there is a necessity for a review of the entire constitution. **Dr. Hayat Sing Fartyal** writes that because there is no provision of review in our constitution, therefore this task can be accomplished with the help of amendments. For this, a high authority and expertise committee can be formed, which can be constituted with the approval of the parliament and its report is accepted by the parliament. The following parts of the constitution are essential for review:

- (1) The basic structure of the constitution or 'essential part of the constitution', the description of which has been done in '**Keshavanand Bharti case** and toward which even the Supreme Court's decision was made in May, 1980, needs to be specified. Once the things which are covered under the 'basic structure of the constitution' are specified clearly, only then the controversial situation between the parliament and judiciary can be removed.
- (2) Since a long time, controversy has been there for which of the both, i.e., the fundamental rights and the directive principles should be given priority, which is not beneficial for the Indian governance. Hence, in this cause, efforts should be made to adopt specified provisions. The arrangement of the fundamental rights and directive principles by our constitutional founders was done so that both are complementary to each other and there is a necessity to re-emphasize on this view point.
- (3) Article 13(2) of the constitution is also not clear. The Supreme Court has given diverse explanation for this article in **Shankri Prasad case and Golaknath case**; hence, its meaning should be made clear.
- (4) The status of the governor is also not clear and the way various governors have used their rationality on various occasions, has given arise to many controversies. To bring uniformity in the behaviour of the governors, their status needs to be specified.
- (5) Arrangements should be done with more transparency in relation to the exclusive rights of the members of the parliaments.
- (6) The procedure of constitutional amendments is also somewhat complicated. If a constitutional amendment bill is approved by one assembly and is disapproved by another assembly or approves with such amendments which are not approved by the first assembly, the how will this situation be solved? In this relation, the constitution is silent. Under the present system, the constitutional amendment bills for which the Rajya Sabha has the power of veto, they are neither suitable for the public sentiments nor they can be said to be appropriate; hence, in this relation there is a need to make a change. In the amendment procedure it has not made cleared that in what time duration the state should give their acceptance or non-acceptance to the constitutional amendment bill, which is approved by the parliament. Time duration should be specified in this regard.
- (7) A serious thought should be given to provide the right to employment to all the citizens of India. Similarly, the directive principles that have been described in Article 39 part B and C in relation to the economic and social justice should be more explicably arranged in terms of their performance.
- (8) In 1977 and 1980, the central government dissolved the legislative assemblies of the nine states based on the results of the Lok Sabha elections. This condition adopted by the central government is not acceptable by the federal system established by the constitution. Hence, such an arrangement should be made based on the amendments in the constitution, so that the central government would not disrupt the legislative assemblies arbitrarily.

Some other proposals for the amendments can also be given. Apart from the above-mentioned amendments in the constitution, one of the important things is that in relation to the implementation of the constitution, the various provisions of the constitution should be adopted with the right feelings by the various parties. This task should not be done by them based on their own perspectives, but the totality and the national welfare of the constitution should be taken into account.

Amendment discussion in the constitution is a serious maxim. Amendment should be made after complete investigation. For this there is no place of emotions. If we have to reach the social, economic, and political justice, then we have to accept the supremacy of the parliament. There are some values in the constitution from which one should not get isolated. In this democracy, secularism and nationality are foremost. Dr. B.R. Ambedkar has believed amendment principle to be elemental soul of the constitution. Constitution is neither an untroubled document nor a Hobbes's social contract, in which the next generation has no right to make a change in it. Every generation has a right to make an amendment in the constitution according to their feelings. It is true that the type of the revolutionary social change, which our present government is expecting, many provisions are posing as barriers in it. Hence, the parliament has to see that the constitution does not become a barrier in making any implementation for big social and economic welfare. The mutual relations between the centre and the states, election procedure of the President, Section 356, status of the chairman of the legislature etc should be reviewed again. The provisions of the constitution should be amended in such a way that they are analog to the objectives of the constitution. The contemporary Prime Minister **Indira Gandhi** said it rightly that "The things which are stable and unchangeable, they break upon frequent pressure. The summary of any vivid and social conduct of life is – flexibility and circumstantial adaptation." In our country, there are supporters of both the ruling and the opposition parties for bringing a change in the constitution. Many leaders from the opposition also have demanded a change in the constitution from time to time. Therefore, a comprehensive reconsideration of the constitution will be beneficial for the nation.

The central government published the notification of the constitution of the national commission of 11 members for the review of the Indian Constitution on 22 February 2000. The former Chief Justice and the former Chairman of the National Human Right Commission, Justice M. N. Venkatachaliah, was appointed as the chairman of this commission. On 31 March, 2002, the chairman of the commission gave a report of the constitutional review committee to the Indian government. Overall, in 1976 pages of the report of the committee, 249 commendations have been provided. The commission has proposed 58 recommendations for performing constitutional amendments, 86 recommendations for performing legislative procedures and other 106 recommendations for performing operative procedures.

### **Self-Assessment**

Fill in the blanks –

1. The 73rd constitutional amendment, the panchayati raj was provided a ..... status.
2. Till date, all the amendments have been made in the constitution by the ..... only.
3. There are some such values in the constitution from which one should not get isolated. In this ....., ..... and nationality are foremost.

### **2.4 Summary**

- Social change is such a social revolution, in which there is an initiation of the process of economic and political development. From social revolution, it not only means that there is a mere change only in the existing political system, but the system should truly come in the hands of the common public, instead of the government and it should be governed by its initiative and decision.
- If the history from the first amendment of the constitution to the 95th amendment is analyzed, then it can be said that our parliament through elaborate and essential amendments of the constitution has made the constitution a unique document of a social charter for social and economic equities.

## Notes

- Through the constitutional amendment, exclusive rights were seized from the privileged classes, which abolished the practices of feudalism and zamindari system and arrangement was made for special provisions for the development of the backward classes. The right of hereditary inheritance of wealth was limited in perspective of the economic justice, so that the exploitation of the weaker classes can be stopped and a equalitarism society is formed.
- An intense study of our constitution reveals that in some topics, the constitutional situations are not even specified. It seems that while framing it, the founders of the constitution gave much attentiveness to idealism instead of pragmatism. The environment and the situations in the country are also changing speedily and in these special situations many articles of the constitution do not match these. After the year 1971, when the rate of social-economic change in the country increased, then the number of amendments in the constitution also increased.
- The basic structure of the constitution or 'essential part of the constitution', the description of which has been done in '**Keshavanand Bharti case**' and toward which even the Supreme Court's decision was made in May, 1980, needs to be specified. Once the things which are covered under the 'basic structure of the constitution' are specified clearly, only then the controversial situation between the parliament and judiciary can be removed.

## 2.5 Keywords

- **Constitutional Amendment**—a comprehensive change in the articles of the constitution through clear procedure and methodology.
- **Constituent Assembly**—an assembly of members constituted to create or amend the constitution.

## 2.6 Review Questions

1. Discuss those amendments by the constitution because of which the framework changes in the constitution took place.
2. Analyze the neussary elements required for the review of the constitution.
3. Describe those parts of the constitution which are essential to review.
4. Give details of the 11-member commission constituted for constitutional review.

## **Answer: Self Assessment**

1. Constitutional
2. Parliament
3. Democracy, Secularism

## 2.7 Further Readings



Books

1. **Bhartiya Prajantra**—Rajesh Rawat, Satish Chaturvedi—Raj Publication.
2. **Bharat Mein Rajniti**—Abhay Kumar Dubey—Vani Prakashan.
3. **Bharat Mein Pachayat Raj**—George Mathew—Vani Prakashan.
4. **New World of Democracy**—Arvind Mohan—Vani Prakashan.
5. **Development, Democracy, and Decentralization in India**—Chandan Sen Gupta—Rutlej Publication.
6. **Segregatation and Religion in India**—Shamsul Islam—Vani Prakashan.

## Unit-3: Diversity and Pluralism in Democracy

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- 3.1 Understanding of Democracy
- 3.2 Democracy and Growth
- 3.3 Political Democracy and Economic Growth
- 3.4 Summary
- 3.5 Keywords
- 3.6 Review Questions
- 3.7 Further Readings

### Objectives

After studying this unit, students should be able to:

- Get familiar with understanding of democracy.
- Understand political democracy and economic growth.

### Introduction

Maximum old beliefs are expiring from Indian politics with today's 'changing time'; still the democracy believes that it should not be only given a stable, but a powerful continuity. It is important to note that since the time of colonialism, some countries of Asia and Africa have been addressing in the same tone in such a way that even after the formation of Pakistan they have been successful in maintaining their republic or democracy. If we talk of a paramount wide democracy like the one India has, then the above-mentioned fact is not average achievement. India never had factors that could have made it successful for its liberalist democracy, in fact it also had lack of awareness for literacy, industrialization etc. In addition, here for democracy, there was a traditional system of political disturbances, which was deliberately brought up, so that the political equality should be objected. Besides this, cultural division was also a barrier. Now the question arises here:

- How to express the stability of Indian democracy?
- Is the limited use of the democratic politics under the national guidance of India as given by the British rulers, the cause for this? If yes, then to which limit?
- Is the modern transformation of the Indian traditional values, such as pluralism, harmony, affection and unity, the cause for this, which were present in the beginning of independent India?

**Notes**

There was a significant assumption in India that democracy will be in colonial language accordingly as the British government told in legal laws, whereas their powers were kept limited. While the number of the voting rights was kept limited, yet this number was 4, 00, 00,000 which was maximum at that time. Such groups, which were given political rights, were absolutely selfish and possessive.

The assumption made in the past transformed into a national revolt, in which India was given a different identity, so that the future path of Indians could become easy and paved. Indian politicians, such as Gandhi and Nehru initiated the word – state – for making identity for the Indian diversification. cultural values, such as affection, pluralism etc. were the mainstay in this project and was legally carried out. Indian democracy was specified in the form of implementation; secular citizenship, three-language policy, reorganized of the states etc. and all the bases are property and are according to the constitutional strategies and governmental policies, which represent the legal assumption of the region, language, caste, and religion.



Notes It can be incurably said that democracy in India is running through its profundity.

It can be incurably said that democracy in India is running through its profundity and whether there are reasons for the mentioned above things. Even today, there is a domination of parliament, jurisdiction and media etc. in Indian society. If we consider the words of **Sunil Riblnani** then, “Democracy has entered the Indian politics in the form of ideology of forming a history for desires of category of similar people and commitment of the conundrum.”

Still then the reason for the presence of the Indian democracy is place for the political arguments and providing opportunities for confirming various areas. In this process, the Indian rights are being palromized.

### 3.1 Understanding of Democracy

What is republic or democracy? And what do we call it in the political language? Democracy is such a system in which the people after mutual discussions, elect their officials, and ministur etc. All should obey its rules. Whereas, if we talk about the basic principles, then these are double-sided. The first side is that an individual is a free-being, who knows that what is right and what is wrong, while the second side is that there should be no an ill-feeling in any member for a corporate decision.

It is right to state that whenever some decision is being taken, then it is essential to form a consensus for that decision. Such type of decision has been called as ‘principle of majority administration’. Because of a vast society, there was progress on every issue. In a capitalist system, the decision of the society is not possible, like **C. B. Macerson** while specifying democracy states that “So the modern democracy acts through a medium of procedure representative resources through which people can elect their leaders and can make them responsible at appropriate time.”

– *Life and Times of Liberal Democracy*

If in another form, democracy is seen as a collection of resources, which are make from free election, political laws, constitutional rights, then it is its form. And if we see democracy as a group of citizens of such equal levels, who are hypothetically efficient, procedure judgement any effective, fully adult, then they can be a many form of democracy. In the liberalist principle of politics, both these have been represented in the form of conventional and non-conventional democracy.

Because of this, the reason for its stability includes the level of limited participation in part of democracy, peaceful transformation of the authority, conduct of elections etc. Such type of perspective has a danger

from the concept of election, because it poses a problem for active participation from the view of the social and economic dissimilarities in which there are minorities and children, because in such type of a generalized form, they are victim to be overlooked despite of their wishes.

If we consider another thought, then it is known that establishment of democracy cannot be completed until when a design is prepared for all the citizens of equal rights and everyone is not assured about it. In present time, everyone, including freedom of speech and expression, free election, unbiased elections, and procedural elections are under the shadow of democracy, but it will be wrong to say that the circumstances of the establishment of democracy in such a way are exhaustive and true. The establishment of democracy should not be seen merely as a procedural and political equality, but dissimilarities can pose a strict ban on it, in which many people, common people are unable to see the decision made by the rulers, and to see the agenda of a democratic society, appropriate and equal opportunities are not allowed. Far away from the society, industrialized reporting is a symbol of principles of the previous government of the society and influence of the increasing democratic principles which are above the public opinion and is an end of another type of special ambit of an area of concentration of special type of knowledge. The creation of this economic policy has been blocked by the democratic pressure by many experts and is making efforts for its decline instead of its development.

### **3.2 Democracy and Growth**

Through the birth and growth or development of global economy and political democracy, a unique identity is formed from the globalization of the present time. Whether it is a society formed after the European communists or the society formed after the colonialism of Asia, Africa or Latin America, still the quality and need are/can be two important things for this. If this is seen or understood from the point of sectarianism, which has motivated the market economies for the upliftment of development dependent on the plans through maximum and improper intrusion by the states.

Economic growth and political democracy, in both these contexts, in the literatures of the social science much literature is available rich in both profundity and comprehensiveness. It will be an adversity that they have been transformed or divided into two different worlds of politics and economics, which are contrary to each other. It is essential that democracy should be provided with such an ideology such that the procedure of the economic development can be understood or made understood in the vast form of political democracy.

The dogmatic of political economy-like **Deepak Nayyar** by noticing this writes in his articles that "Between the economy of the market and democracy, always a problem had existed." This can be understood in context of the market instead of democracy.

During that time it was said that "Market, as a matter of fact, is arbitrariness of minorities." Because people in market work by using their money, while it is not the same in republic or democracy and they always remain independent by work according to their own wishes.

"The idea of plurality is good for polity or a small system." A question arises when it was said that arbitrariness of minorities increases. Similarly, this fact is also limited that market has always protects the welfare of people and small categories. Then we say that it is absolutely satisfactory and requisite step for democracy and market getting along together, coordinating with the society. Besides in Eastern Europe and in countries of South-East Asia, where the market economy existed without political democracy, there without democracy the question of uniformity in economics cannot be raised and today despite the prosperous and communist countries, we have a robust market economy and a strong political democracy and we have many proofs for the negligible and miserable condition of the minorities.



Notes



*Did u know?* The markets are prepared to reject those types of consumers from the society, who have lack of income or they are devoid of income.

It is important to note the fact that markets are prepared to reject those types of consumers from the society, who have lack of income or they are devoid of income. Besides this, market (if market is seen in the form of one manufacturer and exporter) also attempts to reject those consumers, who have less wealth; either they have no wealth and lack and those who are without the abilities atinal merit like epertness obtaining from study and education gain through expnievle and teaching ability which control the price and the demand of market. the market rejects both the manufacturer and consumer when it finds that they are not working in accordance to the system or are not able to provide the value or there is a trouble in accepting the values fixed by the communities. In this way, it can be said that economic rejection is only responsible for political and social rejection. Hence, if economy is marketed, then low income group will be in trouble, because in this state the low income group, which is not able to provide anything to the market or society, can have heavy shortage in its security and sapplication, because no one sees them as a source of profit or appreciation and similarly the consumers who are devoid of wealth, powerless, they do not have power or ability to claim for their rights.

In this detail, to culminate this argument, Neeraj Gopal has said that “In this cruel political world, if on one hand there is an approximate restlessness as a whole in the livelihood and emotions of a common men and women, then on the other hand is a world of significant national issues encircling people with political interests and advantageous circumstances.”

According to this, in market between societies and economies, economic cliquism is essential, which through those techniques make efforts to collect and secure the profits they earned that only includes them through which they get the benefits. In such a situation, the social organizations only play a pivotal role, which acts as a mediation between economic development and social development. If this is not the case, then from the economic growth, regional disparity and caste inequalities will be promoted.

### **Democracy and Growth : After the Colonial Settlement**

Democracy has been much different from its old opponents in the society after the colonial settlement, because of its characteristics.

According to the thoughts present in ‘Marxism and Politics’ by Ralph Miliband “Colonialism made the social, economic and political frameworks corrupted, separated and exceptional.” According to this “Often the developed ideological media cannot be transposed separately, for the progressive capitalist societies according to the diverse societies, which coalesce in the continued arguments of the democratic principles. Among these the important arguments are as follows: democracy and growth, democracy and pluralism, arguments on state and civil society. Hence, the question on whether the democracy and growth in states are equal after colonialism always remains? Therefore, we can say that in the states of East Asia, economic ‘miracle’ has infinitely contributed in areas with inherent rights. It can also be said that the society which have been there after colonialism, they are fusion of many cultures and are diminishing slowly and slowly, because of communal differences. Hence, big serious barriers have been formed for the essential elements for the identity of the diversity and dissimilarity, arisen from traditions. This argument that “In those societies, which have been formed after colonialism, can democracy and market exist without the existence of effective state, is continually ongoing in democracy for the relationship between state and civil society. The citizens are required to read, understand and know about the effective use of rights and the form of democracy.

### **3.3 Political Democracy and Economic Growth**

Notes

After 1947, a balance was made for the tactics of economic growth. Nehru accumulated all the experience in India. According to the commencement-directives of employment socialism, gradually in 1944 and 1948 by the Congress, the poor population was gathered in the context of Bombay plan and new industrialized policy. According to this 'Nehru- Mahalanobis Strategy', Indian States had to take the responsibility of settlement and heavy industrial investments.

Democracy, in India never existed in any form, whether it is a procedure of indifferent states or the legitimacy of an individual presumption of society. Democracy also did not go hand in hand with capitalism, industrialization and development or growth. Thus, there was a contradiction in progressive experiences. These antagonists of colonialism were much based on demand of self-governing nation, instead of struggling for individual freedom. Whereas, the philosophy of the Gandhian, justice loving nation should be to pay more attention to social welfare and hence, the nation formed such a democratic republic, which had precise exclusive rights for everyone, including justice, freedom, equality and brotherhood. Ergo, this democracy, was accepted in one go in this democratic-awaken deficient society. During this time, the state should play an intermediation role between political and economic democracy. Hence, if the market meant to reject a significant population (poor population) completely, so now the society was supposed to come forward for its welfare.

Because the nationalists and colonialists of that time, presented the framework of the principles of economic development. Such efforts were being made that if there was no satisfaction through development, then to obtain more development it was essential to move together and freely, with the world economic system. This was the exit of the colonialist era which had the impression of the free and unconditional market supported by the metropolitan capitalists.

The main objectives of these were to come in parallel with industrialized world and to improve the lifestyle of the people. That time it was thought that because of prioritization sitting of the market, the more consumption will be made by the rich and for development, de-investment will take place in definite areas. During that time it was also said that agriculture is considered to be subject to a downfall. Hence, much attention should be given to industrialization, so that authoritative rewards and opportunities for livelihood are obtained.

In this way it can be said that mainly the investment was in public investment with capital role was maximum only in industrialization based on import restoration, industrial licensing for guidance of private sector, social overlooking of the agriculture, maximum emphasis on heavy industries in comparison to cottage and small-scale industries, emphasis on capital goods sector.

The establishment of corporeal framework was done on a large scale through public investment and helped in establishing its intercity goods, through which the costs of the used investment lacked in private sector and here the demand of the goods increased. Through the outcomes of ban on imports, there was a growth through a medium of conserved markets which provided custody for the supply market and in the form of demand of the present and future for the domestic traders who worked through import substitution.

Because of its rhapsody for its conduct of its opponent, a political reconcile was established. Growth was related to industrialization and with co-ordination welfare of national people was associated. The form of its motivation was not the principle of redistribution, because the poverty represented the redistribution as it harms the savings. The foreign capitalism and zameendars were separated with the help of the political economy. Because of this investigation of the bureaucratic, the land reforms were not implemented with the baton of the local existing politicians. Only the zameendars of the high caste were able to get the help of the law. As a consequence of this outcome, the owners transformed to farmers. The educational institutions and police force were included in the implementing the development program of panchayat system for social laws.

**Notes**

In this stage, development plan was shown as an example to us and we should also evaluate this. We can show the chief gain in the following way: First, we can make the plans of large scale understand in terms of both industrialization and agriculture. The already established industries progressed in 1950 - 1964 and this progress slowed down much after 1970 and there was an increase in the new industries. Secondly, diversity originated because of industrial manufacture; in this many new industries insurrected in capital-like sectors, through which the output level gained something. First its existence was only in textile, clothes of jute and sugar production. Thirdly, there was satisfaction from the food production in homes as expenditure on eatables was very less. According to this, it was an important achievement. From 1964-66, food grain was 12% imported.

The failure of land reforms and increase in high spending in industrial economy were according to the main criticism of the development ordinance case. Nothing was known even by basing the tactic of import substitution on export order. A complicated and unproductive system emerged from an incorporated institutional-based corruption. The predominance of power of the green revolution provided success to its timeline, because of which it was criticized. No attention was paid to the cultivation of the barren land. Despite of the governmental expenses, the urban-rural differentiation was engraved on a large scale in terms of economy.

According to the socialism, the rich farmers and industrialized capitalist class were sanctioned the economic help to obtain paramount gains from the principles of 'development'. The governments had to make hospitals for the weak industrial units, because to initiate the nationalism, characterization was provided to help the labor class. The legislative role in economic battlefield by the states was given because of the acquisitions gains from the institutional corruption which was obtained by the professional people of the 'intellectual funds' from the public regions.

A wary effort always continued to solve the economic policies for keeping the inter-procedural struggle of economics and politics to a minimum by the simplicity of Indian requirements from political processes. The politics of the system was obeyed. The welfare policies were included in the agenda for the substitution of the participation of the revenues. Through this evidence, social model of poverty elimination of the society and equal resource allocation based on the double objectives can be obtained. The whole unionization of the political public opinion has always been combined together with industrial capitalism always for invocation. From the favorable investigation, with the lifelessness of the castes, the religious faith dispassion will be dismantled. An uniform agenda in the nation construction, there was a complete contribution of the welfare policies. Along the lines of welfare national development, non-capitalism and social democracy appeared to be like an ideal.



Task

The development policies were enjoyed the most by whom?

### Political Democracy and Economic Growth (1967 - 90)

To disrupt the above-mentioned unison, the nature of democracy and growth is responsible, because qualitative transformation has come in between democratic politics and welfare economy. The social groups of the social borders were disabled; there was a necessity of political status for the power accomplishment. The economic shortcomings started on the states by them in such a way that they intermediated between the politics and economy of India. The intended procedure for the prolonged economic and political outcome solutions were accomplished by the India states. The causes of the incompleteness of the disputed-toned promises and expectations were becoming obvious now and the poverty rate was increased (from 1957 it was 34% to 57% in 1990 - 91). In 1960, the food calamity was specified in the form of economics, because despite of everything there was shortage of food in India.

Employment was extruded by the depreciation of the Rupee, because through this the industrial sector was influenced by savings and investment.

As a consequence of the Kamraj Yojana, the second generation under the guidance of politics disrupted the unison; the legitimacy of national guidance through acceptance and miracle was deprived. Yogendra Yadav has told that 'second democratic emergence' occurred in the form of elementary transformation in the political field, the anchor of which was placed in the procedure of the social transformation. The transformation was an output of size of the voters, adaptation and change in discretion, because maximum low-class category citizens participated in electoral politics by strengthening and contending their democratic rights. There were improvements in the downfall of semi-federal landlord and denominational farmer class, such as Jat, Kamma, Yadav and Reddy. The congress was deserted because these communities joined the opposition groups and formed the opposition groups. The demand of dynamism by one category of prosperous farmers was a consequent of a procedure decided as a political share according to the derived profits from economic policies. Through the green revolution, powerful and new heads were emphasized on agriculture in the form of state reaction. The policy of 'pressure on the firmness' was adopted to obtain the food security. This policy was approved among the farmers in better condition and fields. With significant scandals also, the states which obtained partial success, include Kerala, West Bengal, Maharashtra and Jammu Kashmir, programmes for poverty, such as DPAP and SWARKA were also initiated and further investigation was stopped.

Through the leadership of Indira Gandhi and according to maximum public rights in the serious programme associated administration status, Congress speeches were given in the form of slogans of banks for nationalism and to abolish royal benefits. According to the religious dissent in the Congress and 'high command' of the regionally administered Congress, the differentiation and tactics of governance were originated. Together with the predominant alliance, the prosperous farmer category was associated path of authority was universalized by majority in representative democracy in the first phase. Its extremity was during emergency. All of its failure was recorded mechanically and permanently.

For the permanency of institutional pattern regulator alliance was made available in the form of political democracy; in emergency, institutional course of action was in a state of insufficiency. The victory of justice loving judiciousness of the Janata Party was not reflected through the Indian voters and according to this in the democratic spirit, the political theory of Indian population was resided.

The limitations of the zero alliance politics was shown by the failure of the Janata Party and according to the ideological oneness and objective. The return of the politics of the voters was felt as much pure and insecure with the return of Indira Gandhi. The economic help was done on a large scale from state expenditure and as a consequence of damage to revenues, such as easy debts, debt free, and nationalization of weak firms, industrial capitalism was done in cheap investment. The administration of Rajiv Gandhi and Indira Gandhi was according to their own principles. Allocation of the funds on a large scale has been done in accordance to employment ready programmes (RLEGP, NREP and IRDP). **Deepak Nayyar** says that intermediation between economics and democratic politics was not different from that of Nehru's India. As a consequence of Rajni Kothari, the voters were made to reach the fields through power of wealth and domination of contractors' power of public voters. Wealth is very important for election competition, because the system during that time was aristocrat politics. In accordance to colonial rhapsody of the politics for claim, now community, castes, and religion became significant.



Task

What was Kamraj Yojana?

Notes

**Political Democracy and Economic Growth (1990 – till now)**

As a consequence of the absence of uniformity, India is developed by its own tactic and its democracy. Through short-term policies, the place of the long-term alliance of Nehru’s political leadership was being taken. Because of adopting the new policy of liberalization, these seem to proceed toward in two opposite directions of emergent political economy and monarchy. Reluctance of the Indian nation-state is intermediate for resolving the most significant conflict.

For the change, the minority government of Narasimha Rao was used in the form of domino policies, whereas before Rajiv Gandhi, the majority of the Congress ruled government despite having the willing could not do this.

Through the crisis treatise of contemporary economic constraint, a possible answer of this can be obtained. The custody of the national and international confederation was performed by some political economists, such as Jayati Ghosh, Pranab Bardhan, Amit Bhaduri, and Deepak Iyer, through which it is known that a new era was motivated because of no tactic-motivated changes in economic policies. In the former Soviet Union and East European countries, the large partners, communistic states of India were involved.

Foreign crises were produced because of the failure in the field of short-term debt capital goods taken by the Rajiv Gandhi government. Because of the increase in the oil price in the Gulf, communication was reduced as a consequence of the Gulf War. In accordance to the liberalist policies of the Rajiv Gandhi government led to the lack in direct taxes and no increase in the indirect taxes, international monetary fund by the World Bank and imposition of ban on international constituent was done by international monetary organizations. According to the argument, economic development and economic competence can be obtained only by a shortfall in the state. The factors of the transformation of the capitalist market headed by the state to a motivated capitalism were foreign fund and foreign technology.

What is the future of economic welfare in India? What are its effects on democracy and development in India? The whereabouts of prevalence of politics is known by the short-term benefits from the political instability in alliance era of the elections which take place over and over again. On the state level, the main driving factors for policy formation include stringent remedies for stability of the economy, counter polls in elections, etc. An average term of office of a Chief Minister is 5 years. The starting aspects were not included in this. Reconciliation was abolished according to the democratic policy. The improvements cannot be made by the corrupt and by bureaucracies of the inefficient states. Today, guardianship, corruption and nepotism are equally continued. Doubt persists in foreign and domestic, in any type of investment, because primary investment is not in capitalist regions, but maximum investment is in consumer field. Regionalism is in the form of sub-branches of colonialism and emergence of nationalism and because of this regional instability is increasing. In the chorus, there is a language-based community, in a similar way like in the case of demand that took place for Bundelkhand and Ruhelkhand in Uttar Pradesh. The possibility of increased impetus of these demands lies in the new economic system.

**Self Assessment**

Fill in the blanks –

1. When a decision is being taken, then it is essential to form a .....
2. Democracy in India is ..... through its profundity.
3. Market, as a matter of fact, is ..... of minorities.
4. In market between societies and economies, economic ..... is essential.

The poor population from the social field is being targeted when returning of the state is taking place, because through this we can never attain the complete assumption of the welfare. The investment of the

state is staggering in the name of fiscal year management between the primary fields of employment, health and education. In the informal region, from the demand of absorbed labor, the policies of market of supply and maximum benefits are related to new economic policies. The labor rights are overlooked by the competitive federal states and they are searched for personal investment.

There are challenges for the political success of economic welfare. The Gandhian values are kept for opposing the market economy, because they emphasize much on well-being of the group instead of the individual well-being. In this way, many challenges of a new political establishment mainly include among the states, in centre-state struggled relations, failure in policy formation separated from politics of public rights and opposition of economic improvements, etc. In this way, tactics of permanent development and new social revolts by those lawyers based on the procedure of liberalization, privatization and globalization, the liberalized project cannot be known.

### **3.4 Summary**

- Social transformation project was produced by a voluntary legislation. Their development took place during the colonial-opponent revolution and in accordance to unanimous negotiations. Their authentic form was in the framework of democratic polity. The expectation of instruction, motivation and capability originated from ideation of democracy with the initiation of state in the regions of welfare, absolutism and development.
- In India, the task of democracy formation was given the stable form of the traditional values of diversity and tolerance. The unique identity of the constitutional project for nation construction was recognition of diversities and accommodation of their concerns and in this there was an inclusion of objective of growth. The dangerous form of challenges is still faced by Indian democracy. The proclivity of democratic ideology for personal promptness is from the identity of caste and religion.
- The deceptive relations of the community and social system have been eliminated through social welfares and constitutional laws and like before, state cannot be proved as worthless. Because of the policies of economic liberalization, the social agenda of Indian democracy is weak. In India, the civil society's spectacle occurred because of maximum intense struggle for human rights, gender rights, rights for backward classes and minorities, in which social groups are involved.
- In a red-hot argument over equal civil code for the minority groups, it is shown that the principles of sexual laws for traditional rights and equal civil constitutional rights pose challenges. The reason for more conflict for the process is competition. Because of this, the people in politics assume groups and communities in comparison to liberalist people to be members.
- If we talk about the relation between democracy and growth, then it will be said that the challenge given by a person from society with more equality is much, because of continuous globalization of economic characteristics are increasing. For more understanding, more emphasis from commercial confederation sector, exchange of trade and environment, intellectual estate, etc. establishment of globalized power on such issues and establishment of norms for good administration can be seen.
- Because of adopting the new policy of liberalization, these seem to proceed toward in two opposite directions of emergent political economy and democracy. Reluctance of the Indian nation-state is intermediate for resolving the most significant conflict. In such a state, if emphasis is to be given on contribution of unethical society and citizens, then determination is essential. For ordinary things and rights-related politics, it is very important that India adopts selected globalization policies so that pluralism of Indian democracy can be progressed.

Notes

### 3.5 Keywords

- **Transformation** – change of form or nature.
- **Economy** – Internal economic system of a country.

### 3.6 Review Questions

1. Describe briefly the birth of political democracy and economic growth in India in 1947 – 67.
2. Analyze the process of transformation in the political field before 1967.
3. Economics of liberalization and politics of power accomplishment are headed continually in opposite directions. Comment.
4. Comment on the following:  
(a) Democracy and growth after colonialism. (b) Democracy: a good administration.

### **Answer : Self Assessment**

1. Consensus
2. Running
3. Arbitrariness
4. Cliquism

### 3.7 Further Readings



*Books*

1. **Bharatiya Loktantra** – Rajesh Rawat, Satish Chaturvedi – Raj Publication.
2. **Bharat Mein Rajniti** – Abhay Kumar Dubey – Vani Prakashan.
3. **Bharat Mein Panchayat Raj** – George Mathew – Vani Prakashan.
4. **New World of Democracy** – Arvind Mohan – Vani Prakashan.
5. **Development, Democracy, and Decentralization in India** – Chandan Sen Gupta – Rutlej Publication.
6. **Segregation and Religion in India** – Shamsul Islam – Vani Prakashan.

## Unit-4: State Legislature

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### Objectives

After studying this unit, students should be able to –

- Gain complete knowledge associated to the State Legislature.
- Familiarize with powers of the assembly and the council.
- Know about law-making procedure and money bills.

### Introduction

Legislatures are temples of democracy. Through Constitution, one legislature has been arranged in every State of India. Governor in the State legislature and one or two assemblies are incorporated. The lower assembly of the State legislature is called 'legislature' and higher assembly is called 'legislative council'.



**Notes**

**Dr. Subhash C. Kashyap** writes that, "The lower assembly of the State legislature is legislature whose members are elected members based on universal Adult Franchise. In some States, there is also a higher assembly known as legislative council in which there are nominated and indirect elected members." If a State legislature's special majority wants then it can be established in that State where there is no second assembly and where the second assembly is working there it can be terminated. For this the State legislature has only to pass a motion, based on which the Constitution arranges the above-mentioned system through law. At present, in States of Uttar Pradesh, Jammu-Kashmir, Karnataka, Maharashtra and Bihar bicameral legislature and in the rest of the States there is single camiral legislature. Where there is only one assembly, there it is also known as legislature. According to **Paoli**, "The formation of legislature is based on the structure of the Lok Sabha and legislative council is in accordance with Rajya Sabha."

### 4.1 The Legislative Assembly

The lower house of the State legislature is known as 'legislature'. Legislature is an assembly of the people. The members of the legislature are directly elected by the adult voters. For election, every elective area is divided in constituency areas geographically such that every member of the legislature at least represents 75,000 populations. How many members a legislature will have depends on the population of that State. According to the Constitution, the maximum number of the members of the State legislature is 500 and minimum number is 60. After every population census, the determination of the number of members in every State legislature and the divism of the State in legislative constituent areas is done in such a manner that the proportion of the population of the State and the number of members of its legislature remains the same in the whole State. In legislature of every State, the place for the scheduled castes and tribes has been reserved in proportion to their numbers. If the Anglo-Indian group has not been satisfactorily represented in the legislature, then the governor can nominate some members of that group.

The eligibilities of the members of the legislature are similar to those of the members of the Parliament— (1) He should be a citizen of India, (2) His age should be at least of 25 years, (3) He should not be in governmental services, (4) He should have all those ellcabilities which the Parliament has determined by law, (5) He fulfils other obligations—namely, he should not be a bankrupt or maniac and he should not have expressed loyalty for any other foreign country.

The duration of the State legislature is 5 years. After this duration, the legislature dissolves. The tenure of the legislature can also be extended. There is a provision in the Constitution that in the emergency period with the help of the central Parliament the tenure of the legislature can be extended to one year at one time. Parliament can do this many times, but this increased tenure continues till the end of the crisis for six months. Before the period of five years also the legislature can be dessolve. This dissolution is done with the advice of the Chief Minister by the governor when no any party is in a state to form a government. In such a condition, new elections can be conducted by dissolving the legislature.



*Notes* If according to the Constitution of a State cannot be governed, then the President can declare emergency and can dissolve the legislature.

According to the Constitution, the quorum number of the legislature is 1/10th part of the total members, but this number should not be less than 10. In a year, the legislature should have at least two sessions and there should not be a difference of more than six months between any two sessions. In exclusive case, a special session of the legislature can be called for.

The number of members of the legislatures of the 28 States of the Indian federation is according to the following table.

Notes

Name of the State	Number of Members	Name of the State	Number of Members
1. Andhra Pradesh	294	15. Uttar Pradesh	403
2. Assam	126	16. W. Bengal	294
3. Bihar	243	17. Jammu and Kashmir	87
4. Gujarat	182	18. Nagaland	60
5. Haryana	90	19. Manipur	60
6. Kerala	140	20. Meghalaya	60
7. Madhya Pradesh	230	21. Sikkim	32
8. Himachal Pradesh	68	22. Tripura	60
9. Maharashtra	288	23. Mizoram	40
10. Karnataka	224	24. Arunachal Pradesh	60
11. Odissa	147	25. Goa	40
12. Punjab	117	26. Chhattisgarh	90
13. Rajasthan	200	27. Uttrakhand	72
14. Tamil Nadu	234	28. Jharkhand	81

## 4.2 The Legislative Council

On 26 January, 1950 when the Constitution was implemented, then in the legislature of six States namely, Bihar, Bombay, Madras, Punjab, Uttar Pradesh and West Bengal, for the arrangement of two assemblies an appendix was framed in Article 168. In some States, after 1950 the legislative councils were established, whereas in some other States similar councils were dissolved. In brief, Mysore (now Karnataka) State was established by State Reorganisation Act, 1956 and there legislative council was established. In Andhra Pradesh State, by Legislative Council Act, 1957, legislative council was established. Under the Bombay Restructure Act, 1960, Bombay State was divided into two States named as Maharashtra and Gujarat. By this Act, legislative council was also established in the State of Maharashtra. Under the Constitution of Jammu and Kashmir, what was implemented on 26 January, 1957, also established a legislative council in the State of Jammu and Kashmir.

The legislative councils in West Bengal and Punjab were gradually terminated by the West Bengal Legislative Council (abrogation) Act, 1969 and Punjab Legislative Council termination Act, 1969 in August 1969.

In May 1985, the Central government given the approval of the disintegration of the legislative council of Andhra Pradesh. For this, the State legislature by passing the proposal more than one time forced the central government that it initiates in the Parliament after the disintegration of the legislative council. By Tamil Nadu Legislative Council (abrogation) Act, 1986 the legislative council of Tamil Nadu was disintegrated. On 11 January, 2006 after getting approval from the President to the Andhra Pradesh Legislative Council Act 2005, now a provision has been made for constituting a legislative council of 90-members.

At this time, it is essential to earnestly consider the relevance of legislative councils. Apart from Bihar, there is a system of legislative councils in the States of Jammu-Kashmir, Karnataka, Uttar Pradesh and Maharashtra and in these councils there are 351 legislators on whom heavy expenditures are done.

**Notes**

The supporters of the legislative councils prove the relevance of these on which grounds out of those the dominant one is that these councils represent the special welfare, work in the form of modified assembly, remove the weaknesses of the laws, conducts debates of higher order and help in forming a public opinion. All these arguments are automatically parted in the roles provided by them. Practically, the legislative councils except for fulfillment of party profits have been proved to be an economic burden on the poor population of a poor country.

It is clear from history that the legislative councils have been used for making those people as legislators, who defiated the elections of the legislative assemblies and do not have the hope and capability to be elected. For the fulfillment of the party profits, the legislative councils have been openly used as a consequence of which this organization has lost its remaining dignity.

The organization of the legislative councils is also an important cause for its ineffectiveness. 33% members of the legislative council are elected by the legislative assemblies and in many of such corporate bodies, are elected by approximately by 8% of graduates and 8% teachers, the rest of the members are nominated. By nature, their nomination is also fully based on politics.

In the manner of Rajya Sabha, the legislative councils have not been given comprehensive rights. In the amendment of the Constitution and in the election of the President, its right is null and in the region of any other legislator it has not placed in front of any legislative assembly. It has the veto of maximum lay-off (maximum of four months for simple legislators and maximum of 14 days for finance legislators). In this sense, its role is nominal and keeping this fact in mind it has been kept as optional body in the Constitution.

From the above discussion it is clear that for many reasons the system of legislative councils has been deeply traumatized and in a poor country like India, no relevance of it is visualized.

### **The Legislative Council : Organization**

In the State-legislative council there should be a at least of 40 and not exeding than one-third members of that State legislative assembly's total membership. Under this limit, the legislative council of the State will be organized on the following basis –

- (1) The election of one-third members of the legislative council is done by the members of local bodies of the State, such as municipality, District Board etc.;
- (2) 1/12 members of the total members are elected by minimum of three years old graduates of the universities or by citizens of similar capabilities of the state;
- (3) 1/12 members of the total members are elected by secondary education institutions of the State and at least of three years old teachers of its higher level of educational institutions;
- (4) 1/3 members of the total members are elected among those members by members of legislative assembly of the State, who are not members of the legislative assembly; and
- (5) Rest 1/6 members are nominated by the governor.

The above-mentioned four categories are elected based on the proportionate representative system by single transit ballot procedure and the members of the last category are nominated by the governor, who are experts in areas, such as literature, art, science and social service etc.

To be a member of the legislative council a person should be at least of 30 years age. Other qualifications are just similar to those of the members of the legislative assembly.

The selection of the members of the legislative council is done for a period of 6 years, but one-third of the members retire in the end of the second year.



*Did u know?* Legislative council is a Permanent House which cannot be dissolved.

Notes

For work administration of the legislative council, one speaker and one deputy speaker are elected by the members of the council. The legislative council has the right to remove them from their authority. The meetings of the legislative council can only be started when 1/10th part of the total members of the assembly is present, but this number should not be less than 10. According to the Constitution, it is essential that the legislative council has at least two sessions in a year and in these two sessions there should not be a difference of more than six months. Constituent assembly the A number of members of were not in favour of the establishment of the legislative council. According to them, it was enough to have one legislative assembly in the States and the second assembly was un necessary. According to them the State was not economically efficient of bearing the expenditure of keeping this decorative and un necessary interest. Because of this, the Constitutional assembly left the decision of this matter on legislative assemblies of various States.

The formation of legislative councils of various States was as follows –

State	Total Number of Members	Elected by Legislative Assembly	Elected by Local Bodies	Elected by Graduates	Elected by Teachers	Nominated
Bihar	75	27	24	6	6	12
Jammu and Kashmir	36	22	6		2	6
Karnataka	63	21	21	6	6	9
Uttar Pradesh	100	37	37	8	8	10
Maharashtra	78	30	22	7	7	12
Andhra Pradesh	90	31	31	8	8	12

### 4.3 Speaker of Legislative Assembly

The designation of the speaker of the legislative assembly is considered to be too much important and honorable. The speaker is a guardian of the assembly's reputation and exclusive rights of its members. He establishes reconciliation and co-ordination in the assembly. He protects Parliamentary traditions by removing the mutual tensions and differences of various coalitions, groups and interests. According to the Indian Constitution of the federal system of administration, it is the supreme responsibility of the speaker that the State legislature should works in accordance to the Parliamentary conduct so that traditions and regulations produced by the national legislature are complied with.

**Election of the Speaker** – The election of the speaker of the legislative assembly is done by the assembly. For the post of the speaker, on the decided date by the governor, nomination letters are invited in the legislative assembly. These nomination letters are put to the assembly and no debate is done on them. The candidate who gets success, he is elected as a speaker. He administers an oath by the governor. If the speaker being not a member of the legislative assembly, then he has to quite his post. He can give

**Notes**

his resignation any time. The speaker sends his resignation to the deputy speaker. The members of the legislative assembly can remove the speaker by a proposal. For such a proposal to be presented in the legislative assembly, it is essential to give a notice of 14 days. The speaker gets the salary from the State accumulated funds. The speaker is the head of the secretariat of the legislative assembly.

**Tasks of the Speaker**—The most important aspect of the function of the speaker of the legislative assembly is his unbiasedness. His functions are similar to the function of the speaker of the Parliament. He heads the sessions of the legislative assembly. He maintains peace and administration in the legislative assembly. The rules of the assembly are also describe by the speaker. He decides the order in which the members will speak. The questions asked in the assembly and putting forward the proposals are also allowed by the speaker. The speaker can adjourn the assembly on occasions of serious disorder and due to growing of unrest.



*Did u know?* In relation to money bills, the decision of the speaker is only considered as the final decision.

If any member breaks the discipline, then the speaker can obligate him to go out. The speaker counts the ballots in the assembly and declares the result. He also uses the casting vote. He authenticates the passed bill by the legislative assembly. In the absence of the speaker, the deputy speaker heads the session of the assembly and uses all the powers of the speaker.

**Position of the Speaker**—From the past few years, the post of the speaker of the legislative assembly has become a topic of much discussion and controversy. On 29 November, 1967, the speaker of the legislative assembly of West Bengal adjourned the assembly for sine die. While adjourning the legislative assembly, the speaker said that there are three causes for this measure—**Firstly**, in his opinion, the dissolution of United Front Cabinet by the governor is unconstitutional; **secondly**, the appointment of Dr. Prafulla Chandra Ghosh on the post of Chief Minister is illegal; and **thirdly**, in consultation with Dr. Gosh, to call the session of the legislative assembly is absolutely unfair. According to the constitutional provisions, such an activity of a speaker is out of the scope of jurisdiction. In the same way, the speaker of the legislative assembly Sh. Joginder Singh man on 6 March, 1968, did not allow the no confidential motion against him in the assembly by calling it unconstitutional. Immediately after this, he adjourned the assembly for two months. By adjourning the assembly suddenly created a constitutional crisis in the State, because at that time the budget session of the legislative assembly was ongoing and it was necessary to approve the budget. As a matter of fact, this proceeding of the speaker was inspired by the politics.

The speaker of the legislative assembly of Tamil Nadu in November 1972 adjourned the proceedings of the assembly by saying that the Karunanidhi (Chief Minister) government needs to regain the trust of the public, whereas before this an no confidential motion was put forward against the speaker. He stopped the assembly from conducting further proceedings and created an unusual situation. 'Nai Duniya' wrote in its editorial that, "In our parliamentary democracy first off foulness spread by speaker of the legislative assembly of West Bengal Sh. Vijay Banerjee has now spread much far. In March 1968 it spread till Punjab during that time when the immediate legislative assembly speaker Sh. Joginder Singh Mann through his arbitrary proceeding paralyzed the State legislature. Now by Sh. Mathiazagan (speaker of Tamil Nadu Legislative Assembly) again fundamental issues have been raised—do the rights of the speaker should be defined or he should be left to progress in the form of such an omnipotent speaker, who not only will be the adjudicator of legitimacy of the government, but also will also arbitrarily governs the legislative assembly in the form of controller and owner."

In June 1995, Uttar Pradesh's legislative assembly speaker Dhaniram Verma disregarding the constitutional traditions made the assembly as a platform of his party. Stipulating the decision of the governor as illegal and dismissal of the Mulayam government as unconstitutional hitherto said that first he is a member of his party and then speaker of the legislative assembly. On the first day of a two-

day special session of the legislative assembly, 19 June, 1995, speaker Dhaniram Verma adjourned the assembly for sine die at the start of the session and stipulated it as unconstitutional.

Before this, speaker of the Manipur legislative assembly H. Borobabu Singh (1992) had remain a topic of good discussion. He also posed many hurdles in State legislative assembly affairs. People raised questions on unbiasedness of speaker of Uttar Pradesh legislative assembly Keshari Nath Tripathi for procrastinating the termination of the membership of 12 legislators of BSP according to defection law the violation of party whip to save the BJP government (October 1997).

The speakers of the State legislative assemblies continue relations with their parties even after elections. To save the Karunakaran government, the speaker of the Kerala legislative assembly (1982) used his 'casting vote' eight times in a single day. In relation to his election also, no tradition has developed. In post election of speaker, candidates of the opposition party have been opposing the speaker. Sometimes his decisions are also biased and many times members of opposition party have also been seen to oppose the instruction of the speaker.

The truth is that the speaker is a ministrant of the assembly. He should not clash with political controversies. According to **Dr. Ranjit Singh Darda**, "The Speakers are symbols of freedom and dignity of assembly, he is the guardians of rights and facilities of the assembly, hence, they should not protect any one category of the assembly... the speaker of the legislature should not be mistaken by considering himself above the assembly."

It is a practice in House of Commons for speaker, whenever the assembly arises, then the allowance for adjournment is required from the assembly. When laws and rules were framed in India in this relation, then with this trust these rights were given to the speaker that he will act according to the desires-aspirations of the assembly by dealing with leaders and concerned cautionary of the assembly. Now, when in W. Bengal, Punjab and Tamil Nadu the speakers have misused their post, this question arises that should the concerned rule be amended to make an arrangement that every speaker need to put forward a proposal in assembly that assembly should be adjourned for such-and-such date and time and it need to comply through the assembly only. According to **Durga Das**, "Through this there will be a control for the speaker to work at his own will or with political purpose."

#### **4.4 Powers and Functions of the State Legislature**

Legislature is a legislative body of the State, its main function is law-making and in law-making both the assemblies take part (or where there is one assembly there is only legislative assembly). The main function of the State legislature are of the following types –

- (1) **Legislative Powers** – The State legislature forms laws on topics of State list and concurrent list. The legislature of the State in any situations cannot frame law on any topic of the federal list. The State legislature has the right to frame laws in the subject of concurrent list on this obligation that they are not adverse to Parliamentary regulation. On all the topics of the State list, the State-legislature can frame laws, but in this area also its law making-power has some restriction, such as (i) During the declaration of crisis the Parliament can frame laws on all topics of State-list. (ii) If Rajya Sabha by two-third majority passes the proposal of suggestion of law making in Parliament for national benefit on any topics of the State list, then the Central Parliament can make laws on topics of the State list. (iii) There are some topics on which before law making approval of the governor is essential. (iv) Some bills before being proposed in State legislature are required to be essentially approval by the President.

## Notes



**Notes** Normal bills can be introduced in any assembly of the legislature, but money bills are only kept in lower assembly.

The legislature after getting approved by both the assemblies, the bill is sent to the governor for approval. After the signature of the governor, only any bill is made as a law.

- (2) **Executive powers** – The cabinet of the State is responsible for the legislative assembly. The legislative assembly can depose the cabinet by passing not confidential motion. The legislative council can ask only questions and supplementary questions from the ministers. Whether the cabinet council has majority or not, this is decided in the session of the legislative assembly only by its members. The legislative assembly controls the cabinet by asking for ‘Adjournment Motion’, ‘Censure motion’, ‘and arise question Motion’ no confidential.
- (3) **Financial Powers** – The budget of the State is only approved by the legislature. In financial case, the powers of the legislative assembly are more than that of legislative council. As a matter of fact, on demands of the grant only the legislative assembly has the right to vote. It can remit the inherent funds in the budget and can bring relaxation in the taxes. But, if these changes are done against the wishes of the cabinet, then it means mistrust the cabinet and it has to give his resignation.
- (4) **Other Functions** – The legislative assembly participates in the election of the President. In some provisions of the Constitution, support from legislative assembly is taken for making amendments. If there is a legislative council in the State, then its one-third members are elected by the legislative assembly.

## 4.5 Comparison between Powers of The Assembly and The Council

In relation to the requirement of second session in the legislatures, thinker **Sir Henry Man** has expressed his thoughts in such a manner that “Any kind of second chamber is better than none”; in fact, second assembly is a review institution. For the organization and adjournment of the legislative council, the legislative assembly has the right to commend to the central Parliament, but in the those states where there are second assemblies, they have proved to be beneficial. Its main reason is that this assembly gets representation of experts and scholars on all topics from the state, whereas the members of the legislative assembly based on the regional representation directly gets elected by the common people.

If a comparative discussion is being done on powers of legislative assembly and legislative council, then it is disclosed that legislative council is a decoration assembly –

- (1) **In regards to normal bills** – Normal bills can be introduced in any of the assemblies of the legislature. Normal bills should be accepted by both the assemblies. If any bill after getting approved by the legislative assembly gets disapproved by the legislative council, or if the bill is not approved after putting it forward in the council for three months from the date of being it introduce in the council, or the legislative council introduce such amendments which are not accepted by the legislative assembly, then the legislative council assembly re-introduce that bill and sends it to the council. If the council disapproves it again, presents such amendments, which are not accepted by the legislative assembly and during this period of one month passes, then bill (even after disapproval of the legislative council) is considered to be approved by both the assemblies. In this way, the legislative council can delay only for four months, aged cannot stop the bill.
- (2) **In regards to the control of the executionary** – Only the legislative assembly can depose the executionary. The ministers of the State are not responsible for the legislative council. The legislative council can only ask questions and can criticize the cabinet council.

- (3) **In regards to financial cases** – The financial bills can only introduce in the legislative assembly. After passing by the legislative assembly, the financial bills are sent to the legislative council. The legislative council returns the bill within 14 days. Whether to accept or not accept the suggested amendments by the council depends on the will of the legislative assembly.



*Did u know?* If within 14 days, the council does not return the financial bills, then also it will be considered to be approved by both the houses.

According to **Prof. Paoli**, “In this way, the legislative council only has ‘Suspensive Veto Power’. The council can stay the normal bills for three months and money bills for one month. Through these appendices, it is clear that the legislative assembly becomes omnipotent.” Not only this, the legislative assembly can exterminate the council.

## 4.6 Restrictions on the Power of the State Legislatures

According to the Constitution, the following restrictions have been imposed on the powers of the state legislatures –

- (1) There are some topics, which are comprised in the State list, but on them the legislatures of the States cannot frame the laws till the time, until when they are not authorized by the President of India.
- (2) There are some topics on which the State legislature can frame laws, but they are sent by the governor to the President for approval.
- (3) On occasions of zero hours, the federal Parliament can make laws on all topics of the State list.
- (4) On the topics of the concurrent list, the State legislature can make laws, but if it is in opposition of any law of the Parliament, then in such a situation the law framed by the Parliament will be valid.
- (5) Because of any reasons, the administration of the State is not governed in accordance with the Constitution, and then the President can dissolve the State legislative assembly so that arrangements could be made for new elections.
- (6) The state legislature can give any topic regard the state to the parliament by passing it by two third majority. On this topic, the Parliament can frame the laws for one year and this time period can be increased for one year.

## 4.7 Law-Making Procedure

**In Regards to Normal Bills** – Normal bills can be introduced in any of the hours of the legislative council by any member of the cabinet council or any member of the legislature. If a bill is introduced by any member of the cabinet council, then it is called a ‘**Public bill**’ and if it is introduced by any other member of the State legislature, then it is called a ‘**Private member’s bill**’. The State legislature also has to adopt approximately the same procedure for framing laws of the State legislature, similar to the procedure adopted by the Parliament. To assume the form of a law, any bill has to pass the following stages –

- (1) **Presentation of the bills and first reading** – For the public bills, there is no need of providing a prior notice, but for privately-held bills, a perior notice of one month is essential. The public bills are normally printed in official gazette and on this at any time according to the requirement, estimation can be done. For introducing the privately-held bills, a date is fixed. On the fixed date, the member introducing the financial bill by standing on his place asks for permission from the



**Notes**

assembly to present that bill and after this reads the title of the bill. If the bill is very important, then the member introducing the bill can also give a brief speech. If the present members and members taking participation in the polling in that assembly support the bill by majority, then the bill is printed in the official gazette. This is considered as first reading of the bill.

- (2) **Second reading** – After the first reading, the member who proposes for the bill introduces a proposal for it that his bill should be given a second reading. In this phase, a debate takes place only for the general principles of the bill; no arguments are done on its individual articles separately. When any bill passed after a debate in such a manner, then it is sent to the Select Committee.
- (3) **Select Committee State** – After the second reading, the controversial bills are sent to the Select Committee. In this there are 25 to 30 members of the legislature. In this state, every article of the bill is closely taken into account. Many types of suggestions are considered in this and in the end a report is prepared. This report is introduced to the assembly.
- (4) **Report State** – The report introduced by the Select Committee has considered by the parliament. In this state, the members of the assembly also have the rights to present the amendments and suggestions. On every suggestion, polling takes place in the assembly. If any bill does not get the approval, then polling takes place on the basic article. In this way, every article of the bill is accepted after consideration and debate. In the complete process of the law making, this state is the most significant one.
- (5) **Third reading** – After sometime, on the completion of the Report stage, its third reading starts. In this stage, on the general principles of the bill again a debate takes place and language regarded improvements are made in the bill. In this stage, no change can be made in the articles of the bill whether the complete bill is accepted or is not accepted. After this through the majority of the members participating in the polling it is considered to be accepted once it is recognised by the assembly.

**Bill in the Second Assembly** – The bill on recognition before house, those States in which there is only one legislature, there the bill is sent to the governor and the State in which there are two legislatures, there the bill is sent to the second houses. In the second houses also the bill has to pass through those stages, which it underwent in the first house. If the bill after passing by the assembly is unreconised by legislative council or the council not considered wih in three months or the council does such amendment which is not recognised by the assembly then the assembly send after recognised. Then it the council again unrecognises the bill or does not grant is for the second time or the coucil again amending which are not to the legislative assembly, then the bill is considered to be approved by both the assemblies despite of not getting passed by the legislative council.

**Acceptance by the Governor** – The bill on recognised by both the houses is sent to the governor for his acceptance; the governor either gives his recognition for that bill or sends it back again to the legislature with recommended amindment. If the State legislature passes that bill again with or without the recommended amindment given by the governor, then the governor would hatic to recognised for that bill. After the recommended amindment by the governor this bill will become a law. Many times, the governor sends some special types of bills to the President for acceptance; such bills can only be made as a bill after getting the recognition of the President.

**Self Assessment**

Fill in the Blanks –

- 1. The lower house of the State legislature is known as .....
- 2. The normal duration of the State legislative assembly is ..... years.
- 3. There should be a minimum of ..... members in the State legislative council.
- 4. The money bills can be placed only in ..... assembly.
- 5. The State legislature can make laws on the concurrent list and .....
- 6. The bill that is presented by any member of the cabinet council is known as .....

## **4.8 Money Bills**

There are few things associated with the process of passing the money bill. Under the Constitution, money bills are those, which have association with the following –

- (1) Bill associated with implementation of any tax, any change or any systematization.
- (2) Bill associated with taking debt; granting aid by the State Govt. or any financial concern.
- (3) Bill associated with any impact by consolidated fund and contingency fund of the State.

Apart from the above-mentioned topics also, they will also be considered as money bills, which the speaker of the legislative assembly announce as money bill.

As far as the association of the procedure of money bills is considered, they can only be introduced in the legislative assembly and the legislative council is only provided those rights approximately in relation to money bills, which the Rajya Sabha has for the Central money bills. The money bills passed by the legislative assembly are referred to the legislative council. If the council does not return that bill in fourteen days from the obtained date, then that bill is considered to be recognised by both the houses. If the council returns the bill along with its amendment in duration of fourteen days, they it depends on the legislative assembly whether to accept these amendments or not. The legislative assembly with or without these amendments, in any form it desires, can be sent back to the governor, and with the recognition of the governor this bill takes the form of a law.

## **4.9 Politics of the Dissolution of the State Assemblies in India**

### **Dissolution of the legislative assemblies of nine States (1977)**

In March 1977, after getting a heavy success in the parliamentary elections, the Central government of Janata Party decided to dissolve the legislative assemblies of the States with Congress governments. The Supreme Court then constitutionally agreed with the decision of the Janata Party government.

On 18 April, 1977, the then Home Minister of Janata Party, Charan Singh gave a suggestion to the Chief Ministers of nine States—Uttar Pradesh, Madhya Pradesh, Haryana, Himachal Pradesh, Rajasthan, Bihar, Orissa and West Bengal—that they should advice the governors to dissolve the associated legislative assemblies and immediately conduct the elections. The main logic given by the Home Minister for the legislative assembly elections was that the voters of these nine States in the Parliamentary elections have completely voted down the Congress. The Parliamentary elections were not merely elections, but a revolution. The Congress governments of the States were not the true representatives of the public. The Congress Chief Ministers of the States told that this advice of the central government was completely against the Constitutional and democratic traditions. From the four Congress States, a petition was filed, in which an allegation was charged that the Home Minister who has given reasoning for deteriorating the law situation in these States is not appropriate, because this situation is a controversial case of the States and the Center, therefore, the Supreme Court should decide that whether the central government should use the Article 356 of the Constitution or not. At the Centre, there was a government of the Janata Party and in these States there were Congress governments. The debate on the State governments were—(1) The suggestion of the Home Minister is theatunting indirectly, (2) If the Chief Ministers do not agree with the suggestion, then the legislative assemblies will be dissolve, (3) India is a federal state in which the both the Centre and the State are completely efficient in their activities in definate areas. This debate is not appropriate that if elections are conducted for the Central government, then it should take place for the States. The Parliamentary elections were fought for various issues which were put forth in the legislative elections. The results of the elections fought at the Center and the States at the same time can be differrent. The debate on of the Central government of the Janata Party was that the authority of the Congress governments in the nine States ended at the time when in the Parliament elections in these States, the Congress was almost cleaned up. The Central government wanted that these governments should obtain any remandate from the common people.

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*Did u know?* India is a federal state in which the both the Center and the State are completely capable in their activities in definite areas. This debate is not appropriate that if elections are conducted for the Central government, then it should take place for the States.

After hearing both the sides, the Supreme Court gave the judgment that the Central government is free to use the Article 356. Afterwards, the Central cabinet commended to the president that the legislative assemblies should be dissolved in the nine States and the Presidential rule should be imposed for the short term. Subsequently, after some avoidance, the President presumed the suggestion of the cabinet.

### **Dissolution of the legislative assemblies of nine States (1980)**

In Parliamentary elections in February 1980, the Central government of Congress (I) decided to dissolve the legislative assemblies of the States with non-Congress governments after getting the full majority in parliamentary election. This time the legislative assemblies of Uttar Pradesh, Madhya Pradesh, Rajasthan, Bihar, Punjab, Tamil Nadu, Orissa, Gujarat and Maharashtra were dissolved.

Justifying the order of dissolution, the central law minister Shiv Shankar provided the following debate – (1) This step was taken because these State governments have intentionally decided not to support the Centre. (2) The Parliament has passed a bill for the scheduled castes and tribes in the Parliament and legislative assemblies to increase the duration of reservation for 10 more years, these States have given a suspicious chance to interrupt the progressive step by the central government in future by delaying their confirmation. (3) Day after day the law and administration in these States is deteriorating and the administration is slackening. (4) These State governments have lost faith of the common people in the parliamentary elections of January 1980.

Despite of these debates, it should be considered that mainstay of dissolution of these States was the procurement of majority of Indira Congress and on the other hand the loss of faith of the common people by the non-Congress governments. In 1977, for the dissolution, the Janata Party presented a wrong view using this base. Later when the Indira Congress used this base or tool for improving its situation, then it was a second mistake. It is a topic of joy that in this context in 1989 and 1991 at the Centre, after the formation of governments of Janata Party and Congress (I), respectively, 1977 and 1980 were not repeated.

### **Dissolution of the Legislative Assemblies in the States Administered by BJP (1992)**

In December 1992, after dissolution of legislative assembly in three BJP administered States of Madhya Pradesh, Himachal Pradesh and Rajasthan, the President rule was only imposed based on the suspicion that after the controversy of Babri Masjid, the bans by the Centre were not being reasonably implemented on the communal organizations, such as Rashtriya Swayamsevak Sangh, Vishva Hindu Parishad and Bajrang Dal etc. As a matter of fact, by forcing the governors of these three States governed by the Article 356, a report was demanded for imposing the President rule. The reports of the three States was similar. Practically, the report was prepared in Delhi and signatures were taken on it by the governors. In its historical decision, the High Court of Madhya Pradesh declared this instruction of implementing of the President rule as illegal.

**Recommendation of dissolution of Bihar legislative assembly considered to be unconstitutional by Governor Buta Singh**—On 7 March, 2005 in Bihar legislative assembly elections, in the situation that no party or alliance received majority, the President rule was imposed on the recommendation of Governor Buta Singh and the incoming legislative assembly was suspended. On 21 May, the governor commended to dissolve the legislative assembly and on 23 May, 2005 a notification was issued for dissolving the legislative assembly. In the petition challenging the case of suspending the legislative assembly in the High Court, it was said that the governor prepared the report unharmoniously based

on which the incoming legislative assembly was dissolved. The Supreme Court decided the dissolution of the Bihar legislative assembly as unconstitutional on 7 October, 2005, because of which along with the Governor of Bihar, Buta Singh, and the central government was also defamed. The reasons that Buta Singh told for dissolving the legislative assembly were found to be baseless.

**Conclusion**— The power, status and respect of the State legislative assemblies are being deteriorated day after day. The legislative assemblies have become assemblies who usually desist. In majority of the States, the sessions of the legislative assembly are called fulfill the constitutional needs. The vacant seats in the legislative councils are not filled from many years. The level of the debating in legislative assemblies is continuously decreasing. Majority of the legislators are involved in order to satisfy the leaders of the majority party and in creating turbulence in the assembly. Instead of sitting in the assembly and participating in the debate, the legislators hold on politics outside the assembly. The presence in the assembly is of no account. Majority of the legislators manipulate the work of people, transferring, commending etc. have become more interested in playing the role of a ‘mediator’ (broker). The number of such legislators is increasing on whom the trials are prosecuted because of being indulged in some or the other penal offence. Take into account, the organized current legislative assembly of Uttar Pradesh in 2002, from the total of 403 legislators, criminal cases against 207 legislators are registered.

### Self-Assessment

State whether the following statements are True/False—

1. Bill associated with taking wealth from the consolidated fund is money bill.
2. The legislative council can completely invalidate the financial bill.
3. In February 1980, the legislative assemblies of Uttar Pradesh, Madhya Pradesh and Bihar were suspended.
4. In March 2005, Buta Singh was made the Chief Minister of Bihar.

### 4.10 Summary

- Legislatures are temples of democracy. Through Constitution, one legislature has been arranged in every State of India. In the State legislature Governor and one or two assemblies are incorporated. The lower houses of the State legislature is called ‘legislative assembly’ and higher assembly is called ‘legislative council’.
- The lower assembly of the State legislature is known as ‘legislative’ assembly. Legislative assembly is of the people. The members of the legislative assembly are directly elected by the adult voters. For election, every elective area is divided in constituency areas geographically such that every member of the legislature at least represents 75,000 populations.
- It is clear from history that the legislative councils have been used for making those people as legislators, who lost the elections of the legislative assemblies and do not have the hope and capability to be elected. For the fulfillment of the party profits, the legislative councils have been openly used as a consequence of which this organization has lost its remaining dignity.
- In the manner of Rajya Sabha, the legislative councils have not been given comprehensive rights. In the amendment of the Constitution and in the election of the President, its right is null and in the region of any other legislator it has not placed in front of any legislative assembly.
- For work administration of the legislative council, one speaker and one deputy speaker are elected by the members of the council. The legislative council has the right to remove them from their post.
- The post of the speaker of the legislative assembly is considered to be too much important and honorable. The speaker is a preserver of the assembly’s reputation and exclusive rights of its members. He establishes reconciliation and co-ordination in the assembly. He protects Parliamentary traditions by removing the mutual tensions and disagreements of various coalitions, groups and interests.

**Notes**

- The election of the speaker of the legislative assembly is done by assembly. For the post of the speaker, on the decided date by the governor, nomination letters are invited in the legislative assembly. These nomination letters are put forward to the assembly and no debate is done on them. The candidate who gets success, he is -elected as a speaker.
- Normal bills can be prepared in any house of the legislature, but money bills are only prepared in lower assembly. The legislature after getting approved by both the assemblies, the bill is sent to the governor for recognition. After the signature of the governor, only any bill is made as a law.
- The bill on getting recognition by both the houses is sent to the governor for his acceptance; the governor either gives his recognition for that bill or sends it back again to the legislature with some suggestions. If the State legislature approves that bill again with or without the suggestions given by the governor, then the governor has to give his recognition for that bill.

### **4.11 Keywords**

- **Financial bill** – Bill associated with the accounting of the State expenditure, consolidated fund etc.
- **Legislative council** – The upper house of the State legislature, identical with Rajya Sabha.

### **4.12 Review Questions**

1. Discuss the complete procedure of constitution of the State legislative assembly.
2. Describe the constitution of the legislative council.
3. Examine the powers and functions of speaker of the legislative assembly.
4. Describe comprehensively the powers and functions of the State-legislature.
5. Compare the powers of the legislative assembly and legislative council.
6. Describing the procedure of law making elucidate the procedure of financial bills.

### **Answer: Self-Assessment**

- |                         |                      |         |          |
|-------------------------|----------------------|---------|----------|
| 1. Legislative Assembly | 2. 5 years           | 3. 40   | 4. Lower |
| 5. State index          | 6. Governmental bill | 7. True | 8. False |
| 9. True                 | 10. False            |         |          |

### **4.13 Further Readings**



Books

1. **Bharatiya Loktantra** – Rajesh Rawat, Satish Chaturvedi – Raj Publication.
2. **Bharat Mein Rajniti** – Abhay Kumar Dubey – Vani Prakashan.
3. **Bharat Mein Pachayat Raj** – George Mathew – Vani Prakashan.
4. **New World of Democracy** – Arvind Mohan – Vani Prakashan.
5. **Development, Democracy, and Decentralization in India** – Chandan Sen Gupta – Rutlej Publication.
6. **Segregation and Religion in India** – Shamsul Islam – Vani Prakashan.

Notes

## Unit-5: Legal System and Judiciary

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- 5.3 Establishment of the Supreme Court
- 5.4 Jurisdiction of the Supreme Court
- 5.5 Independence of Judiciary
- 5.6 Summary
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### Objectives

After studying this unit, students should be able to –

- Understand the need, organization etc. of the Supreme Court.
- Will be familiar with jurisdiction and independence of the Supreme Court.

### Introduction

The first identity of Independent and civilized state is independent and impartial judiciary. Any society can be without Legislature, but cannot imagine any civilized state in which there is no system of judiciary.

The Indian constitution maker was committed to make such India Supreme Appellate Court, which has been given the jurisdiction of both criminal and civil. The Supreme Court fulfills the corresponding resolution. At the top of our justice system is that Supreme Court consist of Chief Justice and other judges. Its jurisdiction is very broad. That is Record court and Initial, appellate cases, all type of consulting cases come in jurisdiction. In fact, the Supreme Court has a responsibility to protect of constitution and democracy in India. The working of Supreme Court is very prideful in independent India and In general public, have unwavering devotion and respect constitutional rights of persons and its as sentinel of freedom.

## 5.1 Need for Supreme Court

From the point of view of democratic rule in India need of Supreme Court felt for the following reasons –

- (1) **Reason for Unitary governance** – According to G.N. Joshi, “In unitary regime conflict are inevitable due to coordination many governments. Therefore it is essential qualities of federal policy that judicial body in the country which are independent federal executive and legislative and the government of the units”. Characteristic of the Federal Constitution division of power between is the central government and state governments. To the questions of jurisdiction in the union and the states debate will arise in any power-division process is natural. Power-division happens according to the constitution so all decisions of these issues must be according to listed in the Constitution. Justice demands is that all such disputes shall be decided by an impartial and independent authority. The Supreme Court may be the only authority in the Federal Constitution. According to the Payoli, “Supreme Court is the mandatory of the federal-regime. This of the Constitution interpretation is authority the highest; also decide the disputes arising between the Union and the States that have final authority.”
- (2) **Interpretation of the Constitution** – The Constitution to acted as the protector and interpreter of the Constitution by the Supreme Court. The Constitution- producer it was said in the House, “It will be the interpreter and this mentor of the Constitution. The spirit of the Indian Constitution will be by the Supreme Court of the official interpretation.
- (3) **Rule of balance cycle** – The role of Supreme Court is similar to a balance cycle because where the other part of the regime may have been affected by the public excited feelings there is the Supreme Court another part of rule that impartially interprets the various government function according to constitution the can install in balance various organs.
- (4) **Protector of fundamental rights** – According to the Constitution makers “Supreme Court shall be the custodian of fundamental rights the citizens.” Under Article 32 of the Constitution, this Court is the custodian of the fundamental rights guaranteed constitution. Violation of to stop the encroachment upon these rights federal or state governments to treatment is the duty of this Court. According to Payali “The importance and power of these rights provided by court time to time rulings have declared by this protect the citizen from arbitrariners of executive and unconstittonality of lagislative.”
- (5) **For specific advising** – The Supreme Court advises the president on serious and complex legal entanglements. The laws of public importance and the view on the fact of the public intrest the presidency wants toknow the court-advise the presidency on those subject.
- (6) **A harbinger of social revolution** – In India the Supreme Court has not only the sentinel of democracy but the larbinger Progressive interpretation of constitutional and an ordinary law of social and economical change though.



*Did u know?* According to constitution makers Supreme Court shall be the custodian of fundamental rights of the citizens.”

## 5.2 Composition of the Supreme Court

Basically for the Supreme Court Chief Justice and 7 other judges was arranged and the right to make ensure, number of judges of the Supreme Court, judges the court of the jurisdiction, salaries and service condition has given to the Parliament. Parliament has amended the law time to time by the constitution increase in the number of judges. In 1985 determined by the law that it is their will be one chief justice and one Judge and 25 other judges in the Supreme Court. In 2008 has determined by the law that

Notes

now in Supreme Court there will be 31 justices including chief justice. The Supreme Court judges are appointed by the president of India. The president must consult with the chief justice to appoint the Supreme Court judges. At special situation chief justice of India can appoint the **ad hoc judges** with permission of president. While such ad hoc appointments that chief justice of India should consult with chief justice of high court which justices can be appointed. In India the practice of ad hoc judges is similar to that prevailing in Canada. Former President of the Supreme or Federal Court judge deprived from the post - gaining acceptance can be made a Judge of the Supreme Court.

**Appointment of the Chief Justice of India and Controversy about that**—In the respect to the appointment of chief justice of the supreme court the tradition from the inception of parliament till 1972 that office retirement of chief justice at his past of the appointment another chief justice at that past the advice was taken must to the retirement chief justice and this appointment was made on the basis of seniority. In 1964, Mr. Zafar Imam only once irrespective of their seniority post of Chief Justice of the Supreme Court was not provided, decision has taken to some extent was based on Mr. Zafar health related reasons, But to some extent the decision of Mr. Jaffer was based on health-related reasons, but in April 1973 when the Chief Justice Mr. Sikri retired the three judges (Mr. Shelat, Mr. Hegde and Mr. Grover) by violating the seniority of Mr. Ajitnath ray was appointed to the post of Chief Justice. Mr. Ajitnath Ray's appointment did not pertain to consult **Mr. Sikri**. All of the law world intensely agitated the appointment. Retired Chief Justice **Mr. Sikri** reacted that "**decision was political.**" **Mr. Chagla** said, "**The most dark day of history of justice.**" Supreme Court Bar Association told it "**Purely Political and having no relation to side**", but on the other hand, a rendering of the official side, **Mr. Kumarmangalam** told in the Parliament "appointment of the Chief Justice cannot be based on mere seniority and **supreme court judge should be appointed on the basis of material the judge's point of view, his social philosophy, their power to identify the direction of the wind and recognize the supremacy of Parliament.**" He explained that "it is up to the discretion of the Government of the day he may appoint the appropriate person in your vision. The country's highest judicial seat occupant's approach and philosophy should also be appropriate." Reacting sharply to the idea, the famous jurist **Palkhivala** said: "we should learn from the experience that the entry of proper elements of Justice in politics, but entering of politics of Justice destructive. The Government's claim is so inconsistent that it has the right to appoint as Supreme Court justices who believe in the philosophy of the ruling party. Suppose a party whose ideology contrary to the Constitution came into power, the ruling party in this state or will the judge follow the philosophy of the ruling party or follow the Constitution. "The three judges of the Supreme Court in opposition to the appointment — **Mr. Shalit, Mr. Hedge and Mr. Grover** resign. Entire country widely expressed doubts added that the Chief Justice and other judges in relation to the adopted this innovative public policy will make the Executive judiciary subservient and judiciary will blow to freedom and reputation. All conditions to consider in Delhi on Aug. 11 and 12 under the auspices of the Supreme Court Bar Association '**All India lawyers Conference**' including nearly 700 delegates. Conference the proposal was passed that the appointment high and Supreme Court judges of representing should be on the recommendation of committees Union advocates and judges the Chief Justice of the Supreme Court the high courts or the rank of the most senior judge judiciary should be appointed maintain freedom and from the point of view of respect of the judiciary the above-mentioned suggestions certainly deserves consideration.

In 1977 was the same manner of the appointment of the Chief Justice on 1973. In January 1977 Mr. Ajitnath Ray Chief Justice at the end of the term of seniority based on Mr. H. R. Khanna was appointed on the post of Chief Justice should be done, But justice Khanna of Justice to appoint the Chief Justice post **Mirza Hamidulah Baig** was appointed to the Supreme Court. Bar Association criticized this appointment and the resigning violation of their seniority in opposition to by the judge H. R. Khanna.

**Appointment of chief justice post and dispute avoidance (February 1978)**—In 1977 ruling party was committed to maintain the independency and reputation of judiciary. Therefore re-acknowledging the principle of seniority for the appointment of the chief justice on February 1978 Mr. Y.V. Chandrachud was appointed as chief justice. Upon ending of the term of the Ajitnath Ray ruler team leaders and some noted justices said that Mr. Chandrachud should not be appointed on the post of the Chief Justice. They



said that sadly he lacks the expected ideological freedom and fairness from chief justice. In April 1976 in case of *Habdas corpus* he did not take a bravura decision. According to **B.M. Tarkunde**, "The decision is weak in legal terms in the case of *Habdas corpus* and also it is full of serious danger for even the country and the public that is mockery to the notion of Justice." The same idea was also expressed by Mr. Chagla however expressed the same concerns Government thought that the appointment of Chief justice should make sure the adoption of the definite traditions. The deed of governance is reasonable to maintain the freedom and honor of judiciary. Actually certain rules should be decided for appointment of chief justice and other judges so that these supreme appointments of jurisdiction areas are not intervened arbitrarily by the government and post of justice and judge personnel are not a subject of dispute. Law Commission of 80th report also said that seniority principle must be followed strictly related the appointment of the Chief Justice of the Supreme Court. This is very important to protect the judiciary's independence and smooth operation of democracy.

**Judges Currently Pertain to the Process**—Present process appoint of Judges of The Constitution in article 124 the courts of provides that in appointment to the Chief Justice of the Supreme Court other judges and high court's judges will must take recoman the Chief Justice of India. The contention was whether the President bound to accept along advice the Chief Justice?

To resolve the dispute in July 1998 reference has been sent to the Supreme Court by the President. On October 28, 1998 on this context, on the basis of the decision the process appoint of judges of Supreme Court and high Court by the Supreme Court is as follows—

These appointments by the President of recommendation shall be based on the Supreme Court. In this context the Chief Justice of Supreme Court before of chief justice of to the president 'four senior will receive written judges of the group recommendation of and will recommends the President on the basis of this recommendation.'

The Constitution Bench of the Supreme Court in its unanimous decision that "a group of senior judges unanimously recommended and should be in written. Until recommendation of the Group of judges with the recommendation does not match of the Chief Justice, then should not be any recommendation to the president by the Chief Judge. "

The Supreme Court has made it clear that "If without completion the process of recommendation the chief justice recommend to president appointment of judges of high court of transfer related then the Government is not bound to obey such recommendation."

## Interference in Judicial Appointments

Recently these facts come unfolded that despite the recommendation of selection Committee Interference of President house has increased. Previous year while appointing four Supreme Court judges President. R. Narayanan entered this extraordinary comment on file that there should be reservation for scheduled castes/tribes for the appointments inside Supreme Court. In the same stage President's office left appointment offer of three Supreme Court judges hanging for over a month. But Chief justice Adarsh Sen led present judiciary is strictly against any involvement of executives with high courts at any level.

**Qualifications for the Judges**—Supreme Court judges must have the following qualifications—

- (1) He must be the citizen of India.
- (2) He must be worked minimum up to 5 years continuously in any high court or two or more than two years in high court as a judge.

Or

Must be advocate in any high court or courts up to 10 years continuously.

Or

In consideration of the President to become an accomplished jurist.

**Notes**

This last provision was virtually placed to broaden the scope of employment. According to this provision a noted jurist teach in a university who will be appointed Judge of the Supreme Court.

In the Constitution it is clearly written that the any judge of Supreme Court can not legal practice in the territory of India in the territory of a court or in any other functionary cannot and do not act as a court to another.

**Term and Impeachment**—Supreme Court judge service retirement aged is 65 years. Although like United States constitution Indian constitution do not have life time tenure, but present system is practically same because considering the average age in India, 65 is more than enough. In addition, article 128 of the Constitution sets special arrangement to appoint a retired judge. Before this situation he can offer resignation letter. In addition, the Supreme Court’s judge can only be removed only on the basis of certified indecent behavior or from his disability. This impeachment process can only make sure by Parliament. Whatever procedure may be, but both of the Parliament Houses separately with majority of its total members and vote majority of two-thirds of the voting available members must have to pass the proposal and do send to the president. Then president shall issue a notice to deprive the judge. It is necessary to propose impeachment proceedings and must be acknowledged against the judge in a single session and will be given full opportunity to back his side and lobbying.

**Salary, Allowances and Service Conditions**—Supreme Court judges will get such wages which is determined by Parliament method. This judge’s salary’s essential improvements have been taken based on ‘High Court and Supreme Court judge service condition amendment Bill 2008’. One lakh per month for Supreme Court Chief justice and 90 thousand monthly for other judges has been fixed. This modified salary is payable from January 1, 2007 to judges. Monthly allowance, travelling allowance, home facility, staff car, limited amounts of gasoline and some other facility are also provided to these judges.

**Immunities**—Judges are given independency from all their actions and decisions but court’s any decision or any judge’s approval can be criticized in academic view. Charges cannot be imposed on judge that he due to motivation or due to favor gave a special decision. Other than Parliament impeachment proposal the judges conduct cannot be discussed. Court is empowered to conduct against any so-called criminal for contempt of court proceedings to maintain its honor and to protect itself from hostile criticism. Contempt of Court proceeding has started on the Editor, printer and publisher of “**Times of India**” in 1953 for a comment made on this Court judgment. Proceedings of court contempt not only for the purpose of protecting the dignity but also to prevent such acts which could show adverse effect on the power of decision. The court has given such decision for the case of “**Dixit versus State of Uttar Pradesh**”.

	<i>Task</i> Check out that until now, whether impeachment of a judge is imposed?
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### **5.3 Establishment of the Supreme Court**

The rights has given to Supreme Court in the constitution that he kept his own establishment and also kept complete control on him. In this relationship, the appropriate opinion of constitution-maker was that if these was not the type of arrangement then independence of Supreme Court is only proven itself to be an illusion. All appointments of Officials and employees by chief judge of Supreme Court or The task imposed on him are done by any other judge or officer. Service condition of these officers are also determined by this Court, expenditure on them and other expenses of court settlement are from the Consolidated Fund of India

**Procedure of the Supreme Court**—Some settlement is to done in the relationship of the procedure of Supreme Court in the constitution. In addition, in this relation the constitution also granted the rights to make a law to Indian parliament and on other things, Supreme Court itself also has the ability to create

rules to obtain the permission of president. In this relationship of procedure, following frameworks pertain by the constitution –

- (1) Which subject is to be concerned with the provision of the Constitution or under which constitutional question six in which is need to clarify the intent of the law or consider the task of the subjects assigned to the Supreme Court to the President of India, his hearing is by at least five judges of Supreme Court.
- (2) A case before the Supreme Court can be appealed after the hearing, it should be considered whether it is necessary to interpret the Constitution or the intent of the law appears to be materially. At the beginning this conflict five may be present in front of less than five judges, if it becomes clear that the interpretation of the Constitution or laws of the explanation must be necessary the case is to be presented to at least five judges and according to their interpretation is her decision.
- (3) All decisions of Supreme Courts are openly done.
- (4) All decision of the Supreme Court is based on the majority. The judge who disagreed with the majority's he can give a separate decision. He cannot be influenced by any other majority decision could valid.

## 5.4 Jurisdiction of the Supreme Court

Its jurisdiction can be studied in the following three forms – (1) Original jurisdiction, (2) Appellate Jurisdiction, (3) Advisory Jurisdiction, (4) Court records and (5) Custodian of fundamental rights.

- (1) **Original Jurisdiction** – Original Jurisdiction of Supreme Court can be placed in to two categories –
  - (A) **Original Exclusive Jurisdiction – According to Mr. Durga Das Basu, “Though our Constitution not a treaty or an agreement, However division has been done legislative and executive related rights between the union and states. So Article 131 has assigned the sole of jurisdiction between Union and state or between state dispute of qualified justices of decision. To the Supreme Court.”** Supreme Court has sole jurisdiction fall under the following topics –
    - (i) Dispute between Indian government and one or more than one state.
    - (ii) Dispute between Indian government, a state or some states or more states.
    - (iii) Dispute between two or more than two states, where a question underlies on which the existence or expansion of a legitimate authority be dependent. In respect of court decision should be asked.

And the sole of original jurisdiction are obtained to the Supreme Court in respect of only the federal government and mutual disputes of state government. That means the above conflict can be field only in the Supreme Court. in this respect it has to remembered that before 26 January, 1950 which contrass and agreements has been done and Between India and the princely states were union contracts and This also applies if they dispute arose over their initial jurisdiction of the Supreme Court is out now.

- (B) **Concurrent Original Jurisdiction** – In respect of the fundamental rights guaranteed under the Constitution to enforce the Supreme Court as well as the High Courts. Of rights has been granted authority. Article 32 (1) has been attributed exclusively by the Supreme Court that **“to take the appropriate action to enforce of the fundamental rights”**. For the enforcement of Fundamental Rights to by the action may be necessary Supreme Court or a High Court.

Notes



Notes Fairly broad jurisdiction are provided to the Supreme Court of India, even the world of the jurisdiction of any other court rarely become so widespread.

- (2) **Appellate Jurisdiction** – Supreme court has provided original jurisdiction - with appellate jurisdiction by the Constitution. Her appeals against the decision of the High Courts of all states have the right to listen. Appellate jurisdiction of the Supreme Court can be divided into the following four sections-
- (i) **Constitutional** – According to article 132 of the Constitution if the High Court certifies that the dispute relating to the interpretation of the Constitution, a quintessential question of law is involved, the high court's decision can be appealed to the Supreme Court. It Certify that the state's high court rejected if cirtity it the Supreme Court is empowered to that he could provide such leave to appeal, If it is believed that an important question concerning the interpretation of the Constitution vests. 'Election Commission Vs sri. Venkat Rao' (1953) this question was raised in the lawsuit that Under Article 132 of the Constitution concerning the decision of a single judge may be appealed to the Supreme Court or not. The Supreme Court answered it in the affirmative given. Consequently, the Court becomes final guardian and interpreter of the Constitution.
  - (ii) **Civil** – In this respect, the system which was originally under the Constitution, the 1972 constitution has been changed by the 30th Amendment. Earlier it was the system that High Court to the Supreme Court could only be appealed to the civil disputes; in which the amount of dispute is more than Rs. 20. In connection with this arrangement, the Law Commission said in its recommendation that the civil disputes in Supreme Court, the range of funds in respect of the appeal, it should be deleted. 30th Constitutional amendment by this recommendation which Article 133 modifies the delimit the money and it has decided that the High Court to the Supreme Court that all civil disputes appeal may be the high it should be certified by the Court that the dispute involved the interpretation of the law relating to the fundamental question. The 30th amendment made by this system is certainly more reasonable and logical.
  - (iii) **Criminal** – In the Constituent Assembly Mr. P. K. Sen and some members suggested that "in all cases of capital punishment should have the right to appeal to the Supreme Court. "But Mr. K.M. Munshi and some other members suggested that, this will lead to heavy workforce on the Supreme Court and these sorts of systems are not valid in countries like England. The present legal system is consistent with the views of Mr. Munshi.
- Giminal suit in the High Court's decision can be appealed to the Supreme Court on following topics –
- (A) If the High court cancels a person's release and ordered for execution after appeal to the High Court.
  - (B) If the High Court considered subordinate court 's accused indictment and ordered for execution.
  - (C) If the High Court proves that the dispute might worthy of consideration by the Supreme Court, which then can be appealed.
- (iv) **Special Appeals** – Though from Paragraph 132 to 134 of Constitution has the System to appeal against High Court decision to the Supreme Court. But then also some cases which might not come in above mentioned Category, but Wherein Supreme Court Intervention could be necessary. So different from simple laws some special rights related to appeal has assigned to Supreme Court by paragraph 136. According to this para, "Even in presence of any provison of this chapter the supreme court can give permission of the order of judgement, decree assessment, finally given by any court or judicative under judication of India. The only exception to this is one may not appeal to Supreme Court against the decision of the military Court. This special appealable power provided to the Supreme Court can only be implemented to the exceptional

conditions. So far, the Supreme Court had power to give jurisdiction on disputes of the Indian union election officials. Constitutional Amendment No. 39 (August 1975) a system has been made that election of President, Vice President, Speaker and Prime Minister - the four high officials cannot be challenged in High court or Supreme Court. By the 44th Constitutional Amendment (April 1978) 39th constitutional amendment has been canceled and now the Supreme Court and High Court can give hearing for the above four top officials of the election disputes in the same way by the act of 42th Constitutional Amendment.

From the perspective of the appellate jurisdiction Supreme Court of India is the most powerful in the world. Targeting the Appellate jurisdiction of the Supreme Court on 28 January, 1950 at the opening speech at the inauguration of Supreme Court, Mr. M. C. Setalvad said that **“the Court applied the writ million square miles wide region there will be approximately 30 million people (102.87 million in 2001) lived., it would be true to say that in terms of the nature and extent of the court’s jurisdiction and powers of any Commonwealth country’s highest court, beyond Supreme Court of the United States of America’s scope. ”**

- (3) **Advisory Jurisdiction** – Constitution has decorated Supreme Court related to advisory jurisdiction. According to Paragraph 143 if ever it appears to president that method or fact of question which has public interest then he can demand a Supreme Court advise. It is not necessary to the court to give advise constitutionally. **Paragraph 143** of Clause (2) give the rights to the President before application of constitution if any dispute raising from treaty, Agreement etc. he can seek consent from this court. This Included major form of agreement from 1949 and 1950 between the India Government and native states. It’s mandatory for the court to give judiciary advise to such disputes and acceptance or rejection of judiciary advise depends on the discretion of the president. Till Now President has look seek consultation ten times from the supreme court out of which **‘Kerala Education Bill’**, In 1974 Sought for Consent from Court for the election of President, in 1978 **Sought for Consent for Special Court Bill** on and in 1991 Sought for Consent for Kaveri Water Dispute are more Important. There is provision to sought for consent for weather first was there a temple or not on the disputed framework of land in Ajodhya on January 1993. The president offer a letter of advise to supreme court according to the paragraph 143 related to this, but Court has denied to give advise. Looking at the collision between the central government and election commission to hold the Gujarat assembly election, government seek for advise from the supreme court via president according to the paragraph 143. The Three Question which President offered supreme court on The August 20, 2002 were replied on October 28, 2002 at Court advise in the form of pronouncement.

**Consult the respective jurisdiction of the Supreme Court is helpful to prevent litigation and to a large extent it in reducing.,** But the Supreme Court of the United States and Australia has not been like to play an advisory role. In this relation arrangements of India are consistent with **UK, Canada and Burma.**

In addition to the above, the following other forms are taken into account by the Supreme Court –

- (4) **Court of Record** – Article 129 provides the location of the Court records to the Supreme Court. There are two effects of a court of record –
- (i) The court records are accepted everywhere as a witness and they will be presented before any court cannot be any doubt concerning their authenticity.
  - (ii) By the court ‘contempt of court’ is to be punishable. In the first situation the way it is automatically valid, Punishment for the perpetrators of contempt of Supreme Court in this system has been specifically in the Indian Constitution. In the words of Dr. Ambedkar, **“The court is a court of record the price in terms of evidence and records which may be presented in any court of law, and then they cannot be any doubt or objection. The truth is that the power to punish for contempt is a necessary consequence of this situation...”**
- (5) **Guardian of Fundamental Rights** – India’s Supreme Court is the custodian of fundamental rights of citizens. Article 32 (1) is especially that of being responsible to the Supreme Court that **“To appropriate action to enforce fundamental rights.”** To protect the fundamental rights the court could continue


Notes

Habeas corpus, mandamus, prohibition, quo wananto and certiorary could continue. Violating the rights of a person when he could take shelter of the Supreme Court. Based on the work of the Supreme Court indisputably far can be said that Supreme Court to protect the fundamental rights have always been conscious and has also been successful in this task. For the protection of fundamental rights, the Supreme Court has issued several important decisions. The contention of Ramesh Thapar vs. State of Madras' is opined in the Supreme Court that Article 32 offers them the status of guardian of fundamental rights. The contention 'Gopalan vs State of Madras', the Supreme Court 'Preventive Detention Act, of section 14' is illegal 'and' the contention of Brajbhusn vs. Delhi State' the Supreme Court in support the freedom of press and said that In the normal peace position, it is necessary to control the press is tenuous. There are some other important decisions in this category: The contention of 'Bombay State vs. Bombay Education Society', 'Rashid Ahmed Vs Central Government', 'Sibbn all vs. State of Uttar Pradesh'; 'Golknath Vs State of Punjab 'the Supreme Court given the decision is that the guaranteed under the Constitution of fundamental rights cannot be Restrict or amended. The nationalization laws of fourteen bank also declared illegal based on the Supreme Court because it would violate the fundamental right to property. The contention of 'Kesavananda Bharati vs State of Kerala', the Supreme Court declared invalid in the second clause of paragraph 31 (c) because it was traumatized on fundamental rights. This decision by the Supreme Court reiterated its 'Minerva Mills and Others vs. Government's contention on May 9, 1980, the 42th Constitutional Amendment Article 4 of Decision 55 was illegal. The decision of 'Kesavananda Bharati' and 'Minerva Mills' in both disputes, the Supreme Court adopted the position that Director elements on fundamental rights cannot be granted priority status and any amendment to the provisions relating to fundamental rights may not be, the basic structure of the Constitution be affected.

Besides this, The Supreme Court has the power to power of judicial review and conservation of the Constitution.

### 5.5 Independence of Judiciary

Judiciary's independence is the foundation-police of democratic political system. It contains three essential conditions-first, the judiciary should be immune from interference government of other departments. Second, decisions and orders of judiciary must be free from interference by the executive and legislative. Third, the judges should have freedom to justice without fear or favour.



*Did u know?* An independent judiciary can provide impartial justice. So best to keeping the judiciary independent of the Indian Constitution whole-hearted effort has been made.

To maintain the independence of judiciary following arrangements are in the Constitution –

- (1) **Appointment of Judges** – Appointment rights of judges has assigned to the president by the constitution in supreme and high court which also take advise form the chief justice and other judges.
- (2) **Long-term and Security of Tenure** – The judge of Supreme Court holds their positions until the age of 65. Generally cannot be dismissed to them. The President only can remove proven misconduct or incompetence a judgion by a judge to be removed, but he could only do it when all of this by a majority of each House of Parliament and members present and voting at least two - thirds majority before it should be supported by the proposal. This process of dismissal is extremely difficult in practice to be adopted.
- (3) **Powers to Make Rules to Regulate their Procedure** – The Supreme Court has the power to make rules for regulating its procedure, but must be under the rule of law made by Parliament and the

President's approval is required in. In addition, the judgment or orders to all judges are valid within the territory of India.

- (4) **Control over Personnel**—Lack of control of the court staff can access the blow to his freedom. So the Supreme Court is complete control over its personnel. All officers and employees appointments are done by the chief justice and other judges. Service conditions are determined by the Court.
- (5) **Immunities**—Supreme Court decisions and actions are beyond criticism. Parliament also cannot discuss on any such actions of the judges, which taken under duty of action.
- (6) **Prohibition of Practice after Retirement**—The Constitution prevent to plead in any court or import of officer to a retired judge in Indian Territory, but the constitution allows to his appointment for special function. For example, the special inquiry and to investigate.

### Self Assessment

Fill in the Blanks –

- 1. Official interpretation the spirit of Indian constitution of will be ..... by.
- 2. To dismiss the judge of Supreme Court.....process is adopted.
- 3. Overall decisions of Supreme Court .....are made at.
- 4. Article 129 places Supreme Court .....
- 5. Several provisions in the Indian constitution judicial of the ..... is available a strong basis of the rights.

In addition to the monthly salary of the Chief Justice and other judges, other allowances and facilities are also provided. The Constitution also has provision in any position other than the financial emergency salaries and allowances of judges may not be reduced to keep. Independent from the control of Parliament to the Supreme Court, it is envisaged that all the expenses of the Supreme Court shall be charged upon 'Consolidated Fund of India'.

Just as in 1973 and 1977 respectively Mr. A.N. Ray and Mr. M. H. Baig was appointed Chief Justice of the Supreme Court and it was shocking to all judiciary's independence, but, again in this respect since 1978 have adopted the principle of seniority and can be expected that in will be the future obey the principle. The independence of the judiciary it is necessary to be done from. It is clear provisions of the Constitution that efforts have been made to make the judiciary independent and impartial but **In practice**, there are many loopholes in the constitutional provisions and ruling party leaders played with the sacred provisions of the Constitution is sacred and that is to try to move toward is called 'committed judiciary'. The following arguments may be made in this direction –

- (1) **Process of recruitment**— Appointment of judge or nomination is virtually a political matter. Decisions of the union home minister and Law minister's are final because they are trusted advisor of prime minister whose role is decisive.
- (2) There is no such system in the Constitution for which the judge to be banned from taking the top position as ambassador or the governor after retiring.
- (3) Pattern of Independence of the judiciary is fragmented by the stubborn conduct of the executive. Occasionally the executive seeks to overturn the decision of judges as its name of discretion or New law through constitutional amendment bringing the to deprive court the judicial authority. The bizarre way of keeping of laws produced by the Central or state legislative assemblies in Schedule IX the Constitution would like to give a warning to Supreme and High Courts that they do not dare to intervene.
- (4) Certain politicians are have criticized the conduct of the judges in the in and outside of the Parliament, for that there is bad effect on the Independence of the judiciary. This is clear violation of constitutional provisions because the behaviour of judges in the house cannot be discussed without clear specific proposal.

- Notes** Independence and impartiality of the judiciary may be given the following tips to save administrative intervention –
1. The appointment of judges should be from the list of eminent jurists and legal scholars of the country.
  2. In Supreme Court and High Courts the retirement age should be 70 years.
  3. After retirement provision should be restricted for accept any other appointment.
  4. Judges should avoid public relation. They should behave such a way so that no one can doubt on their identity.



*Notes*

The National Commission to review the implementation of the constitution of India to restore the objectivity in judiciary national judicial commission recommended the sanitation in distinguished members are nominated by the Chief Justice and Union law minister. Investigate complaints against judges will do the Chief Justice and two senior judges of Supreme Court. The commission will appointed to all the judges.

## 5.6 Summary

- The Indian constitution-makers were determined to be such all India supreme appealatic court to get the both criminal and civil jurisdiction. The Supreme Court is the fulfillment of this resolution. The Supreme Court is Peak of our judicature which consists of India Chief Justice and other judges.
- To act as a protector of the constitution and official interpreter is done by the Supreme Court. It was said in the Constitution maker assembly, it would be the interpreter and patrons of the constitution.
- Basically the chief justice of the supreme court and other seven judges were arranged and the right No. of judges of Supreme court, jurisdiction of supreme court, salary of judges and to assince the strice corditioury judge of suppreme court has given to parliament by the constitution. By Parliament from time to time to amend the law is to increase the number of judges Supreme Court.
- An appeal Supreme Court trial before of trial can be submitted after whose hearing may be considered that it is necessary to interpret the constitution or should materially manifest intent of the law.

## 5.7 Keywords

- **Civil** – such suit which is related to wealth , land, possession etc.
- **Criminal** – In which case posserses – murder, rape, assault happened.

## 5.8 Review Questions

1. With clarify the conception of Supreme Court explain the outline of this organization.
2. Explain the jurisdiction of Supreme Court.
3. Mention the role of Supreme Court as a custodian of fundamental rights.
4. Comment on independence of judiciary.



5. Review the role of Supreme Court as a guardian of constitution.

Notes

### Answer: Self Assessment

1. Supreme Court    2. Impeachment    3. Openly    4. Records Court    5. Review.

## 5.9 Further Readings



Books

1. The Indian democracy – *Rajesh Rawat, Satish Chaturvedi – Secrets Publications.*
2. Politics in India – *Abhay Kumar Dubey – Vani publication.*
3. Panchayati Raj in India – *George Matthews – Vani publication.*
4. Democracy's new Public – *Arvind Mohan – Vani Prakashan.*
5. In India, development, democracy and decentralization – *Chandnsen Gupta – Routledge Publications.*
6. Isolation and Religion in India – *Samsul Islam – Vani publication.*

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## Unit-6: Judicial Review in India

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### Objectives

After studying this unit, students should be able to –

- Understand the concept of Judicial Review.
- Know the issues related to public interest and Judicial Activism.
- Know about the changing view point of Supreme Court.

### Introduction

Judicial Review means—checking of the validity of the acts of executive and legislature means the checking of the constitutionality of the laws and administrative policies by the judiciary and declaring such laws and policies as unconstitutional which violate any of the provision of the constitution. In the words of Karvin, "Judicial Review means that power of the courts, which they have in relation to the decision regarding the legitimacy to the legislative laws within their jurisdiction and also in relation to the implementation of the laws, which it considers invalid and wasteful." While interpreting Judicial Review in 1803 in *Mulberry v/s Madison* case Justice Marshal said that Judicial Review is that check by the courts of the legislative laws and executive or administrative acts, brought before it by which it decides whether they are prohibited by the written constitution or whether they have tried to use more powers than assigned to them or not. Actually it the judiciary to decide whether the laws are constitutional or not. This very right of the Supreme Court is called Judicial Review

## 6.1 Judicial Review in India

Notes

The power and position of the Supreme Court can be easily evaluated in the contest of the power of Judicial Review.

The history of Judicial Review is approximately 200 years old. This principle originated firstly in the administrative system of USA. Later it was adopted partially by India and Japan. Generally in the administrative system of the most of the countries, this power is not given constitutionally to the Supreme Court rather the courts have assumed this power informally. Gradually the right to Judicial Review assumed respectable position at the different stages of the constitutional development.

There is no mention of the principle of Judicial Review in any of the article of the Indian constitution. In spite of that due to the present position of the fundamental elements of the principle of Judicial Review this principle evolved automatically. There are three indispensable conditions of Judicial Review- 1. Written and rigid constitution, 2. Distribution of powers between centre and state, 3. Provision of fundamental rights. Indian administrative system fulfills all these conditions. So the principle of Judicial Review evolved in spite of absence of clear constitutional provisions. Supreme Court used this power in many of its decisions and declared the acts of executive and laws of legislature as unconstitutional in the condition of being not in conformity with the provision of the constitution.

There are solid basis of Right of Judicial Review in various articles of Indian constitution which proves that the constitutional makers wanted to give such power to the judiciary.

**Firstly** it is provided in article 13 that if any of the law of the state violates fundamental rights, the same can be declared unconstitutional. Article 32 provides the right to the citizens to move the court for the protection of their fundamental rights. So the Supreme Court can review the laws passed by legislature and executive.

**Secondly** the provision of the distribution of legislative powers between centre and state has been done in article 246. The Supreme Court can declare any law as unconstitutional if by it the state and the centre governments have violated their respective jurisdiction. This means that if a state makes law any of the union subjects, it will be the violation of constitution and Supreme Court can declare such law as unconstitutional. This is provided in article 254 of the constitution that if any law made on the subject of concurrent list by a state legislature comes in controversy with the law made by central legislature, then law made by the state will be declared invalid.

**Thirdly** according to article 368 the right to amend the constitution is not given only to central parliament rather state legislatures have also been given adequate role in it. If any amendment is not done according to the provisions of the constitution then it can be declared as invalid by the court.

**Fourthly** according to article 132 of the constitution, in matters related to constitutional interpretation, an appeal can be made in the Supreme Court. So it is clear that Supreme Court has final power of deciding constitutional cases.

According to Justice Mukherjee, "In India the principle of constitutional supremacy has been recognized instead of parliamentary supremacy. In this respect Indian constitution resembles more with American constitution than British constitution. All the instruments of the administration are under the constitution and the courts have the power to check the constitutionality of their acts." According to D.D. Basu, "This is the fundamental principle of our constitution from the constitutional point of view this is accepted in by the Supreme Court in Gopalan case."

Since in many years cases the supreme court of India has given such decisions in many cases by using the principle of Judicial Review. In A.K. Gopalan v. State of Madras case the 14<sup>th</sup> part of the Preventive Detention act was declared invalid. In Ibrahim v. state of Bombay case the 7<sup>th</sup> part of the law declared invalid because it made in 1949 to prevent the immigration of Pakistanis in India, as it prevented the fundamental right to reside in any part of India. In Golaknath v. State of Punjab case Supreme Court reviewed its previous decision and declared that fundamental rights cannot be amended. Bank nationalization Act was declared invalid by the Supreme Court as the principle of compensation in

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it was not having any relevancy. The abolition of privy purses and privileges of the princes by the ordinance by the President was also declared invalid by the Supreme Court. The limitation of 10 pages put on the newspapers by the administration's news paper policy of 23<sup>rd</sup> April, 1973 was also declared invalid by the court. Earlier to this Bombay Police Act was declared invalid by Supreme Court. Similarly Supreme Court declared 2<sup>nd</sup> part of article 3 of the 25<sup>th</sup> constitutional amendment means article 21 (s) of the constitution as invalid on the appeal of Keshwananda Bharati on 22<sup>nd</sup> April, 1973. Supreme Court also held that parliament can amend fundamental rights but cannot temper with the basic structure of the constitution. Now there is a continuous trend the power of judicial review.

## **6.2 Nature and Limitations of Judicial Review**

Although the power of judicial review is given to the Supreme Court by the constitution by its scope is not that wide as it is in America. There are certain reasons for the narrow scope of the power of judicial review in India in comparison to USA. **Firstly** American constitution is very short due to which it results in to frequent disputes between centre and state governments as a result of which the scope of judicial review has become very broad. Where as in India the division of powers between centre and state is given in great detail. Concurrent list is included to lessen the possibilities of disputes between center and state. So due to these reasons the scope of judicial review became narrow.

**Secondly** the bill of rights in America is written in absolute words but the nature of Human Rights is such that they can never be secular. So while interpreting the scope of human rights words like, Police Power and General Welfare have been resorted to. Executive can fix the limits of human rights on the basis of police power and general welfare and Supreme Court can check that whether the executive has used its power properly or not. Whereas in Indian constitution the limitations are given along with each fundamental right so the scope of judicial review has narrowed down.

Above given reasons are not very important. The most important distinction in this regard is the difference between the constitutional provisions of both the countries. In American constitution the word 'Due Process of Law' is used where as in Indian constitution Japanese vocabulary 'Procedure Established by Law' is used. On the basis of this provision made in the constitution American Supreme Court can check the constitutionality of any law on two bases – (i) whether the central or state legislature has made that law within the prescribed jurisdiction or not. (ii) Whether it fulfills the conditions of 'Due Process of Law' or not. So if a law is made by the legislature within the limits of its prescribed jurisdiction, even then if it is against the principle of Due Process of Law means against some acceptable principles of natural law, then it can be declared unconstitutional by the Supreme Court. But in India constitution procedure Established by law is adopted in place of prours of law. means that the laws made by central or state legislature can be declared invalid only if the concerned legislature has violated the limits of its jurisdiction while making such law. While checking the constitutionality of a law by the supreme court of India the principles of natural law as proper and in proper concept cannot be applied. In the words of Mr. Alexandrowich, "Indian judiciary is not being imagined as an additional law maker, bit as a body which if duty is to implement the expressed law."

Regarding the position and judicial review power of Supreme Court D.D. Basu writes, "In our constitution legislative supremacy within constitutional limits is accepted instead of judicial supremacy. Though Supreme Court will invalidate or amend the law which is in violation of the constitutional provisions but it cannot invalidate the laws made by the legislature on the basis of provisions of natural law or ideals of constitution. The position of Indian judiciary lies somewhere between England and America."

The limitations of judicial review in India are well described by **Seervai**- "In India any law cannot be declared invalid only on the basis that according to the judicial conscience it violates the freedom or any principle of the spirit of the constitution, unless until that principle is included in the constitution." In order to give decision on constituency of a law no any relation to stupidity or prodence and justice or injustice of the law.

On the basis of its concept of procedure established by law the supreme court of America has become almost the third chamber or super legislature and justice Hughes has very well said, “**We remain under a constitution but constitution is what the Supreme Court says.**” But in our country the Supreme Court is not holding any such position. In America the principle of judicial supremacy is adopted on the other hand in India an coordination balance is tried to be created between legislative supremacy and judicial supremacy.

### **6.3 Criticism of Judicial Review**

On studying the use of power of judicial review by the Supreme Court, it becomes clear that the court has used this power very rationally but since some years especially from Golaknath case of 1967 to 1973, the decisions of Supreme Court had such tendencies which have brought criticism to the concept of judicial review. It has been criticized on the following basis:

1. **It acts as Conservative Force** – No doubt that Supreme Court has played the role of the protector of the individual freedom and civil rights, but it is also a fact that on the questions related to property it worked as a conservative court. In 1950–51 it invalidated some of the land reform acts which were passed for the abolition of Zamindari and Zagirdari system. In 1953 it declared the takeover of the **Sholapur Weaving and Spinning Company** by the administration invalid. Declared Kerala act regarding agriculture as invalid in **Kunhikoman vs. State of Kerala**. In 1967 in **Golaknath Case** it gave decision with 6–5 majority that “**Parliament cannot pass any law which limits or takes back any of the fundamental rights.**” Some law specialist and members of parliament having balanced view also criticized this decision of the Supreme Court. By former chief justice **M. C. Sitalvaad** this was termed as a ‘Political Decision’ and parliamentarian **Surendranath Dvivedi** wrote that, “The struggle for authority started in this country when Supreme Court gave the decision that in this country parliament has no right to amend fundamental rights. This decision showed that the courts in this country represents the interest of a particular class. While interpreting law the courts can not totally ignore the social purpose which kept in the constitution.” Similarly the Supreme Court invalidated the orders related to the nationalization of banks and abolition of the privy purses. While commenting on the decisions of the Supreme Court **Mohan Kumar Manglam** wrote, ‘By all these three decisions the important arrangements related to the socialist policies of the government were put on stake. In the Golaknath case the validity of the laws related to agricultural reforms was doubtful. The issue of Bank nationalization was related to the reorganization of financial system of our country so that it can be brought out of the control of few people and brought under government control. Declaring the princes invalid was the last blow on the remnants of ancient imperialist and feudal system. It was a great step in favour of socialism.’

In a welfare state it is expected from the judiciary that it will help the country to go ahead in the direction of public welfare. But in India the Supreme Court has played an obstructive role instead of being a facilitator through its decisions. Due to this very conservative attitude of supreme court from time to time there has been demand either to reorganize or limit the rights of Supreme Court.”

2. **Supreme Court changes its previous Decisions** – One of the main objection on the use of power of judicial review by the Supreme Court is that it keeps on reviewing its earlier decisions constantly as a result of which the constitutional law loses its faith. There is no doubt that the **Supreme Court and high court have this legal right that they can review their previous decisions and justice Hegde considers it to be ‘an important part of judicial review.’** But the way in which the Supreme Court reviewed its decisions from 1967 to 1973, cannot be called proper.

**Mohan Kumar Manglam** has given three examples in his book.

**Firstly**, in 1952 in Shankari Prasad case and 1965 in Sajjan Singh case, the Supreme Court held that the parliament can amend any part of the constitution including fundamental rights if procedure established by law is followed, but in Golaknath case of 1967 the supreme court held that “the parliament has no

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right to amend any provision of part 3 of the constitution in a way that it takes back or limits the fundamental rights.”

**Secondly**, in **Shantilal Mangaldas v. State of Gujarat** case in 1969 Supreme Court held that after the fourth amendment to the constitution, the discussion on the adequacy or inadequacy of compensation is out of the jurisdiction of Court. But when in 1969 ‘Bank Nationalization Act’ was challenged in the Supreme Court, then Supreme Court invalidated it on the basis that the principles of compensation in it are irrelevant.

**Thirdly**, in **Usman Ali Khan v. Sagarmal** case of 1965 supreme court unanimously decided that the whole arrangement regarding the integration and privy purses is political rather than legal and responsibilities regarding them cannot be enforced by courts but when in 1971 the orders related to the privy purses and derecognition of the princes was challenged in supreme court, then supreme court declared the orders of the administration invalid.

**The continuous review of its own decisions by the Supreme Court has given birth to uncertainty of laws; nothing can be more harmful than that the laws of the nation are uncertain.**

3. **Encroachment of Constitutional Limitations**—The way in which the supreme court has used the power of judicial from 1967-71 that makes it very clear that supreme court has encroached upon the constitutional limits and tried to play the role which the constitutional makers did not want to give to it. While adopted the power of judicial review its limitations have been determined and judicial review is not that broad as it is in America. While making clear the limitations of judicial review clear Pt. Jawaharlal Nehru said in the constituent assembly—

“While being within these limitations no court or supreme court can try to become the third chamber of the legislature. No Supreme Court or judiciary can go against the wishes of the legislature which represents all the people of the nation. If we make a mistake, it can tell us about that but so far as the future of the community is concerned, no judiciary can put obstacles in that.”

Judiciary has also generally accepted these limitations. In the words of justice S.R. Das “Judiciary can analyze and interpret the constitution and can get to know about its real meaning, but after once accomplishing it, it can’t challenge its own conscience or policy. Constitution is supreme. The constitution shall be accepted in the same form by the courts as it is although it does not go with the preconceptions of its ideal constitution.”

But in the decision given in **Golaknath** and subsequent cases Supreme Court has encroached upon the constitutional limits put on its power of judicial review.

4. **Instability of Social, Economic and Political life**—Due to the power of judicial review there has been always an apprehension that laws made by the parliament and policies adopted by the administration can be invalidated by the judiciary. It can cause instability in social, economic and political life which is absolutely very dangerous for the whole system. The critics are of the view that the judiciary shall confine itself to the legal questions only. According to the former law minister Gokhale, “The courts can give decisions only on legal matters and they have no right to decide the political and economic matters. Parliament or legislature, executive and judiciary are equally important. The importance of judiciary is not less but economic and political questions are out of the jurisdiction of judiciary.”
5. **Caused controversy between parliament and judiciary**—Due to the power of judicial review when the laws made by the parliament are declared unconstitutional by the judiciary there arises a situation of clash between the parliament and judiciary and in such situation administration cannot be run properly.

**Importance of Judicial Review**—In spite of the above given criticism of judicial review it cannot be denied that power of judicial review is very necessary for Indian democracy and beneficial for the whole state administration. The distribution of powers between centre and state by the constitution can be protected only on the basis of judicial review. The limitation on the administration and the protection of the civil rights and liberties can also be done on the basis of judicial review. It keeps the balance in the

constitution and it is only on the basis of judicial review that the officers Supreme Court and high courts can perform the function of interpreting and protecting the constitution.

Besides this, some of the criticisms leveled against judicial review are doubtful. **'The facts cannot prove that courts have worked as a conservative power or in relation to the power of judicial review.'** By rejecting the charge of Supreme Court being conservative **Soli Soraabji** writes that "When minimum wage act, employee provident fund act, rent act and Bonus pay-off act were challenged, they were held valid by the supreme court. While interpreting the industrial issues Supreme Court has protected the interest of the labor class rather than the industrialists. If actual data are analyzed this conclusion can be simply drawn that very few acts were challenged in the judiciary and out of them very few were declared unconstitutional." **Kuldip Nayyar** has very rightly written that, **"It will not be in the interest of democracy to take back the power of judicial review from the judiciary."**

The system of judicial review is an important part of Indian constitution, but the conflict between parliament and judiciary is not in the interest of the Indian administrative system. So following suggestions can be given to avoid this conflict:

**Firstly**, such constitutional traditions shall be developed by which all the three organs of the government shall work collectively without interfering in each other's jurisdiction while being within their limits.

**Secondly**, the judiciary shall not be having strict and conservative view in relation to any part of the constitution, otherwise social and economic progress will be strangulated.

**Thirdly**, the government or parliament should not drag judiciary in politics; otherwise the whole constitutional structure will crack down.

**Fourthly**, the parliament shall implement directive principles but shall not encroach upon fundamental rights.

**Amendments in Fundamental Rights and Supreme Court-** There has been a debate on this issue that whether parliament has the right to amend the fundamental rights or not. This question is definitely related to the issue of judicial review. The whole controversy regarding the fundamental rights is focused on article 13 of the constitution, in which it is said, **"All the laws, which operative before the coming into effect of this constitution, will be invalid up to the extent to which they will be derogatory to the provisions of third chapter of the constitution."**

**"The state shall not make any law which takes back or limits the rights given in this part and any proposed law which shall be derogatory of this system, shall be invalid."**

In Shankari Prasad case (1952) and Sajjan Singh case (1965) the word 'law' in article 13 was interpreted in the way that constitutional amendment cannot be considered as 'law' as in article 13, the parliament can amend fundamental rights by following the procedure of constitutional amendment, but in Golaknath case by including the constitutional amendment in the word 'law' it was held that parliament cannot limit the fundamental rights.

There was a wide reaction against this decision given in Golaknath case and it was demanded that the issue of sovereignty of parliament shall be brought beyond doubt. So It was fixed by introducing 24<sup>th</sup> amendment in the constitution that parliament has right to amend any part of the constitution including fundamental rights. The Supreme Court also accepted the validity of this amendment in its decision given in 1973.

Actually, the parliament should have the power to amend fundamental rights. Following arguments can be given in favor of this power of the parliament:

1. The supreme interest of the people of the country is represented by the parliament, not by any court.
2. Denying such power to the parliament will be against democratic principles.
3. It is absolutely necessary that the constitution and the law shall change according to social change and changing needs of the community, if not so social and economic progress will be hampered.
4. There is provision for the suspension of fundamental right in special conditions within the constitution only, so this cannot be accepted that fundamental rights are unchangeable.

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5. This suggestion is impractical that whenever any amendment is to be needed in the constitution, constituent assembly shall be called.
6. Article 368 (amendment in constitution by parliament) is like sovereign power in it; no limitation can be put on it.
7. If parliament is not given the power to amend the constitution, then revolutionary method has to be adopted for socio-economic change, which is not proper.

Actually, Indian constitution makers have tried to maintain a balance between parliamentary sovereignty and judicial review and that balance needs to be maintained. The administration should respect the independence of judiciary and, "the judges should keep in view the limitations on their powers instead of expansion of their powers."

## 6.4 Public Interest Litigation Cases

Since last two decades (1980-2004) there had been a wide change in the point of view of judiciary and it is increasingly becoming a progressive judiciary instead of conservative judiciary. It has been playing active role in the protection of community interest in addition to the protection of individual interest.

Under article 32 of the constitution only that individual has right to get justice whose rights have been encroached upon. But in some of its recent judgments Supreme Court has increased the scope of article 32. The judiciary has held that under article 32 any institution or any individual inspired by public interest can file a writ for the enforcement of the rights of any such individual who cannot able to file a writ due to poverty or any such reason. According to justice Krishna Ayer the narrow concepts of 'litigation-reasons' and 'aggrieved person' are being replaced by broader concepts of 'class action' and 'action in public interest'. Such matters are different from individual matters. In individual interests there are litigants and defendants where as issues related to the protection of public interests are related to the protection of the interest of group of persons who are deprived of constitutional and human rights. Following are some of such issues addressed by the supreme court—

1. **Agra Protection Home Case**—70 to 80 girls used to live Agra Protection Home case. There was news in Indian Express that they were not being treated humanely. They were not provided with washrooms and toilets with doors. Due to economic and social reasons they could not go to the court. So two professors were given permission to fight the case on their behalf.
2. **Bihar Under Trail prisoners Case**—K.F. Rustamji one of the police commission wrote in Indian Express that the under trail prisoners in Bihar jail are in bad condition and 7 prisoners were such who were in jail since 5 years but the trail had not started as yet. So advocate Hingorani filed a petition in the court as a result of which Supreme Court became activated. Judiciary issued notice to the Bihar government and called for the list of such prisoners who have spent more than 18 months in prisons. So thousands of prisoners were freed on the orders of Supreme Court. These prisoners were not given bail as they were poor enough to either move an application for bail or take legal help. So Supreme Court held that even in criminal cases the guilty has the fundamental right to get legal aid. Supreme Court created this right under a process of creative interpretation. Whereas the fact is that getting legal aid is not a fundamental right under Indian constitution.
3. **The Case of Bombay Pavement Dwellers**—A journalist Olga Telis raised the issue of Bombay Pavement Dwellers in the court of chief justice and the court issued interim orders to make arrangements for the protection of pavement dwellers.
4. **Sunil Batra vs. Delhi Administration**—An issue of inhuman treatment with a prisoner by the warden of the prison was brought into the notice of the court by another prisoner through a letter. It was considered as a writ of Habeas Corpus by the court and the court ordered to stop this inhuman treatment and do the proper procedure. Habeas Corpus can not only be used against undue arrest or detention rather it can also be used for giving protection to the prisoners against inhuman treatment.



5. **The Case of Police Driver**— A police driver of Delhi police filed a writ petition in which he challenged the low salary scale given to him in comparison to the drivers of the other departments. On the basis of the Right to Equality provided in article 14 judiciary issued the order to give him the same scale as is given to the Railway Police drivers and it shall be given from 1st January 1973.
6. **Case of Chamars**— The chamars of the Katipay district were in the profession of sale of leather and bones of dead animals. District couniles started giving the sale of bones on contract. This was considered as a threat to their livelihood. So they made a petition in Allahabad high court which disapproved the writ petition. The issue was taken to Supreme Court and a commission was entrusted with work of investigation of the effect of the contract system on the profession of Chamars. The state government was directed by the supreme court of organized the Chamars into cooperative societies so that they can be able to take the contract themselves. By this we came to know how supreme court is aware of social-economic status of the weak section of Indian society.
7. **Case of Construction Workers in Tilonia (Ajmer district)**— The issue of Tilonia workers was raised by Bunker Rai who was running a research institution. The harijan women were paid very less wages and deduction was done under penalty clause in their wages. The court held that to give less than minimum wages is violation of article 23 and is forced labour.
8. **Bonded Labour Front v. Union of India**— An institution informed the court that in the Faridkot district of Haryana the condition of the laborers is very inhuman and many of them are bonded laborers. The court directed the state government to take steps for the freedom of the bonded laborers and improve their condition.
9. **Rudal Shah v. State of Bihar**— A case was filed against Rudal Shah but session court freed him on 30th June, 1968. But due to the irresponsible attitude of the state officials he had to be in Hazaribag jail for 14 years. So with intervention of Supreme Court he was freed on 16th June, 1982. Supreme Court directed the state of Bihar to give 35,000 as compensation as this was the result of the irresponsible attitude of the state officials.
10. **Asiad Worker's Case, 1982**— The workers engaged in the work of Asiad were paid less wages than the minimum and even small children were involved. A social service institution named People's Union for Democratic Rights brought this issue in the view of the judiciary through a letter which was considered as a writ by the court. The Delhi administration said that contractors are responsible for giving less than minimum wages, and not the Delhi administration. The court termed wages less than minimum wages as forced Labor and ordered its abolition.
11. **Industrial Pollution and Public Interest Litigation**— In 1995 around 10,000 industrial units were whipped by Supreme Court for spreading pollution. They were either closed down or asked to bring down pollution. The lethargic attitude of the pollution control board was also checked.

In 1995, on the appeal of M.C. Mehta the judiciary held that due to the shoe and casting industry the environment of Agra is getting polluted and ordered for its shifting. In 1995, 508 industries around Taj Mahal were ordered either to close down or bring down pollution. 30 big industries of Kolkata were ordered to bring down pollution within three months, 300 iron foundries of Howrah were given warning, 538 leather industries were ordered to go out of city. In democracy public interest is the important element of rule of law and rule of law protects the interest of the deprived people and not only the rich people. The doors of the court are not open only for rich, industrialists, contractors, smugglers and kings; rather they are also open for millions of who are poor and under privileged. Public interest decisions have brought justice to the doors of poor which is provided in article 39 (K) of the constitution.

**People's Union for Democratic Rights v. India**— In this historical case the Supreme Court rejected this argument that encouragement given to public interest will result into increase in the number of cases in courts that will further result into delay in their disposal.

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*Did u know?* The matter is under consideration to put a check on the increasing number of Public Interest Litigation.

There is a proposal to deposit Rs. 1 lakh for filing a PIL; the petitioner shall be concerned with the matter. H.D. Shory of the organization 'Common Cause' which has filled around two dozens of PILs says, "It is undue to put limitations on Public Interest Litigation. If the doors of Supreme Court are closed, then where will the people of middle class go for seeking justice?"

## 6.5 Changing View of Supreme Court: Judicial Activism

The basis of any democracy or 'rule of law' is independent, impartial and influential judicial system. Such judicial system shall be simple, meaningful, economical and speedy. Justice delayed is justice denied. Unluckily India has inherited such a judicial system. In spite of trying hard the constitution makers of independent India could not get rid of such a system. They established independent, impartial and competent judicial system in the form of Supreme Court and High court, but it retained its colonial and feudal form. It could not become independent, impartial and influential according to the needs of poor and illiterate people of India. It was in the interest of the British rulers in making the justice costly, delayed and protecting the interest of high class people. So the judiciary remained prohibitive, isolated, alien and exploitative for the poor people. In this litigant-defendant system the judges depend on the evidence produced by costly lawyers, unconcerned with the adverse effects of that.

But the good thing is that since some years Indian judicial system has tried to understand the needs of people of India. They have agreed that the justice shall be social and economic and not only legal in form. The judiciary shall be playing an active role in improving the condition of the people and getting basic human rights for them. So due to the adoption of 'Judicial Activism' the Indian judicial system is becoming affordable instead of prohibitive. Now the judiciary believes that law shall not be conservative and the poor shall be considered as respective partners of it instead of beggars. So judiciary has done unprecedented work in this direction.

**Firstly**, it has given recognition to public interest matters. According to it any person can fight a case against on the behalf of such a group or class of persons whose constitution rights have been encroached upon and who are not capable to move the court due to poverty and illiteracy and judiciary shall act by avoiding all its procedural and technical rules. It was started by Supreme Court of USA. In Indian it started with the issue of prisoners of Bhagalpur (Bihar). K.F. Rustamji one of the police commission wrote in Indian Express that the under trail prisoners in Bihar jail are in bad condition and 7 prisoners were such who were in jail since 7 years by the trail had not started as yet. So advocate Hingorani filed a petition in the court as a result of which Supreme Court became activated. Judiciary issued notice to the Bihar government and called for the list of such prisoners who have spent more than 18 months in prisons. So thousands of prisoners were freed on the orders of Supreme Court. So many such other issues come in this category.

**Secondly**, article 21 was reinterpreted to make the life and liberty of the common man a reality. It is said in it that nobody can be deprived of his or her life and personal liberty except through proper procedure of law. Earlier it was considered that executive or government can deprive any of his life and liberty by adopting one or the other procedure. But in Meneka Gandhi's case it was held by the Supreme Court that procedure needs to be rational, best and justified. Every action of the government shall be rational enough. In every article of fundamental rights rationality is a precondition. Now it has become compulsory for the government to give legal aid to the poor so that the court can do the justice. Similarly undue delay in criminal cases is also not rational. So that is why prisoners of Bihar were freed without condition. For providing speedy justice to the people the Supreme Court can order to establish new courts and appoint more judges.

**Thirdly**, under this the judiciary has paid more attention towards the prestige of the individual. The Supreme Court has recognized the right of each individual irrespective of caste or class can file a petition in the court against the state government or government officials. In *Bombay pavement dweller and Sunil Batra's* case it was said that article 21 is not only with the physical protection of the individual rather also with the spiritual. Right to earn livelihood with human dignity is also included in fundamental rights. This means that cruelty, barbarity and inflicting brutal punishment to humans is not possible now. Though this is not mentioned in the Indian constitution, yet in context of the 'Universal Declaration of Human Rights' and the rights declared in the 'International Covenant on Civil and Political Rights' are included under human dignity. Adopting such an attitude in the issues related to *Agra Home, Delhi Nari Niketan and Airport Authorisation*, Supreme Court said that the equal protection of law under article 14 gives guarantee to everybody against autocracy. Supreme Court constituted a commission to look into the problem of Chamars of Uttar Pradesh and ordered the state government to bear the cost of the commission. Supreme Court said if the work done by chamar will be given on contract then the chamars will not get even the minimum wage and if wages less than what is fixed is given, it will be considered as forced labour under article 25. This decision benefited lakhs of laborers. Justice not only means legal justice but also social and economic justice as mentioned in the preamble to the constitution. So judiciary has assisted the state government in ensuring universal justice to the citizens.

Fourthly, Supreme Court has made it clear that the 'discretion' of the executive needs to be checked. State and executive means the public authority of every type. In *Kastutimal Reddi's* issue Supreme Court held the view that the bases of self discretion of the state shall be the 'Directive Principal of State Policy' given in 4th Chapter of the constitution which establishes standard for 'public interest'.

Lastly, though it has been accepted by the Supreme Court that to make law is not the function of the judges or courts but it can provide flesh and bones to the dry bones of law and this way it participates in law making. According to justice Bhagwati the judges are having the qualities of Aristotle and Plato. On one hand he establishes 'rule of law' and on the other hand he is the provider of justice like a 'philosopher king'. In a recent case the Supreme Court condemned the Haryana government which resorted to court case for putting a cut on the compensation to the wife of a person who was crushed to death by a government vehicle. Supreme Court rejected the petition and termed it as shameful. The government advocate gave the logic that as the deceased was an old man who could not earn so the wife does not deserve the compensation.

### **Reasons for Judicial Activism**

1. To put a check on the political system which is insensitive and always involved in the expansion of its power and vote bank, the judiciary has to play an active role.
2. Rule of law and principle of natural justice have always been violated.
3. People have always given importance to judiciary than the other organs of the government for the fulfillment of their aspirations and in this way they have shown their resentment against corrupt and insensitive official system.
4. Due to the irresponsible attitude of the undertaking companies of administration the judiciary had to play an active role.
5. Judicial activism has received great public support and it has shown its human face by providing justice to the deprived classes of the society.

### **A new emerging era or Judicial Activism**

The foremost objective of the republic was to provide social, economic and political justice to the people. But we have seen that the vested interest and our elected representatives and administrators proved

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to be exploiters and biggest enemies of public interest instead of protecting the rights and dignity of the people and providing justice to them. There were scams after scams and executive and legislature remained silent. This resulted into dissatisfaction among the people and great blow to democracy. As a result the judiciary had to assume a more active role.

There are four conditions under which the judiciary starts interfering into the jurisdiction of executive and legislature –

Firstly, when the government and the parliament fail to perform their duties and petitions are made to the judiciary for the protection of the rights and interests of the people and the conservation of law and constitution.

Secondly, when the government becomes so weak that it cannot take a firm decision in the face of any difficulty or inviting resentment of a particular class.

Thirdly, when in spite of being capable the government tries to use or misuse the judiciary.

Fourthly, when the judiciary tries to expand its jurisdiction due to human and institutional impairments, intentionally or unintentionally.

In Indian context, judicial activism is the product of judicial review. (Article 32 and 226 and 13(2)). A supreme court which is sensitive and sensible judiciary has resolved many problems of the people through public interest litigations. Public interest litigation is such an instrument in the hands of judiciary with the help of which the judiciary has succeeded in multiplying its activism. High courts have given many decisions for the protection of public interest and constitutional values and the establishment of rule of law with which the undesirable actions of the other organs of the government can be corrected. Unluckily, these good actions of the judiciary are termed as activism. In the *Keshvananda Bharati* case judiciary developed the principle of 'Basic Structure' and expanded it further gradually. In Delhi it participated in the ceiling act for ensuring public welfare and establishment of rule of law. The period from 1996 to 2000 can be called unprecedented from the point of view of judicial activism. Rampant corruption was targeted through public interest litigation. *Jain Hawala* case is one of them. The petition was filed by two journalists and two lawyers in Oct, 1993. The speed was slow in the beginning as the diary of the Jain brothers was very volatile. It is blamed that CBI did not make that diary public for two years. Then chief justice M.N. Venkatchaiya issued notice to CBI and government. Supreme Court made the director Vijay Ram Rao of CBI personally responsible and asked him to inform the Supreme Court regarding the progress made in the investigation of Hawala issue. In *Telecommunication tender* issue, such petitions were accepted by the Supreme Court in which the allegation was made that some private companies are being benefited at the cost of public exchequer and consumer interest. When it was complained by advocate S.S. Tiwari in his public interest litigation that lot of corruption is done while distributing houses among the government employees on control rates, then the supreme court issued notice to former ministers and 72 VVIPs to vacate the bungalows.



*Notes*

**Distribution of free food grains among poor people** – On 12<sup>th</sup> August, 2010 the supreme court ordered the distribution of the food grains laid in the FCI godowns among the poor people free of cost. When the government refused to do so, the supreme court said on 31<sup>st</sup> August, 2010 that government is not suggested rather ordered to do so. It was said in the court that 50,000 tones of Rotted wheat lay in the godowns and there is no proper arrangement to keep it. The supreme court issued such orders to solve the problem of hunger and inflation.

The government said that it respects the concern of the supreme court regarding the wastefulness of the food grains, the food grains cannot be distributed free of cost. It also said that the supreme court shall not interfere in the policy related matters.

The role of Supreme Court in the charge sheet of Hawala case shows the active role played by it in the matters of corruption. The Supreme Court had to interfere in the matters of 35, 00 million in 1992 in security scam, telecom scam of 300 million, arbitrary distribution of 8,700 government houses former union minister Sheela Kaul, as CBI did not investigate the evidence, left the investigation incomplete and sometimes it did not question the prime suspects in the matter. Due to increasing pressure of public the courts will interfere.

Many controversial matters against politicians came to the Supreme Court in the form of petition. For example, the Lakhhubhai Patel and saint Kits issue got a new life when in 1995 advocate A.C. Pradhan filed a petition against controversial Tantrik Chandraswami. On 14<sup>th</sup> Feb, 1996 the judges of Supreme Court, Kuldip Singh and N.P.Singh ordered the CBI to investigate the distribution of government houses out of turn between 1988 to 1994 on the basis of 200 complaints.

The judges got the impression that the CBI is trying to save the office holders and the court expanded its investigation role. The Supreme Court and high court felt that the CBI has failed to play its role so the judiciary had to interfere to deliver justice. High courts also followed the same path. Delhi high court appointed a new CBI team to investigate the Jharkhand Mukti Morcha issue. Similarly, the bench of judges of Patna high court i.e. Justice S.N. Jha and Justice S.J. Mukhopadhyay ordered the director of CBI i.e. Joginder Singh to stay away from investigation and not to interfere in the investigation of fodder scam.

Justice Verma forced CBI to check the diaries in which there is mention of the Hawala money given to the politicians. Justice Kuldip Singh dragged many ministers for illegally occupying the government houses.

The bench headed by Justice Verma has shown from its behavior that the purpose behind taking the work of investigation in its hand is not to capture the power of executive, but to make it realize its duty. When the CBI admitted the charge sheet in St. Keets and Lakhubhai Pathak case, Supreme Court itself decided to stop supervising the investigation. According to Chenappa Reddy, the former judge of Supreme Court said, "The courts took up the work of supervision of the investigation in its hands as the executive held a bad record of following its orders."

The orders of high court and Supreme Court that fixed that it is not compulsory for the government officials, administrators and police man to obey invalid orders; right to life includes the right to live properly, earn livelihood and right to education and it is the responsibility of the state to make arrangements for it, the patients can claim compensation if the doctors using negligence during treatment; election commission can derecognize any political party; judges are not under the government; the investigation in the Hawala issue shall be time bound; nobody can ask dowry during and after marriage. All these were necessary and inevitable steps.

The era of judicial activism which started with public interest litigation that shows that balance is tilted towards the judiciary that resulted into great disturbance in executive and legislature. But even this is true that the so called judicial activism failed to give any permanent solution for today's problems. So the executive and judiciary should learn to do their duty honestly. The judiciary cannot take place of either executive or legislature. Moreover, in today's special circumstances there is no use of judicial supremacy as judiciary can be effective and active only if the two other organs respect it and obey its orders. Ultimately the administrative machinery has to be resorted to for implementing the orders of the judiciary.

In conclusion, it can be said that in today era of judicial activism it is the judiciary only which is running the administration.

## **Self Assessment**

State whether the following statements are true or false –

1. Independent, impartial and influential judiciary is the basis of democracy and rule of law.
2. Public interest is not the necessary element of rule of law in a democracy.
3. Judicial activism has resulted into overloading of judiciary.

**Notes**

4. Supreme Court is the protector of the Directive Principles of State Policy.
5. Supreme Court has the right to hear appeals against the decisions of the high courts of all the states.

### **Judges are not the Government**

In 2007 Supreme Court warned the lower courts from crossing the limits. They should not try to become the electoral body. They should not try to make law rather get the laws obeyed. The court said the judges should be soft enough and should not work as kings.

### **Should not Try to Run the Government**

This comment was made by the bench of justice A.K. Mathur and justice Markandey Katju on 6<sup>th</sup> December, 2007 while invalidating the decision of Punjab and Haryana high court which ordered for the regulation of post of tractor drivers. The Supreme Court said that the judges should know their limits and should not try to run the government.

### **PIL as Source of Earning**

Supreme Court termed PIL as the wastage of time and a source of earning. The Supreme Court commented on the decision of Delhi high court on nursery admissions and encroachments. It is not for the court to see how the children should be given admission in nursery.

### **Limitations and Criticism of Judicial Activism**

- (i) Judiciary has encroached upon the jurisdiction of executive and legislature through judicial activism.
- (ii) Judiciary is not an elected body and in this context it becomes important that judiciary should not interfere into the jurisdiction of elected institutions.
- (iii) Judicial activism can result into putting obstacle in the implementation of governmental policies because judiciary is not having any special experience in administrative and technical field.
- (iv) Judicial activism has resulted into overloading of judiciary whereas it is already having so many pending cases.
- (v) Public interest litigation is no doubt an admirable instrument but now it has not only become an instrument of interference in routine functions and general administration but it is seen to become a form of obstacle in administrative works.
- (vi) It is clearly provided in article 50 of the constitution that judiciary and executive have to function separately whereas judicial activism results in representation without responsibility. While it establishes balance between judicial activism and without irresponsible authority.

### **Then Leaders will also Interfere**

If the judiciary will not exercise self-control then politicians will also interfere in the functioning of judiciary and will try to encroach upon their rights. Out of the three organs legislative executive and judiciary of the government, only judiciary has the right to tell the limitation of the jurisdiction of the three organs of the government. This unique right should not be misused.

- (i) Judicial interference is justified on the basis that executive and legislature are not functioning properly and the same blame can be put on judiciary also that for more than half century cases are pending in the courts.
- (ii) If the judiciary will cross its limits then electorate, legislature and elected officials will also start supervising the activities of the judges. If the judges will behave like administrators or legislators then it will be demanded that judges shall also be elected or selected and trained like administrators. It will be counterproductive.

- (iii) If executive or legislature is not functioning properly then the electorate shall vote in the favor of the candidate who lives up to their expectations or it should convey through demonstrations or other legal methods. Judiciary shall not be taking over the function of legislature or executive.
- (iv) Out of the three organs of the government only judiciary has the right to declare the limits of the jurisdiction of the three organs of the government. This right shall not be misused by the judiciary. If judiciary will not use self control then politicians will also interference in the functioning of judiciary and will try to limit its rights.

### **A Short Statement of Court**

- (i) The judges shall be in their limits and shall not try to run the government. They should not behave like emperor.
- (ii) It should not interfere in the matter of admission in schools and the condition of hospitals unless it goes worse.
- (iii) The courts should keep in mind that it can decision only within the preview of present law. It is not their function to make new laws.

### **Judicial Activism: Disturbed Critical Balance**

In the recent years due to judicial activism some of the judges not only gave orders to the government in regard to the improvement of conditions in prisons but also to local organizations and other agencies of the government. Mass media popularized them well and they were appreciated also but this appreciation is not unanimous. There is another aspect also which has been a critic of this ideology. Critics are of the view that the judiciary has encroached upon the rights of the administrative organs by giving such directions. It is also pointed out that the judiciary has no required skill and administrative specialty in administrative matters. Such decisions actually put the administrative organs in difficulty. Such decisions are not well thought of. The critical balance between the three wings of the government will be disturbed. Our system whose basic postulate is that administration of the country shall be run by the representatives of the people who shall be holding the confidence of the legislature and who are answerable towards the people during elections.

**Conclusion-** So in this way the judiciary took an active and legislative form equally contributed in the economic and social upliftment of the people. On one hand it made the prohibitive articles of the constitution as constructive or positive and on the other hand gave participation to every individual in public welfare issues, established the principle of legitimate procedure, adopted broader meaning of human dignity. In reality, the assumption that the functions of state or any public institutions are not above law and they can never be autocratic and opposite to human dignity, is a step full of courage. Supreme Court has also told that what the basis of 'public interest' is and how to use the conscience. Now it can be said that the supreme court of India has become unique and an institution of public welfare in comparison to the supreme courts of the world.

## **6.7 Summary**

- Judicial Review means – checking of the validity of the acts of executive and legislature means the checking of the constitutionality of the laws and administrative policies by the judiciary and declaring such laws and policies as unconstitutional which violate any of the provision of the constitution.
- Although the power of judicial review is given to the Supreme Court by the constitution by its scope is not that wide as it is in America. There are certain reasons for the narrow scope of the power of judicial review in India in comparison to USA.
- The basis of any democracy or 'rule of law' is independent, impartial and influential judicial system. Such judicial system should be simple, meaningful, economical and speedy. Justice delayed is justice denied. Unluckily India has inherited such a judicial system.

**Notes**

- In Indian context, judicial activism is the product of judicial review. (Article 32 and 226 and 13(2)). A supreme court which is sensitive and sensible judiciary has resolved many problems of the people through public interest litigations. Public interest litigation is such an instrument in the hands of judiciary with the help of which the judiciary has succeeded in multiplying its activism.
- The era of judicial activism which started with public interest litigation that shows that balance is tilted towards the judiciary that resulted into great disturbance in executive and legislature. But even this is true that the so called judicial activism failed to give any permanent solution for today's problems.
- If the judiciary will not exercise self-control then politicians will also interfere in the functioning of judiciary and will try to encroach upon their rights. Out of the three organs of the government, only judiciary has the right to tell the limitation of the jurisdiction of the three organs of the government. This right should not be misused.

### 6.8 Keywords

- **Review** – To relook into a matter; to investigate.
- **Judicial Activism** – Awareness against injustice, active regarding rights.

### 6.9 Review Questions

1. What are issues of public interest?
2. Critically examine the Judicial Activism.
3. 'Subordinate courts shall not cross their limits' Comment on this.
4. What do you mean by Judicial Review?
5. Discuss the reasons responsible for Judicial Activism.

### **Answer: Self Assessment**

1. True
2. Untrue
3. True
4. Untrue
5. True

### 6.10 Further Readings



*Books*

1. Bharatiy Loktantra – Rajesh Rawat, Shatish chaturvedi – Raj publication.
2. Bharat Main Rajniti – Abhay kumar dubey – Vaani Prakashan.
3. Bharat Main Panchayati Raj – George Mathew – Vaani Prakashan.
4. Loktantra Naya Lok – Arvind mohan – Vaani Prakashan.
5. Bharat Main Vikas, Loktantra aur Vikandrikaran – Chandansen Gupta – Rootlej Publication.
6. Bharat Main Algavad aur Dharama – Shamsool Islam – Vaani Prakashan.



**Notes**

## Unit-7: Federal System

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### Objectives

After studying this unit, students should be able to –

- Understand the Indian federal system.
- Will learn the federal and unitary system of the Indian Constitution.

### Introduction

The main question before the constitution makers was whether the format of constitution should be federalized or unitary and adopted the middle path on this question. The outside of Indian constitution is federalized, but its inside is unitary. In constitution India is known as 'Union of States' and in constitution where found some valid sign of federalism, there also shows around signs of unitary state dominance. The intent of constitution makers was the creation of federalized system in India, but nowhere in the constitution the term 'Federation' were used. But explaining the use of the word 'Union of States' in the place of 'Union', draft committee chairman Dr Ambedkar said in the constitution assembly, "draft committee used this word in order to clarify that though India is a union, but this union of states in any way due to lack of mutual agreement between the states no state has the right to be separated from the union."

Notes

## 7.1 The Nature of Indian Federal System: A Matter of Controversy

It has become a subject of serious debate among the scribes of constitution that the Indian constitution establishes a federalized regime or unitary regime. According to **K. C. Wheare**, "India is primarily unitary state and the federal features are nominal. Constitution of India is less federal and more unitary." According to **D.N. Banerjee**, "The structure of the Indian Constitution is federal but its inclination towards unity." According to **G.N Joshi**, "India is not union, but semi-union and there are certain signs of solidarity in it." **Prof. Sood** says that "India is a union however its legislation is different in many respects from the nature of true federalism." According to **Prof. Alexandrowitch**, "India is a true union however like other unions it has its own some wonderful features, false to say India is a semi-federalized." According to Norman D. Palmer, "Republic of India is a union and it has its own characteristics that have molded federal character her own way."



*Did u know?* The structure of the Indian Constitution is federalized but its soul is unitary.

As per **Dr Subhash Kashyap's** view the constitution establishes dual governance system. Governments are of two categories – government of the union and the governments of the constituent states. Despite these outdoor signs of federalism the keynote of the Indian constitution is solidarity." According to **H V Pataskar**, "We maintained the structure of the union, have made changes to their contents." **Dr. Ambedkar** said that "it is a federal constitution because it establishes a dual governance system, in which the federal government in the center and state governments within the limit which use the highest power prescribed by the constitution in certain areas."

Thus the nature of the Indian constitution remains the subject of dispute between the constitution experts. Even after the adoption of the Constitution the debate is not over. The objective of our constitution-makers was not to create a fundamental constitution but they wanted to create a functional and practical constitution. For this reason, he had taken such elements from the prevailing federal constitutions that he considered to be useful. **Dr. Subhash Kashyap** writes that "question that is often raised, the centre and the states were getting deteriorating relationship, Telangana state demand etc. and unitary system of the future. Here also we are victims of a huge misunderstanding and that is the Indian constitution federative or unitary. Do we call 'Federal' for such constitutional system under this system union parliament when required can change the name of the states, border, size, area, can split, pieces of their territory can share in neighboring states and through maps a particular state can erase completely, when required the representative of the state can end the government and any state or state rules directly can taken in their hand?"

## 7.2 Approaches for the Study of India's Federal Polity

The Indian political system has led to a debate about the nature, similarly, the federal nature or the more controversy about and the dispute constitution since 1950 has been the same since that time and the main point of contention is that federal Indian law or not. **K. C. Wheare** mainly the creator of this controversy because he expressed the doubt about this subject that Indian union is really federal. They were also noted in this connection that the approach can be roughly divided into two parts.

1. Legal and Structural Approach
2. Empirical Approach

As far as the legal framework is concerned with the question of approach, it can be said that the constitution is federal, however it is natural that the disagreement only about of federalism. **K. C.**

Wheare, Alexandrowitch and Dean Paul Epilabi major foreign scholars presents this approach. K. C. Wheare said that “the Indian Union is more in more semi-union.” Their study is based on the ideology of our constitution decrees. In contrast Alexandrowitch said idea of semi-union is defective or no association with the federal political system. Alexandrowitch’s view is that that the Indian Union is legally federal because the elements or traits are found in the federal system, they are found all signs of clarity in the Indian system, but they also believe that in India center is more powerful than states. By seeing the constitutional framework Epilabi stating that in India centre seems to be more powerful than states, but state’s power is also not less. He believes that if state doesn’t want to ensure implementation of the centre’s policies then the centre face many major difficulties to implement policies.

Statutory and conventional approach has been criticized on several grounds. **Firstly**, the Indian constitution ignores the formal dynamics of the constitution of Indian institution. Constitution is only a skeleton that is derived the life and blood from political parties. **Secondly**, due to the ignorance the internal legal system fail to comment on actual changes occurred under the specific partition of rulers. It is quite possible that with the process of changing realities the importance roles of centre and the states may change, so it is necessary to study the dynamics of centre-state relations. **Hawkki** and **Sharma**, for example, writes that “as against the Parliament and the Supreme Court a highly powerful entity rise as a central executive as a result of Union of Cooperative moral principles are becoming endangered.” **Thirdly**, stresses the conventional two-tier approach to statutory interpretation and ignores demands of sub national-sub-regional identities like Jharkhand or Uttarakhand. Moreover, the conventional approach, welfare, economic growth and egalitarianism as directed by the Constitution under the perspective of development in terms of strategy avoid the problems of the Indian polity.

Like political science the behavioral view has taken place of constitutional view in area of federalism. **Rikkar** criticizing the traditional approach as ‘highly ligalism’, and suggested that federalism, should be understood as ‘series of Phenomenon instead of constitutional matter’. The study of relation between states and center is the center point of behaviorists. Behaviorists studies based on the association to its practical aspect in mind. This type of study happens in the light of Political, social, cultural and procedural determinants. Thus the center-state relations studied as a dynamic process and regional and sub-regional tensions and by dividing authorities and as a result imbalance causes, consequences and measures to bring him to a state of equilibrium is in the frameworks. **Morris Jones, Marcus Franda** and **Ashok Chanda** had done practical study of the Indian federal system, particularly in the perspective planning Indian union. The authors hypothesized that the result of planning in India is not only the end of federal system but also extinct the parliamentary system. **Morris Jones** wrote that in India there are only cooperative federalism and in this cooperative federalism originates a sound a bargain. According to **Marcus Franda** in India, there is no form of federal system, but its pattern. In the context of the various states federalism has become a dynamic.

### 7.3 Federal Approach

Our Constitution—Makers aim was to establish a specific federal law. Formation of the Union of India is the culmination of a long historical process that was during the beginning of English rule. Morley-Minto Reforms, Montford Reforms, Simon Commission Report, Nehru Report and Initial stage of the process was the federal Act 1935. Dr. Ambedkar said about the formation of constitution in constitution making assembly that “the Federal nature of the Constitution, is which Central and state constitution is formed both by the source of power and authority and the Constitution. There is no one the constitution under other in their jurisdictions.” One of the authorities is complementary to the other.” He said that the constitution is highly Centralized and,” a serious complaint is based on Excessive centralization of the state became like munciple as contract. It is clear that this approach is only hyperbole... Federally system has the basic objective there should be a division of executive authority between Centre and the states which is rather the byproduct of a law passed by Parliament is the result of the provisions set forth by the Constitution.”

Notes

“It is difficult to understand that the Constitution central. It may be that Constitution, the legislative and the executive in the center are assigned to more extensive jurisdictions, the other Federal Constitutions were not provided... However, these virtues do not represent the key elements of federalism.



Notes

The main virtue of federalism the legislative and executive powers lies in the distribution of powers between the Centre and the States by the Constitution. This property has been formulated in the constitution.

So it is untrue to say that the states have been placed under the center.”

**Constitution**—Makers approach must have been federalized framework, but still hear the resonance of solidarity in constitution. However **Dr. S.P Ayyar** says that “federal centralization in India’s constitutional Law is out of framework.” But it must also recognize that the dominant elements of solidarity are present in constitution.

## 7.4 Federal Features of the Indian Constitution

Federalism is the system by which the powers of the state are split between two governments. These two types of governments are Central and state governments. **Finer** says that the federal government it is a regime in which power and strength that its first part is rooted in local areas and the second part in central organization. According to **Dayasi**, “the unitary state is a political creation, national Unity and Strength which protects the rights of states and two are reconciled”. **Garner** states that “the regime-systems are stable under the sovereignty of the central and local organizations, both types are definitive jurisdiction boundaries, and are commonly prescribed by the constitution and sovereign.”

In fact, the principle of federalism is related to the principle of limited government. Federalism established coordination between national sovereignty and rights of states by the means—i.e. called written constitution, which is written in the constitution, by which universality related powers is split between central and state governments. Then the root cause of federalism of Principle of division of power. According to **K. C. Wheare**, “the federal principle is the division of power in which the federal and state governments are in the same or separate manner.” Although in the Indian Constitution ‘ the term Association has not used, but in the above context definitions, it states that it is a union state. The In the Indian Constitution has major signs of federal system.

- (1) **Supremacy of the Constitution** – In Supremacy -written Constitutional is the first condition Federalism. According to Dayasi, “A federal state receives its existence by the document by which it was established. Written constitution is the supreme law of the federal state. In the written form of the Constitution, the differences in the federal cases are likely to be very low.” Compared to ordinary laws written constitutions are permanent. By the Constitution organization and functions of government of the Union and the States regarding the legal and constitutional basis and jurisdictions are fixed. Like the U.S. Constitution, the Indian Constitution has not been declared to be supreme constitution, although the Indian Constitution is the the writing supreme law of the land. Its provisions are binding on all governments can not violate the Constitution by any government. India does not have any power over the Constitution.
- (2) **Separation of Powers**— Like other associations the Indian Constitution is divided power between the Union and the States. This part of the Constitution is based on the inspiration of the union of Canada. But the concurrent list is additional which is motivated by to the Constitution of Australia. It is based on three lists of power -division.

- (i) **Union list**— There are 97 subjects in the Union List, the list is huge in all three lists. The major theme are — Defense, Armed Forces, Nuclear power, Foreign Affairs, Diplomatic representation, War and Peace, Post, Wireless, Telephone and Communication, Coin, Typing, Foreign exchange, External debt and India Reserve Bank, custom duty etc. Subjects who were lying in the customs union and the common interest of the whole country are required to provide a thread running. In the list mentioned lists only the Parliament has the right in Legislation.
- (ii) **List of States** — In the original Constitution, a total of 66 subjects were placed in state list, but the 42th Constitutional Amendment (1976), the state's four theme (education, forest, protect wild animals and birds and weight and measure) were diverted from state list to the concurrent list. There are some major themes-police, justice, prison, local self-government, public health, agriculture, irrigation and roads etc. State legislature has only the right to make laws in relation to matters in the State List.
- (iii) **Concurrent List**— This list contains those subjects whose importance are both in terms of the regional and federal. There were 47 subjects in this list according to the original constitution, but four subjects of state list and a new subject 'Population control and family planning were included in consument list by the 42 constitutional amendment. There are some major themes — criminal law and procedure, preventive detention, marriage and divorce, factory, trade union, industrial disputes, social security and social insurance, education, population, control and family planning etc.

Concurrent jurisdictions are kept under the theme of both the central and state. If the Central Government these issues has not state legislature can make law, but if the Parliament makes any law the law passed by state law, it will be zero. But there is one exception under Article 254 that the President has given permission concurrent administration of the State on, then this method will be applicable irrespective of Parliament.

Like Canada Residuary Powers in India are provided at the center. According to Article 249, the parliament can make law on motion of the upper law on any subject in the State List. According to the Article 250, in emergency Parliament can make laws on matters of state last. Similarly, according to Article 252 Parliament at the request of two or more states may administer the subjects of the state list.

- (3) **Independent Supreme Court**— To act as the guardian of Indian Constitution, an independent Supreme Court is also provided. By the Constitution, the Supreme Court and the High courts have also provided the authority to declare laws unconstitutional which are against the Constitution. Prof K.V. Rao says that, "the vision of the Constitution of the Soviet Union or Switzerland our Constitution is more Federal."
- (4) **State of the Upper House to House**— Indian Upper House of Parliament namely Rajya Sabha is the House of the States. It represents the states. Although it is true that it represents and not on the basis of equality, but on the basis on population.



Notes The system is fully compliant with the federal process to amend the Indian Constitution.

- (5) **Revision System** — Bills and certain amendments before submitting to the President for permission at least less than half the states' are required to obtain approval by resolution of the Legislature. If you do not receive the approval of half the state legislatures many important parts of the Constitution cannot be amended.

Based on the above facts, it can be said that the Constitution establishes a complete Federal system. According to **Payali** "that the Indian federal Constitution does not arise when there is no reason to raise controversy.

## 7.5 Unitary Features of the Indian Constitution: The Constitution Creates a strong Central Government

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The opinion of the several members of the constituent assembly was that the federative principles of the constitution have been cruelly murdered. According to **Mr. P T Chacko** "the constitution, which was made by the constituent assembly, its body is federal, but the soul is unitary.... all powers are granted to the Parliament and in practice no power had given to the state-the legislature. According to **P S Deshmukh** was of the opinion that "The constitution which was created is more of federative than unitary." According to **Mr. B M Gupta** "under the new constitution India will be decentralized unitary state not being federative state." According to **Prof. S P. Aiyar's** "The Indian constitution, which is similar to that of South Africa, if necessary, can be called unitary constitution, but in any case it should not say semi-union state." If analysis the Indian constitution and the political system is done then there are two types of unitary elements visible –

- (1) Unitary element present in the interior of the Indian constitution.
- (2) Unitary element present in outdoor of the Indian constitution.

**Unitary Features Present inside the Constitution**—Indian constitution makers were aware of the fact of the Indian history that in when the central government was weak in India then India's unity collapsed and had to be subjugated. Constitution maker did not want a repeat of history in India. So the constitution makers understood that it is better to create a more powerful central government to than to leave it on the Supreme Court judicial interpretation.

**Benjamin Skunfield** wrote that "The problem is obsessed with the Indian Union, is it has the economic and political problems and the narrow provincialism emotions whose solution indispensable to the proper powers of the Central Government." The following are the unitary elements of the Indian constitution –

(1) **Single Citizenship**—Dual citizenship is found often in federative constitutions. It is like in the United States, but in India citizenship is concerned with union and there is no citizenship of the states. Every Indian has equal rights in the whole of India. Although it is contrary to the Federative theory, but in terms of maintaining the unity of India it was considered necessary. **Prof. K V Rao** says the "biggest test of the state unions is that in the form of unit whether citizens are of the state or not which apply state laws exclusively. In terms of this our state is not in good condition than the autonomous states of England. We only have a single citizenship. In terms of this the status of our units is inferior to the level of United States."

(2) **The Division of Powers in Favour of the Center**—The division of powers in our constitution had done in such a way that the centre has been given more powers than the states. For example, a major thrust by the constitution is kept in the Union list. 97 subjects are kept in the union list and only Parliament can make laws. There are 52 subjects in the concurrent list. The union parliament and the state legislature may make laws for both, but if there is a conflict made in the laws then union law is valid and the law made by the states is nullified. As far as the state list is concerned that the state Legislature may make laws, but in certain circumstances the parliament also can make laws on this. Centre has residuary powers also, not the states. Several members of the constituent assembly expressed their view that Dr. Ambedkar has given everything to the center. Constitution makers experience the inevitability of a powerful central government by seeing the country's current economic, political circumstances. **K.M. Munshi** said the obvious fact that "There were great days in India when had a strong central power in the country and they had the worst day, while the center was being weakened by the power of the provinces and it was getting disobedience." Constitution makers knew that today in the world the tendency is centralized governments and would be unfair to prevent the powerful union in India. Dr. Ambedkar clear said that "I am in favor of the establishment of the more powerful center than Act established in 1935."

This way the Indian constitution has built a very strong center. According to **Dr. Kashyap**, "97 topics in the union list and that are longest the three lists. 52 subjects in the concurrent list on which the Central

Government may make law whenever they want. In addition to this residuary powers also vested in the Central Government.”

(3) **The Same Constitution for The Union and The States** – Often states in the Union system separate from the Union Constitution, But in India under the Indian Constitution, the constitution of union as well as that of states are included with the constitution. Units of the Indian Union list the Swiss canton states like the United States have not the right to build separate constitutions.

(4) **Able to Change the Boundaries of The Central Government** – Union of American or Australian states boundaries of the unit states cannot be changed without their consent, however, according to Article 3 of our Constitution that Parliament has the right to (a) By separating the territory of a State, or any combination of two or more states to create a new state, (b) Decrease or increase in the areas of any given state, (c) To change State borders and their name. The President knows the opinion of the concerned State, but these ideas were accepted or not it depends on the will of the president.

(5) **Integrated Justice-System** – To act the laws the Union and the States in the Union system required dual Justice-System. In the Indian union acted integrated judicial system in place of dual judicial system as in America. After supreme Court the courts paviorgasi as pyramid form.

(6) **Unitary Governance in Crisis** – President in our Constitution has the right to declare of emergency Under the Article 352, 356 and 360 of crisis. Under 352 at the time of national emergency the parliament obtained the administration control and to make on all subject described in state list. The President can demand for approval, of Money bills during the financial crisis. Governor of the Central state Government in the constitutional crisis runs as state agent of central government, and at that time the Parliament has the authority to make laws for that State. The imminence of the emergency state autonomy units are part of a unitary state. According to Payali “the federal nature of the Constitution by the declaration of emergency is terminated and the central government is the paramount.” Emergency provisions enshrined in the Constitution clearly stated that in connection with **Hridaynath Kunzru** “It is likely that the states of these articles to be treated like they do with children a rural school teacher president.”



*Did u know?* According to Article 360; the President may declare the financial crisis and the financial control of all states may under it.

(7) **Integrated System of Important Issues** – In most union states dual law have Dual justice, Dual high public services, Dual auditing arrangements etc, but by the Indian constitution all are the important issues relating to the Indian Constitution, and required to maintain the unity of the nation, have been able to establish the uniformity. All India Administrative System and police services have been arranged the member of States appointed by chief administrative positions. By Rajya Sabha-two-thirds majority to pass a resolution the new All India Services can also be installed. Under the Controller and Auditor General of India the Indian Audit and Accounts Service are organizing which is a central service; It conducts expenditure and account works of union and state both. The Election Commission is appointed by the President which under its election of Parliament and the Commission also held elections to the state legislatures. Civil and penal laws are codified and apply to the whole country. Their consistency is maintained to keep them in the concurrent list.

(8) **Appointment of State Governors** – Appointment of Governors of the constituent states of the Indian Union is by the President. The governor will remain at his post till the pleasure of the president. Governors act as the representatives of the center. By the Governor of the State of the Union Government has complete control in every situation. This method of federally appointed governor is contrary to the principles. Interpersonal conflict in the Central or State devotion to position itself at the center would be pleased, whether the state will not have to sacrifice the interests of reasons.



**Notes**

- (9) **States economically and Debilitating Condition** – Financial terms of the State Government are dependent on the central government by the Constitution. Center provides different types of grants to the states. Due to the economic aid prevails over the states. In the absence of economic self-reliance the states become a nominal autonomy. According to Mr. Hridaynath Kunzru, “states financial autonomy shocked with the provisions relating to financial emergency.”
- (10) **States in Rajya Sabha unequal representation** – The higher House all small or Large states have equal representation in the world. There is not taken care of their size and population, but in India, the states are represented in the Rajya Sabha on the basis of population.
- (11) **Bill passed by state legislature for President approval** – Every bill passed by the state legislature becomes law with the approval of the Governor, but there are some bills that have to secure the approval of the President and make law only his approval.
- (12) **Good texture Constitution** – In the unitary system of government, the Constitution can be amended easily. There is no difference between constitutional and ordinary law, there are also many articles in the Indian Constitution can be amended by simple majority in parliament.
- (13) **Center V. State Prevention of differences** – Disputes between the Union and the States or two or more states is crucial to the Union’s position. Central government has Coordinating powers Central Government constituted Finance Commission, is an interstate and the Regional Councils. Center controls our the role of state government by the means of regional council. As the chairman of each regional council president appoints the President as a Union Minister.

**Unitary features outside the Constitution** – Nehru said that main works of India of my life work is the integration. It was natural, because India is going through the process of becoming a nation. Immediately after independence, the country’s leaders understood the importance of unity and the national or central government is to maintain and keep the sequence of the various elements of the country. Constitution of the discussion is the principle influences the primacy of the central government and in our constitution Connection or Upholding the unity of the state with the freedom and rights to different parts of the country to have been diligently. According to **Rejani Kothari**, “the main thing is that the method adopted for integration? There are two things in this manner. First, is that the government or the ruling Establishing and strengthening national unity party and government activities by. Second, is that the protection of rights and interests of the various elements of the country and recognition to include them in national life and political system. Primacy of the national government in India’s political unity and sense of play other interests and minorities agreement, these two are the sum of trends”

Despite constitutional provisions, the emergence and development of certain political elements in India’s political system is evident. In which the trend solidarity and centralized federalism has increased. Some of these elements are as follows –

- (1) **Charismatic Personality of Prime Minister** – Charismatic and influential personalities of India’s prime minister. The Prime Minister Jawaharlal Nehru, provided India’s political stability and national perspective. On his influence the personality of the leaders of the states seemed faded and a Chief Minister could not think of to oppose him. After Nehru, Indira Gandhi as prime minister had mainly continued the work. His personality was no less attractive, unique impact he had on the people of the country. Appointment of Chief Ministers of several states place by the prime minister’s desire, the leader had to renounce politics did not enjoy the confidence of the Prime Minister.
- (2) **One Party Dominance** – Politics of India moving around the congress. The reason of the primacy of the Congress government to have power in his hands, and his leadership is dominant. At the same time the organization has access to the public. Both the powers of government and public access to roots of his primacy. From 1947 to 1967, the governments of the Congress Party ruled at the Centre and the States. Again after 1971, almost all of India’s Congress Party was founded monopoly regime. So many differences and disputes resolved by Congress strengthened the organization was simple. After 1967 some states, were elected and ruled by non-Congress governments. Pro-Rejani Kothari says that “the non-Congress chief ministers and central accommodation proved much easier for

Congress, instead of Congress chief ministers, the Congress party and the central government was trying to interfere in the affairs, Because they consider themselves Not merely the chief minister, were also considered All India Congress leaders.”

Notes



Notes Check out the major functions of the Planning Commission.

- (3) **Planning Commission**— Planning Commission was formed in 1950. Planning Commission, in the context of the overall development of the country entrusted with important functions. Importance of Planning Commission provide as the prime minister is the chairperson of the Commission and to make its operations more effective in, some senior ministers Central ministry are also related to the Commission secretary. The Planning Commission has expanded its operations, virtually all areas of the administration except defense has become a major deciding factor in the future development. March 15, 1950, a proposal was made it very clear that the Commission would essentially an advisory body to the government on matters of economic planning. Its function is to make its recommendations, in practice the Commission has been particularly affected both the Constitution and the rule. Ashok Chanda said Commission, the “economic ministry”

Due to importance of State governments mostly dependent on the Commission for financial counseling and financial assistance. **K. Santhanam** wrote that the entire planning system “of state autonomy in all matters of policy and finance given as a shadow.” **Grenvil Austin** writes, “At the time of the creation of the Constitution there was no clear idea of how the plan will affect the federal system. At this point it was not in assigned, the Planning Commission will be more important the Finance Commission. There is no evidence that the constitution maker had guessed that the planning system would give a too in federal system but it has been made clear by the of time under the Indian federalism planning has which has become a centralised impact.

- (4) **National Development Council**— As in the Planning Commission ‘National Development Council’ the most influential body economic policies of the country in determining. Like commission this council is also not a product of constitution. The goal of the National Development council is to maintain consistency between the Central Government and the State Governments. A plan produced by the Planning Commission and approved by the National Development Council becomes an official program of development. For this reason, Santhanam said it an “Indian union is the Supreme council of ministry,” Decisions regarding the decisions of states planing now plans to go to National Development thus Council Status of the equivalent to the agent of Central Government.

After 1989, a series of coalition governments in India began. Minority and Coalition governments led by the prime minister are usually weak and after Jawaharlal Nehru and Indira Gandhi again there is no prime minister with charismatic personality. The end of one-party dominant system, and states there was reins of power in the hands of regional parties. Karunanidhi, Chandrababu Naidu, G K Moopanar, Mulayam Singh Yadav, Lalu Prasad Yadav like several senior leaders became the regional king makers. Planning Commission’s role began to reduce in the era of liberalization. 24 teams made up the reins of government in the center of the National Democratic Coalition and the insertion 12-party coalition United Progressive Alliance (outside support of the Left Front) came at the hands of the central regional leaders and the regional parties. Due to increasing supermacy of regional leaders and parties in conducting central government country going to the way of establishing of true federalism system.

## Self Assessment

Fill in the blanks—

1. Our Constitution maker actually wanted a ..... and ..... Constitution.

- Notes**
2. Literally, the principle of federalism is concerned principle to the .....
  3. The first condition of the written constitution is .....
  4. In federal system to apply the laws of union and state required dual .....
  5. In Unitary governance system ..... can be done easily.

## 7.6 Summary

- The format of the Indian Constitution, has been the subject of controversy among experts. After the adoption of the Constitution, it did not end the dispute. The air of Our Constitution-makers did not to create a fundamental constitution but they wanted to make a 'temporary' and 'practical' constitution.
- The view of constitution makers are to establish federalist structure but in constitution the soul of solidarity is felt.
- Federalism is the system by which the powers of the state are split between two governments. The two types Governments are formed that is-Central and State Governments.
- Federalism establishes coordination between national sovereignty and rights of states by the means – i.e. called written constitution.
- Dual citizenship is found in almost unitary constitutions. It is like in America, but in India the relation of citizenship is with the Union and the States concerned do not own a citizenship. Every Indian has equal rights in the whole of India. Although it is contrary to the federalist principle, But in point of view to maintain unity of India it understood essential.
- The division of powers in our Constitution so that the center has been given more powers than the states. For example, a major thrust by the Constitution is kept in the Union list. In Union list 97 subjects are kept and the only parliament can make laws. There are 52 subjects in the Concurrent List. The Union Parliament and State Legislature both can make laws, but if there is a conflict of laws made by both the central law is valid and the law is nullified by the states.
- Often in the Union system Constitution of states are separate from the Union of India, But in India under the constitution of India with the constitution of union the constitution of states are also included. Units of the Indian Union and the Swiss canton states like the United States have the right to build separate constitutions.
- Constituent states of the Indian Union, the governors are appointed by the President. Governor President remain is in their post till the president wants it. Governor acts as the central representative. In this way of the Union Government has complete control on the states in every situation by the Governor. This process of appointing Governor is against the principles of federalist.
- For resolution of disputes between union and state or between two or more states the position of union is important. Central government coordinating powers. Central Government has Finance Commission and the interstate or Regional Council.

## 7.7 Keywords

- **Statutory** – by law, Legally
- **Union Catalog** – List of union law-related making powers.

## **7.8 Review Questions**

Notes

1. What is the controversy about the nature of the Indian Union system?
2. Describe the different approaches of the study of federalism in India.
3. Examine the federal characteristics of the Indian constitution.
4. 'Powerful center has been established by the Constitution'. Describe unitary features of the Indian constitution in the context of the statement?

### **Answer: Self Assessment**

1. Functional / practical
2. Limited government
3. Federalism
4. Judiciary
5. Constitution Amendment

## **7.9 Further Readings**



*Books*

1. *Bharatiya Loktantra – Rajesh Rawat, Satish Chaturvedi – Raj Publication.*
2. *Bharat Main Rajniti – Abhay Kumar Dubey – Vaani Publication.*

Notes

## Unit-8 Indian Federalism in Practice

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### Objectives

After studying this unit, students should be able to –

- Understand practicality of Indian Federalism
- Understand the determinants elements of the Indian Federalism
- Understand the reason of establishment of a powerful Central Government
- Know the paradigms of Federalism in India

### Introduction

In the sense of autonomy Federalism is confined and in which units of sovereignty has no place. In India the States have large regime of nation. Though they depend a lot on the Centre for economic resources, yet the States assert their rights and aspire to indulge all the more in the nation's administrative work. In India, the State government and their officials are responsible to carry and implement government policies and development programs. It is observed that the State government exerts pressure on the center and has always been successful in convincing and proving their point. The State has infiltrated in the areas reserved for center and established trade associations with other countries. For example, West Bengal Chief Minister Dr B. C. Rao through his State had established foreign trade firm

agreement. Paul Appleby observed that Indian Constitution is governed mainly by the State and for the implementation of planning too the center depends on the State.

Notes

## 8.1 Indian Federalism in Practice

Along with a change in the political conditions of India, the nature of Federalism is also undergoing a change. With the perspective of the changes in the principles of Indian politics, the Indian Federalism can be portrayed in the four ways—(1) The era of Central Government (2) The era of Co-operative Union (3) The era of Unity (4) The era of Bargaining

**(1) The era of Central Government**—from the period 1950–1967. During 1950–1967 can be said 'Era of centralised Federalism, the Indian politics was termed as the era of Nehru. In this Centre and State had harmonious relations and never had any violent clashes. Thus the political principles helped in flourishing the centralisation attitude India. Nehru, Patel were the leaders in the Centre. Centre and States were run by the Congress administration; hence any disagreement would get sorted at the notch of the party's organization. Any State or any leader would never dare to create discord against Nehru's leadership power and his personality. Planning commission and National Development Council were acting as 'Super Cabinets' to bring harmony amongst the State and center due to the predominance of one contingent progress work was not being challenged. During this period due to strong attitude of centralisation Indian Federalism acted as tools to accomplish the double aim political coordination and economical developments.

**(2) The era of Co-operative Union**—According to **Seethalvad** stated that after the quarterly common elections (1967), the balance of powers instead to the State. Congress congregation was lost, personalities like Nehru did not exist in center and in National Development council many Prime Ministers of different parties started making their voices felt as oppositions in the Centre. After Nehru, chief ministers had the reign and they mesmerized the Centre with their powers. In 1969 Congress split and in Lok Sabha they became a minority, thus the demands of the State had to be accepted for the Centre leadership. The elections of 1967 witnessed violent turbulences on personal statutory relations between the union and State. Many States had non-Congress as ruling party. These parties did not want to stay under the set limitations like the Congress government would stay. Every State wished that the Centre must establish Industrial park in their respective territory. Language became a source of conflict. The central reserve police force and appointment of Governors for States became a topic of controversy.

Amidst controversies between the Centre and State, however their association led to the initiation of "Co-operative Federalism". The Co-operative Federalism's main characteristic is the dependence of the Centre and the government of other States on one another. In such an arrangement the Central Government is powerful but so is the State government. After the fourth common elections, Prime Minister Shrimati Indira Gandhi was able to gain the trust of non-Congress chief Ministers namely Shri Annadurai of Madras, R.N Singh Deo of Orissa, Charan Singh of Uttar Pradesh and Gurunam Singh of Punjab. In times of need these Ministers would approach her for advice. Rajani Kothari states 'Those who feel that creation of different party reigns in a State breaks the parties principle, probably have forgotten the relations between the Congress and opposition party leaders and disregard that the Indian principles have a problem to accommodate new leaders and parties.'

**(3) The Era of Unitary Federalism**—After the fifth parliamentary election of 1971, assembly elections of 1972 and January 1980 parliament elections and later Assembly elections two facts emerged – **firstly**, in Indian politics Shrimati Gandhi and Sanjay Gandhi are the only accepted leaders and **secondly**, only Congress party can lead the public. Thus, the powers shifted into the hands of the Centre. There were rapid amendments in the Constitution with a belief that India is presenting unity. Till June 1975 to March 1977 Indian States have changed into unity state whole powers were now with the Central government. The position of the State Chief Minister became like the commissioned officer of the Central Government. In times of emergency the Chief Ministers would keep hopping between their States and

**Notes**

Delhi. Congress leaders like Shri Bahuguna and Nandini Satpathy had to step aside on an indication from the Central government. President administration began in January 1976 in Tamil Nadu and in March 1976 in Gujarat. Dravida Munnetra Kazhagam in Tamil Nadu and Janata Morcha in Gujarat obtained administration. After the Parliamentary election of January 1980, the Central government withdrew non-congress organizations from nine States. It was felt as if the country is again moving towards single party reign.

**(4) The era of Bargaining** –The sixth common elections consequence on the Indian Politics led to a huge transformation. The Centre housed Janata Party reign and in other States too different parties emerged. The Janata Party ruled Uttar Pradesh, Bihar, Madhya Pradesh, Orissa, Delhi, Rajasthan, Haryana and Himachal Pradesh. Similarly the Janata Party and Akali Dal ruled in Punjab, Marxist Party in West Bengal, Anna Dramuk in Tamil Nadu and Pondicherry, National Congress in Kashmir, communist Party leadership front in Kerala, Congress in Karnataka and Andhra Pradesh. The Central government of Janta party was weak as compared to the alliance made by different components. Thus, the State government aimed to make constant merchandise. Even certain illegitimate public State government advocated autonomy. On the distribution of fiscal hymns, the Marxist government of in West Bengal constantly pressured the Central government and also tried to talk in terms of negotiation.

1989-2009 election indicates that in India federal system's 'Bargaining model' is working. The Central government formed under the leadership of the following respective leaders Vishwanath Pratap Singh (1989), Chandrashekhar (1990), P. V Narsimha Rao (1991), Shri H. D. Devegowda (1996), Shri Indra Kumar Gujral (1997), Atal Bihari Vajpayee (1998 and 1999) and Dr. Manmohan Singh (2004 and 2009), were all minority government and they had to depend upon powerful parties of thriving in various States to survive. In many States, the regional parties governments are in charge and the Central government thrives on them and they bargain with the center on many issues with no hesitation. At times Karnataka would demonstrate concern over the Kaveri river dispute and sometimes Anna Dramuk government of Tamil Nadu would call a bandh. On the Almatti Dam issue the chief minister of Taminl Nadu indulged in a bargain with the Center due to which the position of the immediate Prime Minister H.D Devegowda weakened. The parliamentary elections of Februaury 1998 observed that none of the alliances received clear votes and the claims made by the BJP leader Atal Bihari Vajpayee faced a tremendous blow when the Anna Dramuk leader Jayalalitha put forth certain terms in the support of their net recovery: Kaveri Tribunal Verdict implementation, nationalization of all rivers, 33 percent reservation for ladies and the eight sechudule that all languages be given the honour of official language of the nation. Biju Janata Dal demanded that Orissa be titled as the special honoured state while Jammu-Kashmir's Chief Minister Farooq Abdullah dare to challenge autonomy. Mamata Banerjee grabbed a 'Special Package' for West Bengal while Chandra Babu Naidu seized the position of a 'Speaker' for his party. After the May 2004 elections, the Congress had to pay a price for reserving seats in the Centre by handing over the reign into the hands of their partners. In the Centre, instead of endorsing the Congress there was great bargain with the other partners. In Bihar it had to depend on the grace of Rajad, in Maharashtra on Rakanpa, in Andhra Pradesh Telangana National Council and during the President-Vice-president elections, Mayawati had to give concession in Uttar Pradesh instead of BSP support. In the April-May 2009 elections, Congress won 206 seats while the parties supporting the UPA government got a volley and there was a hope that the Prime Minister shall select members without any force, but the Dramuk and National Congress's behavior was very heartening. For the post of ministers and departments in mind, the alliances unions created pressure which was immoral. Congress's main supportive party Dramuk were persistined T R and A. Raja to include of the cabinet. However their demand was not accepted so they decided to enter the government via outside support. Prime Minister did not want to take both of them.



*Did u know?*

The trend of supportive units of posing pressure on the post of a minister and special department is a weakness on the part of UPA government.

**India Today (25 August, 2010) wrote**—After 1989 in Centre, it was seen that no party without the support of regional parties could form the government. After the discrepancy of 1990, the past 12 years have observed that the Centre's under the BJP and Congress leadership have maintained stability. The principle of their stability is give and take. The Central government is at the giving end while the State is at the receiving end. With the times both these parties have learnt to accommodate with the regional nationalism. Let the Telugu Desam Party launch Rajag government or let there be Dravida Munnetra Kazhagam or let existing UPA government get the support of Dramuk and Trinamool congress. However these two parties have cleared that complete support is rendered.

Writer and analyst **Ramchandra Guhasays,** "Politics is neither good nor bad - most of them hope that the witnesses of the minority government alliance must together and negotiate. The issue arises when the main party is so weak that it cannot withstand the pressure created by small parties' ministries"

## 8.2 Is India a True Federation?

Indian Constitution's federal government's all signs match but with all perspectives in consideration it develops a unified system. **Dr. Krishna Mukherjee** called Indian Constitution as non-federal and unanimous. **Dr. Subhash Kashyap's** opinion "In reality, Indian Constitution has created a very powerful Centre."

In spite of all these comments Indian Constitution is not termed as a Constitution that brings about a unanimous ruling system. Actually in Indian Constitution some unanimous signs have been evolved to reduce the short comings of the federalism. At the time of the formulation of Indian Constitution there were many disruptive activities that inspired the founders of the Constitution to make arrangements for unity in India. Granville Austin coined the Indian Constitution as 'Co-operative Federalism'. **Ashok Chanda** in his book '**Federalism in India**' has written that "Many learned men have named the Indian Constitution as semi-federal, but have not taken efforts to explain its gist; Constitution can either be federal or unified." **Prof. Payali** has written that "The main point is that the Indian Constitution is not just one government but on the contrary 29 governments in short 28 State governments that is one single Federal government. In administration such divisions are possible even under federal system."

Federal system is prevalent in America, Australia, and Canada etc. as they needed Just because India has not imitated the Federal Organization of the above mentioned countries does not mean that Indian does not have a federal government. Every country has its own circumstances. Thus, Indian circumstances made it compulsory to build a powerful Central government. So it will be mistake to say the Indian constitution is basically unefied and the federalistic element are found extinct there. Indian constitution is unfied because distribution of legis, lawre, administrative and financial powers have done and without ammendment in have done and without ammendment in constitution increment and reduction can not be done of power of center and states.

## 8.3 Why did the Constitution Create Strong Central Government

With the following aim in mind the Indian Constitution created an extremely powerful Central Government—

**(1) The powerful Central Government is an indication of Indian unity** - Right from the British rule, in India existed a powerful Central Government. Although the statute of 1935 by the British began Federal Government in India, however the provinces were under the control of the Central Government. Almost hundred years of Indian history depicts a powerful Central Government. Thus it was obvious that the creators of the Constitution made sure that the Central Government is powerful. Secondly during the independence struggle Indians had a unique sense of unity amongst themselves. Residents of Gujarat, Maharashtra, Madras and Ganga- Jamuna regions had developed feelings of brotherhood for one another. Thus when an appeal was made to the Constitutional Assembly to make the Central Government strong, the members did not oppose the request.



**Notes**

**(2) The Central Government acts as a medium to maintain unity in India**—A powerful Central Government not just depicts Indian unity but also protects it. When the Constitution was being formed, some regions of the nation had communal riots. There was a fear of armed rebellion in Hyderabad and Telangana. The members of the constitution were aware that to put an end to communal, religious, racial and regional war and to maintain independence in the country requires a powerful Central Government.

**(3) A question of complete Indian progress**—It was understood that to make the economic progress of entire nation needed a strong Central Government. It was a question of progress of lakhs of Indian villages, the sketched plans on industrial development and farming progress for improving agriculture irrigation plans were needed. To make these plans a success it was necessary for India to be in unity. The members of the Constitutional Assembly were aware that until the Central Government becomes powerful the economic development of India was not possible and also the five year plans would not succeed.

## **8.4 Determining Factors of Indian Federalism**

The determining factors of Indian Federalism can be divided into four parts—

**(1) Political Determinants**—The existing principles of Indian politics determine the nature of Federalism, in Politics the principles are— (a) The personality of the Chief Minister is influential or feeble. (b) In the Central Government, the personality of the Prime Minister is influential or feeble. (c) In the Central Government there is equal pivotal system or alliance administration. (d) In the State there is single-party command or alliance administration. (e) From the State point the party has unity or corrupt and mud flinging attitude. (f) In the Centre the Authoritative party has a majority or it depends on other parties to carry out their own rule.

**(2) Social Determinants**—In the implementation of Federalism in the State, especially social system and political culture plays an effective role. The main social determinants are - (a) Does the State have predominance of a particular community or not just one community dominates but many communities are almost the same in number. The states with single community dominance are in a position to bargain with the Centre in a better manner than compared to other states. (b) On the basis of language the State has the potentials to bargain. In those states where a single regional language exists are in a better position to bargain as compared to the states with multi-languages.

**(3) Geographical Determinants**—(a) Strategically speaking, the boundary states play an effective role than the other states. (b) Bigger states with large population have high potentials for bargaining.

**(4) Economic Determinants**—(a) Economic planning is Federalism's main determining element. (b) From the farming and agricultural point of view developed states have high potentials. (c) The states that manufacture raw materials play an effective role.

**Dr. B. R. Purohit** states that 'Generally, every administration system is afloat with its social, cultural, historical and national idols. The governance of America, Australia, Canada and Switzerland is an example Indian administration system is not an exception for this rule. On a positive note, it is right to say that the assessment of the nature of Indian federalism owes to the Indian social, cultural, political and historical factors have played a creative role. In India existence of multi languages, regional and religious disparities, before 1947 in India the Hindi-Muslim political lead issue, the rule of the kings of the nation, the partition of 1947, the business experience of the other organizations of the world etc. such ecological factors which determined the nature of Indian union administration.'

## Self-Assessment

Notes

State whether the following statements are True/False –

1. Often in Federal system the states assembly are separate from Union.
2. Indian Constitution has constructed the weak Centre.
3. Co-operative Federalism means acceptance of the mutual collaborative attitude of State and Centre.
4. Indian Constitution provides a strong position towards the units of the Centre.
5. Single citizenship is found in Indian Federal system.

## 8.5 Models of Federalism in India

The three models of Federalism are – (1) The Model of Co-operative Federalism, (2) Model of Bargaining Federalism and (3) The Model of Unitary Federalism in India.

### (1) The Model of Co-operative Federalism in India

The Federal administrative system not only brings in two independent governments by dividing government powers but also in two types of government and administrative system, a co-operative system can be brought in due to which in stratified regions administration runs effectively and neatly. Such cooperative administration is required because both the governments have similar relations with political system and their aims too are same. The Federal political system has many stages that it diversity and maintains the autonomy of its diversity and also makes inter-regional relationship mandatory. **Dr. K. C. Wheare writes that** “If every regional government is completely confined then the full political system in case of many issues, different rule and regulatory system will bear losses and regional government will be hampered because of not experiencing the benefits of one another. That’s the reason in every federal system at end either a co-operative system or in the Constitution itself such systems are formulated or else these co-operative organizations develop in form of tradition”

The study of Federal system in America, Australia, Canada and India indicates that in a Federal system co-operative features reside. In Australia the annual gatherings of the **Inter-Provincial Conference, Premiers Conference and Loan Conference**, in America the **Governor’s Conference**, in Canada **Dominion Provincial Conference** etc are various mediums of cooperation between the Central and Regional government.

**A. H. Birch** coined the Indian federalism as a Co-operative Federalism. In such a system Central government is powerful but the State governments to in their regions are not weak. The main feature of such a system is the dependence of both the governments on one another.

The meaning of **Co-operative Federalism** is that our constitution gives more stress on mutual cooperation between center and states cooperation. The founders of the Constitution gave rise to such a federal system that led the Centre give appropriate instructions to the States and if required dissolve the legislature and cabinet.



*Did u know?*

In India Federal, system presents a unique example reciprocal system of justice, strong mutual relation, and istablishment of constant relation between two stage government.

In India through Constitution organizations have been given a co-operative system so that an appropriate political environment can be established and for the maintenance of the entire Federal political system, acquired the breath of life and air. In India finance commission, Inter State Organizations, Regional

**Notes**

Councils, planning commission National Development Council, Chief Ministers and other ministers' conferences etc. are such medium which a symbol of stronger of co-operation. **Granville Austin** due to these systems coined the Indian Constitution as 'Co-operative Federalism'.

In modern age under difficult situations probably Constitutional system's strong co-operative nature prevents the existing federal system from breaking. Today's political person wants self-guidance, independence, conspicuousness and in many other regions desires mutuality in various areas. In these two misfit wants, self-existence is the only medium that presents a 'Co-operative league system'. The requirements of an economic growth, safety and commitment of international ego can be marked the stimulants of a co-operative nature in the federal system.

## **(2) Model of Bargaining Federalism in India**

The political parties make different governances in the Constitutional administration. The new experiences of political system of Asia and Africa have made the Western Federal models invalid. In Australia and American federal systems appear cooperative and strong due to the concrete party system of Federalism, however after the Second World War the established Federal system especially in the present States of Asia and Africa developed new models of party systems. In these States such parties developed those having two-stages nature. Out of these some parties on national level and many them on regional and provincial levels began to unite. In Federal system due to probability and opportunity many parties forgo national well being and perched on the hostile local well being waves take help of bargaining in politics. In such situations it is possible that the party that has a control over the Federal government establish their dominance on unit. In such conditions a bargaining time begins between the Central and Regional government. The State government and Central government both keep trying to gain a co-operative bargain with one another.

The federal system of India got many opportunities when in States the regional parties turned rulers and indulged in bargain. Thus, Morris Jones called Indian Federation as Bargaining Federalism. **Morris Jones** writes, "The question of project formation it seems to be a resolving factor of the cooperative federalism, instead we identify with Indian Federalism's strong composite bargaining." In reality, Indian Federalism always has such a nature. When in Constitution different regions are set for center and states the business between the two has a co-operative bargaining relation.

**Morris Jones** has written about the example of the process of making law – in the Constitution it is stated that if in the states' assemblies a law is passed will be sent to for the Governors' those who have been not been approved with the self reliance, sent back to assembly to reconsider. Further it is also said that regarding the wealth acquired by the government, all bills will must be sent to the President's consideration but the tradition is accured that before passing such bills they are scrutinized and sent to the Centre for their verdict and after that tend to the President for consideration that it remains as a formality. Some States initially only send bills related to a list of concurrent subjects to the Centre for their verdict.

The financial conditions are in the same situation. In the Constitution, the sources of revenue of the State and Centre and such sources are mentioned differently which are gathered by the union but it will be distributed amongst the States. The distribution of these taxes in the State and the Central government grants in aid will be allotted on which principles that will be carried out for this there is provision in the Constitutional to conduct independent finance commission every fifth year but many grants India are given outside the finance commission under the Act 282 that states "Any union can give grants in all for any public purpose". This grant has become main support of union planning. The result is that the planning commission became neutral and state has become irresponsible and is dependent on the Centre. The effect of this system is that the State keeps begging for wealth from the Centre and makes different plans to gain capital and the amount of money they receive would not arranged that amount money, because of they show severe loss.



*Did u know?* In the era of Nehru only some Chief Ministers were in a position of strong bargaining. Some leaders of States—B. C Rai, Kamraj, and Pratap Singh Kairon were so powerful that it was difficult to move them aside.

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When these leaders used to come for Conferences or for a meet with the Centre, they were totally aware that they were important in Delhi and that they were dependent on the Centre and the support from Delhi. During Nehru time too these leaders would not quietly accept the instructions issued from Delhi as if they were agents and also the bargaining terms and agreement they would keep across the Centre and would make sure that they are expected. After the 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> parliamentary elections the main leaders of regional position Chandra Babu Naidu (Telagu sesham), Jayalalitha (Anna Dramuk), Mamata Banerjee (Trinamool Congress), Navin Patnaik (Biju Janata Dal), On Prakash Chautala (Haryana), Karunanidhi (Tamil Nadu), Prakash Singh Badal (Punjab), Laloo Prasad Yadav (Bihar), Sharad Pawar (Maharashtra), K. Chandrashekhar Rao (Andhra Pradesh), H.D. Dive Gouda (Karnataka) provincial states started day in and out bargaining with the Centre. It is a fact that Laloo Prasad Yadav, a supreme ambassador on his figure strength pressurized the UPA government and in May 2005 to be desolved newly elected Bihar Assembly others abstained to form are leaded Nitish Kumar government to dividing in (LOKPA) under the leadership of Nitish Kumar. Laloo Prasad Yadav pressurized the UPA government with the help of his 25 members of parliament.

### (3) The Model of Unitary Federalism in India

The classic model of federalism is changing accordingly new model. This new model can not be termed purely as Federal nor can it be unified. It can be coined easily as 'unitary Federalism'. Through the study of development of federal system this political truth is put forth that in compare to the rights offered to the State Government the Central Government has developed their powers fastly. That's the reason "In comparison to Provincial Government, the Central National governments hold supremacy has increased because they started from nothing and they were given control of such important subjects that many Governments have to tackle with. The State governments are unable to keep their leading and independent regions due to difficult political scenario. The federal administration system's working has effected by many elements and many a times the Central and State government seems to have vanished."

The Indian unitary Federalism model can be seen in the soul of Constitution. Single Citizenship, a uniform law and order, All India services, through Centre appointment of Governor, President's rights on emergency, and dependency of State on the Centre provisions are the indication of unitary system. Besides this in practical, single party system, planning committee, Prime Minister's personality and work style represents unitary Federalism.

In Indian, in Congress monopoly the Centre and State for 44 years confirms this fact. Congress High Command or the Parliamentary board only just controlled the Central government but also the State government. Whether it is the question of selection of the State's Chief Minister or the selection of candidates for assembly election control and instruction were always of party High command were always apperoved. **J.C. Johari** states that "For conduct of federal system, the political party plays the role of a constitutional agency. When political party without ideralise conduct the national and regional government although formally in all manners even in federal system, it takes form of a unitary system."

### Conclusion

The most appropriate description of Indian federalism will be that its different forms have seen in different times. There is no one type of federalism in India but various bypas of federalism are there.

**Notes**

Even one time relation of center with states are being different. Sometimes these relations are tagged as 'Co-operative Federalism' or 'unitary Federalism' depending on the era of the opponent party system's 'Bargaining federal System'. However all the three attitudes the trio is existent on the federal system, but at times historical or outside episodes affect the dominance of any one that keeps it in a different grade than the other two.

"In 64 years of Independence, our republic has grabbed a real federal nature. Now the State use to decides the posture of Centre. The days are gone when more than 400 Parliament members of the ruling party and almost 90 percent respected Chief Minister's schedule decides the Nature of political economic conditions. The decision of the Centre was forced on the State...initially the Congress would claim the rights of making and breaking the government of states and centre and today's irony of destiny is Laloo Prasad Yadav and Sharad Pawar's like leadershanging over provincial regions."

## **8.6 Summary**

- Indian politics has been running around Congress. The reason of supermacy of congress is being the power of government in their hand and his dominant leadership of with this its has been reaching to the public. Thus the root of its supermacy is both the power of government and reaching to the public. Thus these two elements i.e. powerful government and public reach are the roots. Congress rule existed between 1947 - 1967.
- From 1989 the trend of minority and alliance government began in India. Generally, the leadership carried by the Prime Minister of a minority or alliance government is weak and then after the charismati personalities of Prime Ministers like Jawaharlal Nehru and Indira Gandhi are no more. A mixed dominant system ended and in States provincial rule took over.
- After the 1967 elections conflict arises between the mutual constitutional federal relations between the union. In mostly States government of many non-congress parties were formed. The constitutional government did not want a limited control like the regional government of the Congress party in the past. Every State desired the industries proposed by the Central government in their own region. There were fights over the question of language. The central reserve police force and appointment of Governors for States became a topic of controversy.
- 1989-2009 election indicates that in India federal system's 'Bargaining model' is working. The Central government formed under the leadership of the following respective leaders Vishwanath Pratap Singh (1989), Chandrashekhara (1990), P. V Narsimha Rao (1991), Shri H. D. Devigowda (1996), Shri Indra Kumar Gujral (1997), Atal Bihari Vajpayee (1998 and 1999) and Dr. Manmohan Singh (2004 and 2009), were all minority government and they had to depend upon powerful parties of thriving in various States to survive.

## **8.7 Keywords**

- Federal System – That system of administration in which powers are divided between the Centre and State.
- Unitary Administration – That administration in which there are a strong Central, single citizenship and judiciary.

## 8.8 Review Questions

Notes

1. Examine the working of the Indian Federalism.
2. Examine those reasons due to which a working Constitutional league developed a strong Centre.
3. Discuss the types of different models of federalism.

### Answer: Self Assessment

1. True
2. False
3. True
4. False
5. True

## 8.9 Further Reading



Books

1. Bharty Loktantra—*Rajesh Rawat, Satish Chaturvedi – Raj Publication.*
2. Bharat Mein Rajniti—*Abhay Knumar Dubey – Vaani Prakashan.*
3. Bharat Mein Panchayati Raj—*George Mathew – Vaani Prakashan.*
4. Loktantra Naya Lok—*Arvind Mohan – Vani Prakashan.*
5. Bharat Main Vikas, Loktantra aur Vikandrikarann—*Chandrasen Gupta – Ruthleys Publication.*
6. Bharat Main Algavad aur Dharama—*Shamshul Ilzaam – Vani Prakashan.*

## Unit-9: Bureaucracy

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### Objectives

After studying this unit, students should be able to –

- Know about Bureaucracy and its related concepts.
- Understand committed bureaucracy.
- Know about Indian bureaucracy and its politicization.

### Introduction

During British rule of colonization in India there was superiority of bureaucracy in administration. Since the British rule only Indian administration has remained mainly bureaucratic. Such a group of ICS

**Notes** officers was prepared who use to run the administration by using power and force. It was an honor to be a member of ICS. After independence another class of IAS officers came up who were considered to be very much skilled and competent in the running of administration. This bureaucracy ruled for past 65 years, held administrative offices and avoided democracy.

## 9.1 Meaning of Bureaucracy

Public Services are also called 'Bureaucracy'. A bureaucracy indicates the defects of public service. Generally this shows that officials of public services are suffering from red tapism and ignore public interest. Bureaucracy means a system in which the government officials start considering themselves to be the masters of the people in place of servants, ignore public interest, follow rules and regulations strictly and there is delay in the work. Actually, the methods of bureaucracy are heartless, mechanical and formal. They fail to identify themselves with the people and claim superiority. Finer calls it 'Rule of Desk'. In short, bureaucracy is an exclusive organization of efficient, trained and dutiful government officials in principles like 'Hierarchy' 'Unity of Command' are followed strictly.

## 9.2 Characteristics of the Indian Bureaucracy

Following are the features of Bureaucracy –

1. **Permanency** – Members of public service hold their offices permanently. They enter the service in their young age and get retired after a fixed age.
2. **Political Neutrality** – The members of public service do not take part actively in political part politics. They are not members of political parties; do not participate in political movement and elections. Their chief function is to implement the policies irrespective of the political party in power.
3. **Professional** – The members of the civil services are professionals. The chief function of the government employee is to do government service which needs general expertise whereas for technical and professional services particular technically trained officials are appointed.
4. **Hierarchy** – Public services are organized on the basis of the principle of hierarchy. Hierarchy means rule of high level person over the low level persons. It is a sequential organization in which lower level person are responsible towards high level persons.

Besides these principle features there are some other practical features of bureaucracy –

1. **Corruption** – Most of the administrative functions in our country are performed by employee of public service. The illiterate public depend on Patwaris, Gram Sewaks, and clerks of tehsil office and district officials for small matters. They have to bribe these people if they have to get fertilizers, loan from government banks etc. and if unfortunately somebody gets into the clutches of the police then only god can save him.
2. **Politicization** – High officials who seem to be politically neutral, actually they identify themselves with politics. They try to affect the governmental decisions by hiding their personal ideas.
3. **Redtapism** – Redtapism and unnecessary formalities are found in Indian administrative services. While believing in the formalities of the procedure, the officials they strictly follow the rules and regulations. As a result there is delay in the completion of the work and important decisions are not taken in time. While believing in the formalities of the procedure, the officials neglect the public interest. It leads to incapacity and inefficiency of the government employees by obeying formal his extremely. The officials go irresponsible and try to put their responsibility on others.
4. **High Egoistic** – Bureaucrats are vey egoistic. They think themselves to be the masters rather than the servants of the people. They are attaining high offices to rule rather than to serve the people. The bureaucracy after independence failed to identify themselves with the people of the country.



This can be very well seen in the villages that how less concerned are the bureaucrats with the day to day problems of the people.

5. **Avoidance of Specialists** – Indian administration is dominated by generalists. A special class of officials having liberal education holds almost all the administrative posts. Such generalist administrators hold different departments like finance, irrigation, electricity, transportation and education etc. If today they are district collector tomorrow they work as the secretary of education or cooperative department. In short they are 'Jacks of all trades but masters of none'.
6. **Three tier Service Structures** – Due to the adoption of federal system central services and all India services developed separately. There came into existence the three tier service structure of All India Services, Central Services and Provincial Services. These services were further divided into different cadres.
7. **Class Commitment** – In all the countries of the world the public services based on qualification are 'elite' and they cannot represent common people. In India where the society is bounded by caste, religion, region and language, there this group of administrators has assumed the form of a new class.
8. **Irresponsible Service Structure** – It became possible to give the role of rulers to the bureaucrats during British rule because British politicians lived in London and important officials were Britishers only. So it was obvious to give power to the bureaucrats and they shall be believed in. So bureaucracy became such a network on which public, law and politicians did not have any control. British government considered them as their representatives and Indians considered them as their rulers. Under colonial conditions whatever controls are there over administration they are not allowed to be developed. As a result public services became more of maser of law than the symbol or protector of law. It became irresponsible in the absence of control. The secretary of India who was miles away remained the sole controller in name only. So the legacy which independent India got as administrative services, irresponsible services was a major feature of that.



*Did u know?* In Modern times the role of policy makers is also assumed by civil servants.

### 9.3 Functions of Civil Services

Following are the main functions of civil services –

1. **Policy Maker** – Policy making is the function of ministers and parliament but practically it is done by civil servants. They are not only the advisors of ministers; being skilful they have also become the policy makers.
2. **Giving Advice** – Administrators are advisors to the political executive. Being trained in their functions they are specialists, and inexperienced ministers act according to their advice.
3. **Policy Implementation** – It is the function of civil servants to implement the policies. If the policies are not implemented properly and with full commitment, then even good policies are useless.
4. **Law Making Function** – Law making is the responsibility of administrators. All rules and byrules under delegated legislation are formed by civil servants. The draft of the laws is prepared by the administrative secretaries and on the basis of the logic given by them the ministers circulate the bills in the parliament.
5. **Semi-Judicial Functions** – Presently as a result of administrative law and administrative adjudication the administrators not only rule but also perform judicial functions.

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6. **As development Agencies** – In the developing country like India, where civil services represent the class of intellectual class it is obvious to expect that they shall be develop a new type of administrative system in economic development. When the slogans of welfare state and socialism etc. put pressure for fundamental change in the politics of the country then bureaucracy puts obstacles in that. As a result the problem of committed bureaucracy props up. In previous years the network of development of administration systems has expanded with a great speed. As a result administration has become politics in itself. Politics seems to be the partner in redtapism and bureaucratic tendencies. This new role and functions of the civil services in India are a great challenge for our bureaucrats. They can get strength by means of development administration, but if it failure in that then politics will put an end to all their historical features and they will become normal type of government servants instead of civil servants.
7. **In the form of Public Servant** – In democracy ‘public servant’ is not the name of serving indirectly. Following the ideals of the politicians is not the characteristic of a true civil servant. Developing democracy expects from them that public services shall identify themselves with the common people for the performance of their role. They shall be able to become representative services and general publics can understand the governmental policies. They shall be able to get their support and can become partners of the government in the formation of a new society by giving them training. To make ruler as rulled to do public construction work even same has happened in communist countries, but it is a new experiment in democratic system. If the Indian people services could not shield them for this task then their other roles also will remain incomplete.

## **9.4 Structure of Bureaucracy in India**

In British time Indian Administrative Services changed and evolved extremely at a faster rate. A major reason may be that both in terms of administrative and imperialism reform to the Indian public services was considered to be a key area in British. Macaulay, Islington and Lee Feruhara administrative services etc. the famous British Indian serious effort made to accommodate a specific framework and All India usual services still dominated by the Indian authorities, the results of these dignitaries intellectual concept. Long development of these services of reinforce the characteristics of loyalty and anonymous, neutral. In the history of Indian services in the year 1854 was the most important year that Lord Macaulay headed by the ‘Committee on the Indian Civil Services’ was formed. This committee was recommended for the I.C.S that as they modulate is the corner pillar of working system of Indian administrative services.

Around 1920, there were obviously three types of services in India:

1. The Central Services, which was in direct and permanent control the supreme government;
2. Imperial services, which were working under the preservation of the Secretary of State of India and
3. Provincial services.

The major goal of the imperial and colonial government was to maintain place and provision to collect revenue, so did not pay attention to Public welfare and development activities. His natural consequence technical and specialized public services neither of at central level nor could be developed at provincial level and If it could be anywhere emergence of specialized services then they had to be subordinate to other general services.

The Constitution of India Democratic all India Services viz. I.A.S; I.P.S services has decided stay to act as it and provision of these services under the Seventh Schedule of the Constitution of the Federal list and granted the right to Rajya Sabha that if all India Services to need to increase in the future then he can. Similarly, the Constitution also made provisions for the selection of these services UPSC at the central level and at the state level; each state will have its own Public Service commission. Simultaneously with the formation of these commissions constitution, functions and powers have also been discussed. Union Government, which administers 97 federal subjects and 52 subjects of the concurrent list operates, it has given right that he can build a new central public services as required. The history is much older so some

of these central services such as public services— defense, Railways, Post and Telegraph Department etc. After Independence, federal parliament building the all India forest service. In the same way the respective State Administration–Operations have followed the central government. He created several new cadres of respective states to specialist services. Independent Public Service Commission was established for the appointment of these services. This form of public services in each state individually, but his legacy of great assistance to the unitary nature to this organization.

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There is three All India Services in India at the present time, about 59 well-organized central services and a number of provincial first-class services.

**All India services**—(1) Indian Administrative Services, (2) Indian Police Service, (3) Indian Forest Service.

**Central Service Group 'A'**—(1) IRS, (2) Indian Railway Accounts Service, (3) The Indian Tax & Central Excise Service, (4) Indian Audit & Accounts Service, (5) Indian Defense Accounts service, (6) Indian Postal Service, (7) Indian Railway Traffic Service, (8) Military land & Cantonment service, (9) Indian Ordinance Factories Service, (10) Indian Information Service etc..

**The following services are often found in the states**—(1) State Administrative Service, (2) State Police Service, (3) State Audit & Accounts Service, (4) State Education Service, (5) State Cooperative Service, (6) State Employment Service, (7) State Prison Service, (8) State Commercial Service.

- India spends Rs. 70, 000 cr on a mob of government employees, but the mob has only lead to lethargy and corruption.
- 2 out of every 3 of organized sector employees are public servants.
- The avarage income for public sectors employees is Rs. 1,66,592 per employee while the country's per capita income amount is Rs. 25,788.
- The total losses of public sector enterprises id 1999–2000 were at Rs 52,550 cr.
- The common people often understands the bureaucratic system for providing services not rather than agent of exploitation.
- Government should be accountable and its size should be relatively small.



Did u know?

India spends Rs. 70,000 cr on the mob of government employees, but the mob has only lead to lethargy and corruption.

## 9.5 Minister-Civil Servant Relationship in India

**Rajni Kothari** told to bureaucratic, executive and political party as part of the same continuity as the fourth part of the government. Administration is an integral part of the politics, so that the political governments are expected to be in a position whereby they administer an effective instrument for the achievement of political objectives. The minister who is the political chairperson of administration and continually runs the day to day administration, that administration, bureaucratic and administrative procedures as a composite of all the activities of the responsible centre and plenty of democracy formats is prescribed by the relations of same minister administrator.

It is said that the control of minister on administration is not only necessary and useful but also a central feature which combines the administration to the rule. If searching the paradigm of administrative

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system in democracy of developed nation of the world then England, US, France can be accepting as a three different models. The nature of the administrative system has been constructed according to nature of the government

In these countries; Where in Britain the bureaucracy is neutral, anonymous and based on merit, there in the U.S., the semi-political expert, plan-based and is driven by high-level contracts. The system of France gives the central location to bureaucratic and considered it to be the politics of complementary. Hence, regarding minister-administrator in these arrangements prescribed by the administration of these specifications. Then, Parliamentary and presidential systems also contribute in this regard to operate. In fact, this relationship neither master-servant nor doctor-patient nor administrator-manager, but those relationship is colleagues of friendly, which are inherent sense of general subordinate.

Minister makes his department's administrative policy, determines the administrative structure, appointment of officers and employees of his department, solves the problems of work-status and disciplinry, monitored on daily administration. Coordination is his main rights and parliamentary control operates through the same.

Administrators or public-servant unlive minister, are the expert qualified, person, affordable, sustainable and non-political and person appointed, responsibility of the own work plays to parliament and public through the political minister. In India, where the British system of politics and administration is a being for long time, especially public-servant: immaturity their roles. Various reasons are in relation to the complications that have come since independence. Administration of the giant expanded, debilitated state of ministers, central form of administration, politicization of the passion, the administration of specialist counselors who joined a few things regarding administrators are some complications arise. Ministers are demanding that it administrator should be under so that they could be implemented their policies and their neutrality or qualifications should not make hinder in the path of political development. Similarly, after political development administrators to be ousted from its

Central positions, saying that meaning of political control means that administrators should not be political interference.

The slogan of administrative autonomy is saying irresponsible administration and similarly the matter of rigid control is being told the political chaos by the administrators. Thus control of the minister although administratively considered necessary and practicable, But this kind of problems that are born they are political. Administrators say that control of the minister breaks his neutrality, taps discipline them and making them susceptible to political interference is tending towards inefficiency and corruption. In opposite the minister is supported because without rigorous control of minister administrators do not comply with policy and become representatives of their own vested interests. In such a situation, they tend to slow the progression of democracy and move society toward political decline.

But what kind of controls and relationship should be? What should be its nature? Etc. Questions are always complicated. A.D Gorwala, Paul H. Apilabi, Ashok Chanda, administrative reform Commission and other organizations and individuals in this study are considered important, but still it certainly cannot be said that ministers and public servants is what type and how they should be?

Politician - bureaucratic relations depend on the following factors and circumstances –

1. **The Nature of Political Parties** – Minister is an influential leader of his political party. Some influence on the bureaucracy that would depend on how far it is organised and how far his ideology distinctly on different topics and how many recognition between the people? He is ruling with the support of various parties or have clear majority in the legislature.
2. **Ministry Position** – If the position of the concerned minister in the cabinet is effective and there is political support behind him so he will be proved influential among his secretary or other departmental officers, but the first powerful of the self-position of PM is needed.
3. **Social and Economic Factors** – Often a difference between ministers and public servants are due to their different social cultures.

4. **Condition of Public Servants** – From the studies Tamb, Kothari and shows that between politicians & bureaucracy there is neither a correlation for a target nor they have complementary relation. The bureaucracy is still based on old assumptions. Administrators understand that they are representative of a higher class education, and they understand the overall national approach and the public interest. Their social, economic, cultural and political status ties with the minister.
5. **Individual Characteristics and Goals** – Caste, religion, language, thought and background related unity influences greater cabinet and administration relations. The Indian ministers somehow try to bring their known administrators to rely on them. Administrators have their reasons which inspire them and for benefits of early promotion, appointment after retirement, economic benefits, appointments of known person they become follower of the minister.
6. **Policy Making Level and Type of Agencies** – Ministers and public servants relation depends on departmental policy or decision levels. At high level their relations equals and cooperation, at mid-level commandant-observant and at low-level masters-servants.

Prof. C. P. Bambri stated on analyzing the minister and bureaucratic relations and other events of national importance that while analyzing the minister said that bureaucracy dominates if the political situation of the minister is weak. Party leaders with powerful bureaucracy are compromised for mutual benefits. Bureaucracy made itself to fulfill the demands of Congress Party. Disaffected offended bureaucrats took help of the press, parliament and the opposition parties.

It was also felt that the power switch, inconsistent of governments, coalition, form and reason of ignorance of minister Bureaucrats tend to dominate. Coalition governments in Italy, France in 1967 and in India BJP government reflects the growing power of bureaucracy. To hide their undesirable relations before forming government the old documents are burned. The root is selfish nexus between ministers - Bureaucrats. The reason for the faulty perception was that a nexus or attachment must be full cooperation between them. The unity and commitment of politics makes politicized the bureaucracy or bureaucratizes the politics.

Prof. Bambri recognizes that India's bureaucracy interferes in politics directly or indirectly. "India's bureaucracy is not only neutral but also uses political powers beyond law. Many times it is seen that ministers cannot even control their departmental bureaucrats". Similarly, Prof. Shanti Kothari in the study of the relations between politicians and administrators at district level found that conservative attitude between "politician and administrator of the division of functions now not get to see it in practice".

According to **Prof. Bambri** immediately after the retirement, several high-level administrators become members of any political party and entered active politics and the fact confirms the assumption that "bureaucratism keeps interfering the Indian politics after independence". C. C. Desai, N. Dandekar, H. M. Patel Lobo Prabhu were active members of the independent party while they were all once on government high administrative positions. V. Shankar who played important role in the integration of the princely states with the Sardar Patel, with kings in the following days rebel against government policy. It is also said that after independence, many administrators have made relationship with the Congress party leaders and serve their entrusted interests. Recently Romesh Bhandari, Natwar Singh, K. R. Narayann, Mani Shankar Aiyar, etc. similarly came into politics.

According to **Morris Jones** ministers and administrators can cause complications in the relations of the administrator and minister, if the administrator does load-eating, and does each work for pleasing the minister, he does not do proper work by facing the minister and knocks the criteria of administration. No shortage of such officers in India due to their court vision is touching the legs of Ministers and by do not criticizing their fleet Damn it, too their misdeeds, he adds.



Task

Examine committed bureaucracy in the Indian context.

## **9.6 Committed Bureaucracy: Indian Context**

Committed Bureaucratic approach to the traditional approach related to the approach of committed bureaucracy i.e., “neutrality” The traditional virtue of public service is neutrality. Neutrality and impartiality is the main feature of the British public service. Under it there are three things – first, the public must be convinced that the Public Service is free from all political impartiality and coercion. Second, ministers have must believe that no matter which party comes to power, will receive the Public Service of loyalty to them. Third, public services, it is recognized that the basis of moral courage of public services is promotion or other award political considerations do not depend on actions rather depend on qualifications and competence.

Neutrality of bureaucracy politics in the Britain means that the function of politics is implementation of those policies are administered. Governments undergoes change, but are administrative officer permanent and the party comes to power, to implement the policies set forth by him. Soviet politicians were surprised when they saw that the ministry with labour party in the UK was the same administrative team which advised the Churchill and his associates.

The bureaucracy’s “commitment” can be two meaning, first, commitment towards ideals, policies and constituent commitment towards political party and politicians.

All the administrators want work efficiency, competence results - acquisition or production sectors they committed with total fidelity. Public administrator plane their unbiased idea related to the economic, social and political policies and when proper the policies to be fair idea of the loyalty to connect emotionally with. If the “commitment” is the same meaning then then there cannot be debate. Be committed to the original ideals of the Constitution may be objected that the administrators do? But the question is a real conflict in the area of commitment, that is, whether the commitment to a particular post can be turned off towards particular person? What is the name of commitment or administrators deliberately constrained to work according to a certain ideology can be? What is the meaning of commitment and aspiration to the will of their political masters to convert your thoughts to consult them only if they like?

## **9.7 Concept of Committed Bureaucracy and its Evaluation**

India is counted in developing countries. 62 years after independence the majority of our people an living in poverty and scassity. Concerned with the problem of unemployment our young people are getting frustrated. Nowadays unemployment and inflation have broken the back of the poor and the middle class. Throughout the imbalance in the development of agriculture and industry in the country is displayed. Three-quarters of the population is engaged the farm land and half of the national income is received, and this is also the raw material for industries, but not giving proper attention to them the overall economy has begun to waver.

India has unlimited potential in the country. There is no other nation in the world to India as skilled, trained industrial manever. Even if we are poor because it so wrong economic policies to be adopted or they are implemented incorrectly. Able to come into the category of developed countries despite all the means that it is an irony here so long yawning gap between the possibilities and realities. This is what an irony that on one hand we are skilled, enterprising infinite repository of human power, on the other hand, India’s poorest and most corrupt countries in the world is calculated. Today, 21.8 percent of the country’s population is living below the poverty line. Corruption prevailing in different countries by Transparency International Society of Salt The latest Corruption Perceptions Index survey, 10 per cent of India’s 2-7 and 71 of the total 102 countries in the list is the place. 6 lakh villages of our country drinking water is a lack and three thousand villages and 35 percent of the population is illiterate. If you are a citizen of this country abroad, he takes progress, because it is here that he left behind?

Our administration is responsible for all this too much. According to Prof. Dunham the words, “If our civilization is unsuccessful, it will be mainly due to the fall of the administration.” King’s actions

depend on the success or failure of public administration. Unnecessary red tape formality is found in our administrative services. British officers trained in the framework of the process of formalizing the confidence to follow the rules and regulations do with rigidity, resulting in the late completing works and can not be take, quick and important decisions. Beareaucracy make formalities their motive and continues to ignore the science of common people. Various administrative officer files "note" keep pushing trans-planting months and thus may not necessarily work on time ever. The administrators to perform common methods, mechanical, heartless and only takes formal. Excessive formality following machine like the Indian administration system and impair its ability to make decisions - What appears. The result is that the authorities do not like to bear responsibility, etc. of everything and became labitural putting responsibility on others. Walter Begot describe a daily routine of a young officers an entertaining manner mentioned how he comes to government jobs and bureaucracy gradually dominates on his mental nature as result of this he does not like to take any decision by themselves and "come hell so avoiding" the tendency to enroll. He writes, "Its fill out, but the transaction was usually wrong, plausible account, but weak and inefficient accountability at work." Of public servants is said that "if the fabric is cut, but the body does not know" that there is the tandancy of bureaucracy tends to function as a function of the content or substance is more important than the form.

It is felt that the last few years made sweeping changes to our administrative structure. The administrtrion should be make sensitive and make conscios towards public problem public administration. There shoul establish interactive relation between public representative and politicians and the implementation of policies the spirit of cooperation between politicians and administrators should be develope.

With respect to this December 1969, Mrs. Gandhi sought commitment in bureaucracy. The appropriateness of bureaucracy committed, he propounded. (i) Because India is targeting socialist framework of the administrative machinery there is need to change the government mechnary to become effective to implement socialist policies. (ii) Need revolution in India's administrative system, without which no any advanturous change can be done. Everybody who is responsible for the administration and progress the public service should be committed to its welfare. The should not only viewed to public as figures, but should be as merely human. (iii) Use a large portion of the funds under the schemes failed and this is the administration's responsibility. We are committed to the objectives of national and social needs require conscious bureaucracy. (iv) Elitist and conservatives led to the current bureaucratic socialist path and the line barely adequate to meet the requirements of economic and social transformation it. (v) A country for which centuries have remained stable and sedentary, which stemmed from centuries to complete in progress decades, the so-called neutral administrative machinery will not help, will form the barrier it. (vi) When I use the word "commit" I mean that they public administrator should be loyal towards the policy of the Constitution—Directive Principles and objectives.

February 9, 1970, Indara Gandhi in her speech at institute of Enginers said that "Recently on my statement that government employee should be committed" perhaps deliberately misinterpreted was thus that I want public administrator support my political ideology. On the contrary, I don't like political and flattere government employee system. Their job is to give impartial advice, but they should realize their commitment to the objectives of the state who have been sanctioned by parliament. They should have full confidence on every program that the administrative burden is upon them. An officer, whose faith is not active in secularism, can not solved communal problems. We should all be committed with the development of the country and welfare of the public is essential to our personal attachment. "

It is a fact the meaning working are of administration and working system in relation to public have been changed completely. The Indian public services must have evolved from Public Service of British rule, but with the freedom of the country fundamental of public service should be a change in perception, because in independent country the public administrators must intensely look after with desire and progressive activities of common man. Slow, sluggish and neutral from the needs and desire of public and values enshrined in the Constitution and commands can cause a threat to democracy itself. Administration, should be conscious and sincere and to be mindful of the implementation of the Directive Principles of the Constitution. The would not only committed with particular party but to

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the basic national goals and objectives have to be completely committed to make effective instrument of public service.

In fact commitment transfers bureaucracy as a means to achieve a definite goal but not as an attainable. There is several benefited of committed bureaucracy first, In this provision the public administration will work with more responsibility for to the policies of ruling party and their implementation that means they would not themselves separate from failure. So it will be inefficiency, indiscipline and will help to dissolve the state of torpor. Second, in the implementation of policies contained in its manifesto political leadership in removing the impediment administrators will be free. After the end of the charges between administrative leadership administrative leadership and political leadership will end of interruption in administration. By this system the monopolistic situation of higher positions second grade officer which are capable of administrative four would be posted at high position from the view of ruling political leadership would be posted at high position and officers of all India services can be said to go to second grade post for a developing country like India, the social, economic and political usher in revolutionary changes have to done the administration will have to conform to this form of public sentiment. Through the administration the persons of modernization also will be given a new direction.



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In fact the function of public administrator has changed that way as the nature and the purpose of government have changed from negative to positive.

The modern state engages in the creation of welfare society. Its goal in developing countries are planned attempts. For the success of this innovative, requires public administrator with gentle dispositions and working with new ways. To manage programs the time required at definite such administrators whose are consistent with the policies and programs interests of the public and emotional integration. Emotionally neutral or "neutral" member of the public service cannot be committed to social and democratic values. "If a group of senior public servants "Hoover Commission's words, "political neutrality premise, it becomes a group of impotent. These impotent Americans a particular species within the terms that survive them from the crisis. No any politics between will against such person who only care about their vocation proper procedures are being followed. tatstha excessive stress on the entire government will be neutral.

### Current Administrative Structure: Commitment why Not?

Indian administrative structure is such that it cannot be formulated without radical changes. Commitment is not to arrive at certain bureaucratic reasons: **First**, the high bureaucracy positions aristocracy and upper class people who belong to arrive, how they might be expected in such a position that he would meet the aspirations of exploited and oppressed masses. **Second**, high administrative positions, training of selected candidates is the way that they engage with the general public rather than the upper class. They mingle in public instead of "Snavari" and "attachment" is born tendencies. **Third**, the high administrative positions is selected urban multiplicity of candidates who are unknown from facing problems of rural people. Singhi sociologist Dr. Narender Kumar, who surveyed the administration of the sociological approach, writes, "The administrators of the social background of the study, it was discovered that a particular type of social background is helpful in the selection of administrator. Most administrators have come from urban background; their education level is at University. His fathers was of modern business. His interest in the development of villages is a little. Influenced by urban utility values shown above afforded scope of modern physical value does not inspire them the working also of village. "Fourth, India's current governance is the continuation of colonialism administrated



talent. This system was originally developed to maintain the law and order condition. Independent India, the government is committed to democratic functioning. On the basis of our constitution and the stated goal is to develop the socialist system. These goals and circumstances in the context of colonial governance are not only inappropriate but very slow down the pace of social change. **Fifth**, current education system is such that young officers aspiring to be rich instead of making public servant. The syllabus of education has been prepared as it establishes capitalism and feudalism view in the youth instead of socialistic values. Its result is that student studied in unit density after becoming officer understand their self of a separate class and deviates from common people.

## 9.8 Committed Bureaucracy: Some Dangers

Committed bureaucracy means is that bureaucracy which works with full loyalty and dedication for implementation of policies of ruling party a government but there are many dangers in this system. This system can initiate the instinct of plunderism which can be proved adverse to the preservation of service and competency of administrative officers. There always will spread an of fears and insecurity in administrative officer and their dots of time expended in order to appease the political leader and obey his should be or should not be orders place of preparing parring of welfare work and their implement order. Doctor Prabhudutt Sharma writes that “the administration’s commitment to India so that it opposes the politicization of services will be the speed at which he can bring political instability, and administrators of the system can break down morale is oriented towards public plunder and corruption. The idea of commitment and his ability to hit Tatstha services could pose a huge threat. Administrators face of politics, but do not want the name of that commitment becomes their condition of slavery. “

## 9.9 Commitment: Indian Context

Commitment of the government employees should have the means the color of the ruling party commands such point of view then we will say that is not democratic. In a democracy, governments change. Therefore, it is suitable for bureaucracy to refrain from the faction, but we urge upon the new social order that bureaucratic expenditure required new economy became an important means of. The following points should be noted in this regard appears to be-first, the Constitution, the founding ideals of social justice, economic justice, stressing expenditure, the full commitment of bureaucracy is necessary. Racism, nepotism, communalism as an administrator, surrounded by narrow attitude can become instrumental in building the new society. Second, the Indian side will not change, cannot change in India. The question that arises here is that government officials are not sympathetic to the urban environment villages and which they will do for the village? Such employment policy should be adopted so that public services should be included so that more and more rural oriented candidates who want to work in village officer found them more. Third party, the nature of isolation from the general public will forgo public services. They will get used to identify oneself with the public. Fourth, the higher civil service recruitment examination in the manner of the examination should do so through the villages’ expenditure of all sections of society deserving student to enroll in high jobs. It’s not that these services were the only people who are relevant to high or upper middle class, whose father was a high officer and would be read in public schools. Fifth, IAS, IPS, etc. instead of training to go. Mussoorie, Delhi or in Hyderabad instead of training should be trained in such places where he can get acquainted with the problems of the people of the country. These courses may include such things causing them to generate commitment to national goals. In conclusion the level of administrators and criteria depends on good governance. Views were changed so that the political governments of the administrative infrastructure in the country could not shatter. Today we have administrators who are not indifferent to the aspirations of the people. Whether these desires are related to social justice and secularism, democracy related matter; the administration committed to national goals, time, and time is required. Social justice and economic welfare of our administrative officer with a sense of having committed his administration will

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contribute to make Jnobhimuki. Administrators and administrative thinkers such commitment in this direction should be more generalist and specialist which is the administrator? In case of administrators all commitment to keep the policy in place at participating higher administrative authorities to apply the rational and scientific view of this commitment. Generalists who do not know their own special kind of politician ignorant people and the commitment and were tied at the limits of what they will become not only ministers retainer? So certain that the administration of the welfare state can become a powerful instrument at the same time the country's welfare plans made for her achievement in the Constitution and religious and active cooperation of the administration. This heartfelt commitment to cooperation in the Indian context can be said.

**Self Assessment**

State whether the following statements are True/False:

1. Supremacy of the British bureaucracy in administration?
2. Politics is also called bureaucracy.
3. Implementation of government policies is a function of public administrators.
4. Cabinet is formed by public administrators.
5. The commitment approach is connected to.

**9.10 Politicisation of Bureaucracy**

The large velocity higher public services in India are becoming politicized. Most states have established close links to politicians and administrators. Administrators rough politician and accept my father is going to develop the habit of working on tunes. Such qualifications and seniority of officers loyal and honest officers committed crossed is being rewarded. The former Chief Election Commissioner. T.N. Sheshan, in 1993 the Indian bureaucracy "Polished Call girls" was hailed as the politicians are engaged in peonage and flattering. Kalayan Singh-led BJP government in June 1991 and December 1992, among the 460 A.E. S. Officers transferred. Mulayam Sing Yadav's government in its 18-month rule 311 I.A.S. Officials around while Mayawati, 21 march, 1997 from 1 may, 1997 110 I.A.S. to Officers transferred. In Uttar Pradesh, District Collector and Superintendent of Police Officers transferred directly affected by the policy positions of responsibility being painful.



*Did u know?* Transfers on political basis for the politicization of the bureaucracy are largely responsible. Political transfers are common Bihar, Haryana and Uttar Pradesh states.

**9.11 Indian Bureaucracy: As a Powerful Interest Group**

After being organised bureaucracy is active in the Indian polity. There is a union of high position officer which protect their interests. There is such a union which is called "Indian Civil Services-Administrative Services union". This is All India Association which also has branches in state capitals.

It is believed that after Nehru's influence bureaucracy in decision-making is consistently increased. Shastri was formed in the era of powerful Prime Minister's Office and Laxmikant Jha has Chairman made it's the office no time became the main center of country's political activity and administrative

power. Pro. Bamabri Chandra Prakash words, "whether they are found everywhere fast the JH Shastri led government committees or delegations visiting abroad or meeting foreign dignitaries who met Shastri, Jhawere present all over the place. Important foreign ambassadors, who were soon all palm, Jha also began visiting the extremities were spread, whether they be foreign or security or foreign policy or to negotiate all financial matters. "Shastri was at senior position at the time. I.A.S the greatest impact executives. Due to his influence these officials have done their salary increase. Bureaucracy at Shastri and Indira Gandhi launched the era and raised it even woke up. Mr. P. N. Huskar was led by the Prime Minister's office. Its control "Reachers and AnglisisWing" (RAW) intelligence salt was formed and all departments and ministries were required to make critical decisions before they gain acceptance in the Prime Minister's Office. Thus is the reign of Indira Gandhi as the Prime Minister's office and his secretary. P. N. Huskar and the edge of the imprint were reflected on the decisions of all departments. In the year 1980 after the elections, it is believed that the Prime Minister Secretariat officials expect to rely on their him. Since becoming Prime Minister, Shri Rajiv Gandhi, Mani Shankar Aiyer, Sarla Grewal, P. C. Alexander, Gopi Arora, Oscar Fernandes, Vijayshankar Tripathi etc. from time to time as the arm of the Prime Minister's Secretariat worked. The Vajpayee's tenure P.M.O. it is said of her naval secretary Brijesh Mishra was the center of decision-making. Member of several committees set up by the Prime Minister of India Today alloys powerful individuals in the government are three. Some people consider him the most powerful. He is the voice of the Prime Minister, Prime Minister's Office from Egypt not merely speak, speak on behalf of the prime minister, they have become the public face of the government. A senior cabinet mantra says, "Sometimes we think the Prime Minister's decision not to Brijesh."

### Need for Technocrat Administrators

Past few years, our country's administrative structure has been the subject of controversy and discussion. The question that is typically considered generalists in our developmental system (Generalist administrator) and the role of expert technocrats and location? General administrator who is the functional efficiency of a particular government activity be achieved, prior education and training received prior to entry with respect to the subject and have dedicated myself to be in that area. Generalist administrator is inevitable. (IA S) attach importance to the process of governance and formality scientific style of functioning and its inability to reveal the planned economic development, industrialization, cooperation, and administrators to increase the production of superior functional and scientific attitude is inevitable. The function does not perceive them, which they are trained not to act, the chief executive officer of the department are built. Aviseshagyon in policy formulation and decision-making in our country rated as important and that is the secret of the country's failings. India is a public welfare and positive socialist state. Water development by various Five Year Plans, the main goal of our Government is working Utthankari. Developmental tasks can be properly trained technical experts only. Progress of agricultural programs, etc. to accomplish the improvement is dependent on agriculture, the experts can fix.

Economic Planning, Statistics, employment, Industrial Corporation, press, cooperatives, agriculture, local self-government, security, medicine, education, law, mechanics, such as technical departments should not take the reins in the hands of generalists. These departments of research and research experts that can deliver considerable potential exist. You can complete the experts. This is what an irony for the modest clerk, typing, steno and accounting is essential part of the departmental secretary to the head of the department pertaining to knowledge is not a requirement. Recognizing the importance of national experts in construction in 1960, Pandit Nehru stated clearly that "it is a wrong perception that the civil service is high from all services, be preserved." Can act as a mechanical administrator, but the administrator cannot function without mechanical. "A. Hanumantaiyaa Chairman of the Administrative Reforms Commission also rejected the group's manager IAS officers to high positions only be preserved. According to him, "In this era of social and economic development of policy and administration at the high seats confer specificity to consult experts should be given the highest importance."

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Macaulay Administrative Reforms Commission explicitly rejected the generalist philosophy and competent administrator. According to the Commission's administrative structure should be general and expert work together in mutual cooperation. Eight All India Commission has recommended setting up of specialist services. According to this recommendation, financial administration, industrial administration, agriculture and rural development, social and education administration, personnel administration, financial administration, defense administration and planning expert services of trained personnel in specific areas of administration should be formed. In short, the Commission has considered essential to the administration of specific science. Rejected the notion of the monopoly of administrative efficiency is only different.

### **9.12 Summary**

1. Bureaucracy puts the system under which the public servant of government employees does not seem to understand it as a master. , Neglect of public interest, there are strict rules and regulations and the work is late. Virtually inflexible bureaucratic, mechanical, heartless and become formal.
2. India's civil services are found in red tape or unnecessary formality. Max Kerrigan believes in the formality of the process to do with the rigidity of the rules and regulations. This resulted in the prosperity of the work cannot be late and important decision. Bureaucratic formalities of the process and its purpose is able to serve the public continues to ignore.
3. During the British Indian Administrative Services changed and evolved much more rapid pace. The major factor that can be considered both in terms of British rule and administrative reform was considered leading Indian public services.
4. Samrajyawadi and colonial power in the country's major goal was to collect revenue while maintaining peace and order, so she ignored public welfare and development effort to. It is neither a natural consequence of technical and specialized public services could be developed and made at the central level nor the emergence of specialized services could also be subordinate to the other general services to make it happen.
5. Ttstha of bureaucracy in the UK means the act of political policies and the implementation of those policies are administered. Governments are changing, but are permanent administrative officer and Bhidal comes to power, he will implement policies. Soviet statesman surprised the time when he ceased working in the UK saw the same administrative team with the Cabinet was advised that Churchill and his associates.
6. This is a fact and the public regarding the scope of the administrative system, the full meaning of his work has changed. Public Service of British rule of India was revealed that public services must, but along with the country's independence in basic notion of public service must change, because the masses of independent administrators in the country with aspirations and progressive movements have to be deeply committed.
7. Committed bureaucracy, the bureaucracy, the effect of the ruling party or the government in the implementation of policies by the full faith and dedication to work, but many dangers in the system, is also contained. The mechanism at the "spoils system" may herald a trend, which administrative performance protection services officers may prove to be counterproductive.
8. India is a public welfare and positive socialist state. Water development by various Five Year Plans, the main goal of our Government is working Utthankari. Developmental tasks can be properly trained technical experts. Progress of agricultural programs, etc. to accomplish the improvement is dependent on agriculture, which experts can correctly.

### 9.13 Keywords

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1. **Bureaucratic** – Administrative formalities to be unnecessary delays in service
2. **Commitment** – Fidelity to public service in terms of bureaucracy, political Tatstha

### 9.14 Review Questions

1. Put publication explaining the meaning of bureaucracy on its characteristics?
2. Please describe the structures of bureaucracy in India?
3. Administrators minister in India by analyzing relationships?
4. What is bureaucracy committed Indian context, the evaluation can?
5. Indian bureaucracy can test the powerful interest group?

### **Answer: Self-Assessment**

1. True
2. False
3. True
4. False
5. True

### 9.15 Further Readings



Books

1. **Indian democracy** – Rajesh Rawat, Satish Chaturvedi – Secrets Publications.
2. **Bharat Mein Rajniti** – Abe Kumar Dubey – VaniPrakashan.
3. **Bharat Mein Panchayati Raj** – George Mathew – VaniPrakashan.

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## **Unit-10: The Police Administration**

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### **Objectives**

After studying this unit, students should be able to:

- Understand the role, the characteristics and challenges of Indian police;
- Learn the concepts of Law-Order;
- Be familiar with the problems of law and administration.

## **Introduction**

The provisions of the Indian Constitution such that though the police are subject to states, in special circumstances they are dominated by the center. Indian Parliament right to amend Indian Police Act, 1861, Code of Civil Procedure, 1856, Hindu and Islamic Law etc. and through this the state police administration comes under the influence of center. With federal and state relations if we take administrative aspect then we clearly see that the central government's role is very important in the implementation of the police administration in states and is expressed through the Union Home Ministry. It is the special responsibility of the Union Home Ministry to assist the States in matters relating to Criminal or administrative and criminal law and order and in matters relating to specific problems and to guide them. In this process the Union Home Ministry may appoint Central Reserve Police or additional police forces from other states in the state police organizations. There are many other offices under the Home Ministry which is relating to police and fulfill the special responsibilities associated with police. There are many other central acts to control and direct the actions of the police in the country. These the basic act—are the Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act. The role of Home Ministry is supreme in determining IPS Officials terms of service, their rights and duties, salary, etc. Although most IPS officials who spend most of their career in state governments, but their recruitment, Promotion, Training and discipline and punishment etc related matters there is practically no control of state governments. It is also the exclusive responsibility of the Union Home Ministry to keep the co-operation of police departments in states that they spread a network of home guards and to establish a civil defense organization.

## **10.1 The Police Administration: Role of Central Government**

Unlike the British and American police systems Indian police system cannot be classified such as unitary and unified. In the seventh section of the Indian Constitution 'police' subject to the entry 'public order', prison and justice administration and remand homes etc. comes under the state list. Police administration in the state list of subjects related to these prompts the country's police authorities have no direct connection to the Central Government of India, but if the three list entries taken seriously then under center's jurisdiction how many very serious, important and delicate topic which the influence of central government or rights affects variously the police administration of the states. For example, the central list of topics are—administration of fire and explosive substances, international police, wireless systems, the Central Vigilance, topics related to All India Police Service and government activities in other states legitimacy etc.

Similarly, the central police administration support the state government to give its patronage that has created several central police units. Some of these are—B.S.F., C.B.I., C.I.B., C.R.P., Assam Rifles, S.B.B., National Police Academy and forensic laboratory etc. In this context it is also noteworthy those in the concurrent list of the Indian Constitution Covered several topics, through which the Central Government maintains a decisive supremacy on country's police actions. These topics are—Penal law and practice, preventive internment, various types of medicines and poisons, labor union, nomadic tribes and newspaper etc-etc. Here also center has to be remembered that the Union Home Ministry in the areas central administered solely responsible for the police administration. At the institutional level constitutional law in our country is federal, but the spirit of our constitution is unitary, consequently in practice the integrated nature of our national police could maintain order. Therefore in states whether existing police system or development system, all of these to be employed in the boundaries of 'centralized federalism' prevailing in constitution. In our country, the police administration central government's indirect, but important role, which comes to light through the Federal Parliament and Home Ministry, appear in front form—

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Central Government's Role in Police Administration

Parliament	Home Ministry
1. Legislation on Union and concurrent lists	1. Administration All India of laws
2. Basic Police Acts amendments	2. Administration of federal areas
3. Special measures, during an emergency, and arrangements	3. Personnel Management of Indian Police Service
	4. Police Coordination
	5. Supplies and control of weapons and equipments
	6. Home Guard and Civil Defense operations
	7. Operation through subsidiaries net and staff agencies

In Prof. Chandra Prakash Bhambari words, "In order to ensure Law and order in states in addition to the most developed police organizations government of India's other agencies also there. Maintain 'parallel' agencies run by central government are a strange feature of Federal system." The Administrative Reforms Commission of India has defended this distortion of Indian Union. On 'Center-state relations' he wrote in his report –

"Central Reserve Police and Border Security force are armed force, the union stands for the needs of both country's external and internal security. In these circumstances, using armed police force of the Union in aid of the civil power of states is fully constitutional. It is clear that this type of aid may be granted at the request of state government or when it is needed. Such assistance is needed, the question is, of course, is subject to the decision of the Center."

Central Reserve Police Force was founded in Neemach (Madhya Pradesh) on July 27, 1939, in the form of Crown Representative Police. After independence, the force was renamed 'Central Reserve Police Force'. Its main functions are described – **first**, Indian government can send it in disturbed areas, carry a special responsibility to the central government and the situation demands that it be sent armed police. **Second**, the Government of India can send CRPF in any part of the country to supplement local police. On a larger scale state government can call it as a supplement to police in the event of legal system disorders. The legal position is that the Central Government on the basis of their public needs CRPF can be shipped anywhere in the country. In 2005, the total number of CRPF was 2,48,690 in which 191 battalions (Including 5 signal battalions and 2 women battalions), 1 Special Duty Group Center, 8 Training Institute, 3 Base Hospital and other auxiliary components amenities.

Border Security Force (B.S.F) was formed on December 1, 1965, with 26 battalions and currently with 157 battalions, powerful artillery, air, animal and water wings is the largest in the world. Border Security Force is committed to the security of borders required when dealing with the insurgency and to assist civil authorities in emergencies which is an important and specific role of this force. Specific functions Border Security Force of guards India's 8,000 km long border during peacetime. Prevention Intrusion and of cross border crimes. • Protecting the people of the border region. • Primary line defense. • Combating extremism and terrorism. • Relief and rescue operations during natural disasters. • Cooperation in maintaining law and order. • Fulfill duty to protect human rights.

Central Industrial Security Force, established by an Act of Parliament made to ensure the security and defense Central Industrial enterprises. It is under the control of the Home Ministry. In 2005 in this 2,08,496 people were employed. The team members are employed in key enterprises and to prepare industrial protection policies of the Ministry sends intelligence figures.

In addition to the above mentioned the semi-military organizations the central government has a network of intelligence agencies for inspection procedure of the state governments of India. The Central Bureau of Investigation has all the information and news relating to national security, to collect, collates



and is responsible to send them to the government. It is also has the responsibility of crimes inquiry and it is the central government's anti-corruption agency. India's Research and Analysis Wing (RAW) holds the like all of the country's key political leaders about.



*Notes* When the Indian government is deployed based on their own judgment to states semi-military force then it is a serious infraction of state's principle of autonomy.

With the help of important security and intelligence agencies in the country Government have the responsibility to maintain the order. It is a violation of the provisions of the constitution that separating areas of activities between the central government and state governments. There have been fights between state governments and the central government in implementation of C.R.P.F. In 1969 government had issued ordinance to meet the strike threat by their employees. On December 18, 1968 they told Kerala government to arrest and punish them for those employees who said had threatened to strike. To meet the situation they also sent some C.R.P.F. troops. The then Chief Minister of Kerala E.M.S. Nambooderi pad objected to this method. He rejected the idea for the need of maintain two parallel agencies in state to keep proper order. He also holds that the state government constitutionally responsible for maintaining proper order and he is perfectly capable of taking responsibility. The government responded that they send C.R.P.F. only at the time of proposed strike the security of property, offices and establishments.

Sometime later, a similar dispute raised in West Bengal. On April 10, 1968 a 'closure' held to express their protest against the proceedings of C.R.P.F sent by United Front government to conspire gun fire at a group of factory workers and kill some of them in kashipur near Kolkata. On April 11, 1968, the then Home Minister of India Yashwant Rao Chavan support center to use of C.R.P.F to deal staff. Tarun Kumar Sengupta filed a petition on this at Calcutta High Court. He argued that in Constitution of India 'police' is matter of state and central government's act on Central Reserve Police Force is out of constitution. Justice S. Mukherjee supported the claims of Sengupta.

In an unauthorized manner Home Ministry had taken the control over country's police actions whereas the constitution given the responsibility of common law to state governments. In its annual report, the Home Ministry has defined its role as follows –

"Although maintaining law and order is mainley responsibilities of state government however Home Ministry plays an important role in this area. They give direction and advice on important issues and help to arrange the deputation of the Central Reserve Force or additional groups of other states. Home Ministry helps to arrange weapons, ammuniton, wireless equipment and vehicles to state police."

The Home Ministry keeps Border Security Force (established in December 1965) and the Central Reserve Police in various regions of India, so that whenever there is a need they can be sent conveniently. When Congress party was ruling in both the central and state on there was no difficulty in sending military organizations in the states. Central Government established Border Security Force in 1965 after the discussion with state governments. The ministry said in its annual report 1966-67 "when the demand from the respective state governments instantly sending the C.R.P troops to assist state police. Government also sends its force against state governments as it was done in Kerala.

Important focus needs to be given about Border Security Force and C.R.P. One way, the members of these forces is increasing. Secondly, they are being sent again and again to sates. In its annual report (1972-73), the Home Ministry has describe that 52 out of 60 C.R.P.F. battalions were on active duty throughout the year. The remaining eight battalions, which were erected in 1971, after finishing his training were put on active duty. According to the 2001-02 annual report of the Home Ministry, during the year, the Central Reserve Police Force was deployed to Internal Security operations in different parts

**Notes**

of the country and fight insurgency and counter-insurgency operations/functions and more than 80% personnel for Jammu and Kashmir, North East, Bihar and Andhra Pradesh, terrorism, rebellion.”

In 1965 in place of state police 25.5 battalions of Border Security Force were formed to be alert on neighboring countries along the Indian border. In practice it is another story entirely. Home Ministry's official indicated that Border Security Force has been recognized not only playing 'multifaceted role' to ensure protection of the 'frontiers' but also to help the state police to maintain law and order in the state. The Home Ministry has mentioned in its 1974-75 report that the implementation of Border Security Force to maintain law and order especially in Uttar Pradesh, Gujarat and Bihar. 1974 and the year 1975 in the North Indian states parties on a broad scale witnessed the movements and struggles that the Government face this with the support of semi-military organizations. In 1992 the 10 battalions of the Central Reserve Police Force reorganized to form the (Rapid Action Force). This elite force was formed to deal with great urgency, riots, communal violence, situations and their purpose was to help the victims. In Rapid Action Force battalions, located at 10 places that are sensitive communal forces deployed in order to meet immediate demand.

After 64 years of independence central government while discussing the role played by military organizations the following points arise: implemented central government agencies to deal with the problems of the common system created by the striking employees or students. Wherever emerging social groups to express their displeasure mustered strength and courage, the C.R.P.F or B.S.F. activated and crush the voice of discontent and trying to mass struggle. Very often, social problems are clearly problems that have been dealt this way as if they are pure police problems.

## **10.2 Police Administration at the State Level**

Indian states existing police organization created in 1816 that is primarily directed 'Police Act' of 1860 is the one who created the police commission.

State-level police organization are to fulfill roles of staff and online both. These functions are very complex in nature. They must battle on three levels:

- (i) Central Government and its various units,
- (ii) The Home Ministry of the State Government
- (iii) Other inferior units related to District police officers.

Almost all of these actions often go together. Some of the staff units are such which are activated only at the state level, and whose territorial units often are not. State-level police authorities where there is the question of line activities with the help of the district branches have been established law and order, investigate crimes and arrests is arranged. State Police and the Department of common civil section consist of three officers and department. Home Minister, Home Commissioner and the Department of Home Affairs.



*Did u know?* State police works as per direction and superintendence of the 'Director General of Police'.

To assist in this work and advice on numerous special, auxiliary and additional I.G. live at headquarters. They all do a service to all the roles of the dusty police, such as anti-corruption proceedings, civil safety campaign and traffic work on. The state police chief (D.G.P) has to bear two responsibilities of two types—first, he is a policy maker, he operates line activities for implementing of police. He is the head personnel officer of his department, so as to maintain discipline in financial management and organizations are given wide powers and discretionary power. D.I.G. is the chief administrative officer

of his 'Range'. D.I.G. of an area superintendence the police work ranging from four to six administrative districts. He makes such a new level that in the state administrative hierarchy system which is lower than state-level and higher than the district level. State-level functional role here D.I.G. performs several 'ancillary' functions, e.g. C.I.D. specific information, Railway Police, conduct of police training related institutions, police headquarters care and state-level army troops management.

A D.I.G superintendences of the functions of the various districts police superintendence and on the at the other side he desires to him to direction advice and dead for coordination in police function in police matter, advice and keeps the aspirations for leadership. The organization and functional hierarchy of its own independent institutions are also more specific in nature helps to fulfill the roles of whether the C.I.D., specific information, anti corruption, traffic, railway and why do not conduct armed police services. The prevalence and nature of an act is determined on the basis of size. For example, when we see C.I.D. Branch D.I.G. expand the organization under his watch, then we find that there are many offices which conduct work relating to M.O.B., Finger Print, forensic laboratory and of search dog teams.

As far as the state armed police are concerned, it is called by different names in different states. For example, in Uttar Pradesh and Rajasthan, "Provincial Military Constable", Madhya Pradesh "Specific Military Police," Bihar "Military Police", in Assam, "Assam Rifles" in Tamil Nadu "Malabar police" terms are used. All these groups are reserve force of D.G.P. is exercised as per request the made by D.I.G. of that range. Since these parties are protected firepower, so use them to protect sensitive or specific conditions are in the areas.

Due to the rapidly increasing urbanization in the states these days huge traffic police administration need to be setup. At state level Traffic police work covers under "staff accountability". Their work includes –organizing, Research work, district-level coordination of policing work and state security and advice D.G.P on heavy vehicles on the road about the Traffic Regulation.

Thus we said that the state-level police organization has employed several functional units and specific function. It regulates the functions of organizations, coordinate and supervise – which are involved in policy implementation.

### 10.3 Police Administration at the District Level

State police organizations in our country control and regulate all the police stations at the district level. Superintendent of Police, who is at the same level State Government through the same role on the one hand and the other hand under his orders and instructions to the police station to receive him. Additional of Police or Deputy Superintendent of police do care of subdivisonal police and superintendence of all the Police Stations falling in a circle does the circle inspector. In this order other staff agencies (including Crime Bureau, inquiry includes specific branches, etc.) are included in the district superintendent's office. In contrast, the district superintendent works through online units (including police station, Special Forces, traffic police and Charger branches).



*Notes* The working area of any district police approximately 3,600 square miles of land and is extent to twelve and a half case people.

In addition, he has a prison, home depot for weapons and one another residence to keep clothes. C.I.D. organization's operations are done through Headquarters. Police Superintendent works under District Collector however this provides for proceedings for law and order and Crime Prevention in the

**Notes**

district. In order to achieve these both goals are three functions—receipt of secret information, Spirit of co-operation of the public and police to create growth and promptness of his subordinates. Police superintendent in the district administration has a central role means his superiors, juniors, non-peers, the public, political parties and have to deal with the infinite variety of pressure groups forms.

Similarly, the administration of any sub-division is conducted by Additional Superintendent of Police/ Deputy Superintendent of police. There are two major roles of these officials—they all-the police chief of the sub-division and also Assistant to the Superintendent of Police who is located at headquarters. In one sub-division the existing police circles in India is historically important. Often promoted sub-inspector in this site acts as a Circle Inspector of Police and who reports the activities and conducts as sub-inspectors to the police superintendent and deputy police superintendent of police is familiar with the practices and activities whose impact is reflected in the police district administration. The 'Inspectorate' office has been widely criticized. Inconsistent, repetitive tasks and has been convicted of spreading corruption. 'Police station' which is the basic unit of police administration for all types of crimes inquiry and preliminary information register. In India, an average area of a police station is 200 square miles under which more than 100 villages the population is closer to 75,000. Police Stations in India are five types of functional view—rural police station, urban police station, sub-urban police station, metropolitan police station and railway police station.

The police station is the centre of all police activities. This works through Sub-Inspector, Assistant Sub-Inspector, head constable and constable. Sub-Inspector of police station is also known as S.H.O. In view of police administration S.H.O has many responsibilities and duties.

Any district police office has two major units—Crime Bureau and of the branch specific inquiry. Many district that collects information on all makes and proper disposal on the active and organized crime bureau and the criminal gangs. In addition, special enquiry investigates, fraud, forgery and illegal financial crimes to make.

The traffic police department for large districts often occurs. Similarly, for the prosecution of police prosecutions 'Assistant police public prosecutors (A.P.P.P.) is appointed by the court from which fight the general sessions from judge's court.

#### **10.4 Indian Police System: Characteristics**

Pro. D.H. Bailey's thoughtful treatise "Police and Political Development in India", described Indian police have three characteristics—(i) The state-based police organization (ii) Weapons fitted and Constable Assistant of police and (iii) Coplanar specialization. The basic symptoms are many contributing factors to get the existing police organizations as diverse as the states appear and the semi-military and non-experts assume the character. It is also noteworthy that in terms of historical development is the colonial character of our police and with the flow of time—and the circumstances shuffle over these traditions in terms of the deposit the roots of radicalization literacy. Indian police created after it first freedom struggle (all the Police Act of 1961) in various stages the Indian freedom struggle of the disciplinary body of the increase. Development of negative philosophy as far as Indian police question he asked only accessible biological properties because (the 1861 Act), the entire police system collector (D.M.) tied in the range of punishment. As a result we received comptroller ant-intellect and strong handed organization. In the past one decade, organizations and the police were also tested her essence the same as Police called in colonial history, which was grand level. Their goal is to become more a instead of "law and order police" civilian police to make sure that much, resulting in the context of the current era of democracy and development seems downright irrelevant. Indian police are certain character significant—

- (1) **Philosophy of Negativism**—Police in India has been negative function and philosophy. Its connection with thieves, bandits, criminals, law breakers. Usually secret police inquiry, arrest, mayhem, intimidation, and punishment works done etc. by police which are negative in nature. trained people

to lead a peaceful life, to teach school children the rules of walking on the road, guide strays to assist citizens in distress, to instill confidence in the people, and constructive relationship with the Indian police is not far away.

- (2) **State-based System**—Police administration of India is state based organization. According to the Constitution the police is the subject of state list. The work of the police is to protect the interests of state and government, to enforce state laws, maintain discipline the state directed, book, whether such harm on the citizens' feelings and reasons dignities away.
- (3) **The Armed and Unarmed Constabulary**—The Indian police is both armed and unarmed. Usually concerned citizens in the ordinary course related to armed police, whose work day-everyday to investigate leads instances of breaking the law. They keep only 'sticks' and they can stay in civil dress. Armed police is in military form. It lives in the barracks and the organization would like armies. Its application is done in the extremely serious conditions of law and order.
- (4) **Muscle-oriented Police Force**—Indian police jurisdiction only in 'field' is considered, therefore, "staff functions" are those who looked upon the ability of individuals and low quality "staff functions" is appointed for any reason. Training of police officers and even the emphasis is only on physical fitness and physical fitness in the modern era with civil rights, duties, towards the notion of social change, etc. is essential.
- (5) **Magisterial Supremacy over Police**—Indian police discharge his 'law and order' responsibilities of magistrates superintendence and supervision under the District Superintendent of Police and other police must move in the direction of the District Magistrate.

Commenting on the nature of the Indian Police Dinaman wrote—"What is the difference between the police and criminal? There is no difference. What does matter is that the police in the name of law and order, while the license do not have. Both are enemies of the people, rob them, both Seth-moneylenders and politicians are raised, where the police became weak police work. In towns still them supremacy of police, he is autocratic, corrupt, the town is sleepless because of that, theft, robbery, vandalism is on the rise, every town has a police sub inspector, the inspector at a Nadirshah, just moving his orders and will prevail there massager—. "Bhagalpur (Bihar), in which criminals detained by police proceeded to close his eyes bursting, by Indian police the mouth speaks of organized violence story.

A.G. Noorani writes—If recent weeks (April-June 1985) to examine the events of Gujarat violence it comes in more than thirty policemen on the evening of April 17 markets and labor settlements Gomatipur (Ahmadabad) for three hours while vulgar and indecent exposure. Abuses against women of all ages-at the opponent and causing panic. Abuses against women of all ages-at the opponent and causing panic. Earlier in the day so that such police action taken place, "People can be taught a lesson," the police barged into people's homes, damaged property and women beaten severely.

## 10.5 Indian Police: Challenges to Developments

In every country and in every society in the world, India is no exception to that, the police organization of government, the executive indwelling operations, and serves as an instrument to establish the law everywhere. The police is normal as equipment of controller administration every when which relation from development or change is not till far and far because he is such an agency, which keeps everyone in society, law and order planning and who face crimes every day, addictions and child offenses. Police actions and behaviors mentioned above illustration are downright perverse-with this organization change and development efforts of developing countries how will be adding up. The latest research on the development of the police and the other was the same story and that the police administration affects not only the development but also the direct and indirect impacts and covering it provides a sense of direction. Prof. T.H. Bailey conceded to the fact that there are a number of bases which calls that several other units not more influence than the police.

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Here are a few of them—**First**, the role of the police due to their uniform is so direct and open cannot hide it and so much of society hatched in the proceedings—that the relationship is inhabited mass-mass is spread. **Second**, there is the question of the means of force by the police is recognized monopoly. The controller also has to be remembered that the police is the controller of society, so about its role in society there is fear, excitement and a sense of apprehension holds. Therefore, unlike other organs of government there is remains the emotional significance of the situation. **Third**, the policeman is the most important elements of society to protect the lives and survival of the individual and therefore their importance in the watches of the crisis axiom incontrovertibly. **Fourth**, the police were assumed to be synonymous with the law because he protect structures human created or established by law of government organizations and also determines how it is to fulfill this role.

Indian polices is such vast powers or to increase the speed of development of this country and plays a role in preventing also. Since it is most disciplined partner of the power. So they have a unique take part in the development of the country. Conversely, if we separate it from development's from which that we will present an unwanted obstacles and stress to development we will deal only with the help of the police as we discuss 'non-political police "or" police-neutral' discussion do Leaping in the air are an illusion this means that the police administration in India does not participate in development so ultimately it will lead to imbalance in the system. It was want development through political modernization democratic process and social secularism, we would not only provide a new approach to the police but would provide a relevant administrative structure to bring positive change in role and function for the administrative system of our country can achieve its stated goals and publicize values.

The names of the institute police to combat crime are expected to continue their scientific analysis still inherited from his character is of the same kind the British imperialism. Mythology doctrine yet utterly irrelevant of Police Act 1869 is presented the crimes and evils of the colonial laws of classical metaphysics. The present police organization to the development needs of Indian society now seems like a dwarf. Accordingly, to the new social and political order that rose the challenge to achieve its new goals and how relevant the police system. Based on the fear inspired by the muscle power of the police organization in the past has been so much abused In practice this arm of the law merely confirms the status quo. Society and its leadership make by the public do not have any sense of empathy to the police Selected by the Public Service Commission in India compared to other administrative services; the police are not qualified person. Upset, angry and disappointed person considers public corrupt and insensitive. According to them, the police and criminal collusion and anti-social elements are booming with the help of the same. Political sovereignty in the past to maintain his corrupt regime and to perpetuate status quo as yet have used the police force. Common man of not known painful story neither separate form complex problems of the safety of the society. India in the past senior officials of the police administration has failed utterly to provide the necessary leadership which administrates and professional dilemmas and conflicts of police administration organization were desirable to deal with. The result is that the police organization, police workers, police budget, the method of police-system and police-public relations sat by holding the ascesis of all changes. In this case, the Department's position was similar to that recalcitrant pony cast abandon the goal of developing and they named karm to implement that dead law in their life. As a result, rapid growth is akin to a red dress for her.

Indian police lacks the intellectual awakening. She cannot distinguish between The "healthy chaos 'and' chaotic violence". Police 'social and economic changes "is indifferent to the forces of social change and economic development, the' change and transformation 'are pushing them with full steam. He walking in the footsteps of maintaining 'Law and Order' all 'order broker'. In independent India, fundamental rights aside for the common citizen has to be awakening, Political behavior workspace and citizens are increasingly visible in the pursuit of economic growth, then our police to stop the storm of change sitting for their sticks and tear gas. Any Marxist thinker define Indian police guard the interests of the bourgeois class has described the abuse and corruption of the forces aligned against downtrodden your limits and exploiters in their safe haven. It can therefore be concluded that the Indian police prefferre to become a obstacle of development 'change' instead of being a catalyst for that.

Indian police are the two works to maintain 'system' – implementation of social ordination and regularization of industrial policy, But the question is that when our political system such an take sincere attempt that the Indian police to play its role in the areas of social reform and economic development? In fact, our police has not ever committed target the country's social and economic rejuvenation.

Indian police developmental goals have following –

- (1) **To protect democratic institutions and processes and the aim to make them successful** – In this direction, the police can fulfill the following roles:
  - (i) While employed any executive powers of government he should insist his honesty and competence, (ii) Assist policy makers in the field to maintain the decency and the while maintaining law play the role of an expert, (iii) He became the right arm of the law in the sense that he political development.
- (2) **Contribution of the Police to a being economic growth and prosperity** – Contribution of Police in the direction can be following –
  - (i) Implement laws relating to the government's economic policies vigorously and to pursue (ii) He should be conscious of creating an invornment of mass cooperation so as to maintain peace in the areas of industrial and agricultural, (iii) Financial activities should be reularise in as shave way that effective prevention or financial crimes can be possible.
- (3) The aim of to maintain social change shoul take Police should taken following steps in this direction:
  - (i) More willingress should be show in the field of social legislation, especially to implement laws enacted for social reform of castes and tribes, (ii) The police should use strictress towards those people and powring whose bring out the communit violence and narrow mind thoughts and promote them which weaken the strength of secularism and modernisation.

## 10.6 Changing Role of the Police: Commitment and Reform

The basic work of police is as the form of agency of detecting crimes and preventing it and maintaining law and order in the society. The role of the police has not changed, nor may change, but the way the role is to be completed a change needed there.

What are the complaints of the public against the police? General person to meet to police officer or police station is also reluctant to go because it feared that they will be treated badly. Examples of the behaviour of the police with common people throughout the country with so much cruelty are for them to believe that such behaviour occurs only with criminals (which are in itself an unfair thing), is not possible. Indifference, apathy and inhuman treatment with General public in Indian police feudal colonial heritage. If an injured station person covered in blood and brought them to the police voilance, some of the common soldier and officer of the face becomes saying that another calamity. Unnecessary to deal with the accused has become significance of the police investigation.

With independence of the country change in the role of the police as required. What is the role of the police? Are they follower of the executive or the law? Most competent and loyal to his profession in the world, London's former police commissioner, Sir Robert Mark says that it is very clear manner. "We are the servants of the people and the law and not anyone else-not even the government," - But no Indian police commissioner can say that because there is the political use of Police. President of Police Commission and former Governor of West Bengal rightly on in Dharmveer said. "In any country of the world by intervention the elected representatives in the everyday work of police is not so much what happens in India. The authorities do not follow them fear by trouble of constant transfers, humiliation and other such problems".

Ministers continued unreasonably interfering in police affairs, but are not willing to take responsibility. According to the Secretary General of the Police Federation there are thousands of instances when such

**Notes** subordinate officers may have to follow orders 'unlawful'. These commands are usually verbal and secret.

There is a serious charge of corruption on the police that the whole system is full of corruption. Corrupt police and trends have a direct impact on the general public of corrupt trends of police. It is a fate to hope justice from the corrupt Police in case of events of daily life like theft, Deceit, traps, accident exploitation etc. Political corruption and financial corruption both together make the police force inactive as the institution of crime investigation.

### **Helpless Police**

**Gulab Kothari**, Chief Editor of Rajasthan newspaper, In August 25, 2010 issues has written comments on the helpless police that are readable:

'The prime minister addresses the senior police officers meeting in the country on today and tomorrow. Are they not familiar with our helplessness. You will go to any state. Police remains puppet in the hands of politicians. In his selfishness politicians are firmly which abuses the police. Today the structural form of police is not systematized. The high police officials are also silent. Police officer will be posted in whose politician's area, the politicians themselves decide? The rate of posting has been fixed. By wealth, or political influence the police officer who is working in an area, it can not fear from senior officials. He is also a public servant. Police officers engage in the work of politician and officery. Sometime for visits of VVIP sometime for security of unnecessary people bleed a tradition.

Today, that has the effect of local politicians: the police have remained totally helpless. These officers are fully protected under the umbrella of politicians. Any leader or officers can easily disobey him. I have faced many situations like this. In Gwalior Belgaum, if I remember firing the role of the police bigger the police officer I find is not more powerful than a officer clerk. The same holds status as the official rejection of the Majesty's instructions. In any case, the desire of local leaders must fulfill. Whether bigger the crime he should not be harmed. He prompts for write false FIR and looks forward to the show false encounter. The Encounter case, of Soharabuddin of Gujarat a false Dara of Rajasthan is in front of all. If the fake encounter case are proven then what should be expected from the police? Then will be the police able to serve the public consistent with democracy or security, will provide them? Black money leaders of invested in anonymous land the leaders have been interested drug trafficking and illegal arms procurement. It is not as it is not in the sense of the police, but the silence is enough to tell leader police nexus. The report they place to authorities is different. The report of the same issue is different which place in the court.

Changing the behavior of the police with change of power is not new anymore. In this case it seems the police became habitual to work on the rhythm 'from whom I get favour him serve only. 'The Bridge' to the police is always protected. Yes, of course, their position change state. Government cannot punish those who do the job of India government when they devote from discipline. In just a matter of Indore Lokayukta police submitted a report to the court through an FIR against 17 people. On the FIR of police till date no action made by the police themselves. Finds they themselves slap on their cheek. Punishment of negligence in group a police in given generally to the labour police officer. High officers are acquitted. Even though that the inexplicably badges are issued them citations. So these officers become useless, will only work on increase them rather than crime prevention. Like the other class the reservation quota has described the police in two parts. These factions to act like enemies with each other. To bring down the morale of the police, the judiciary is no longer behind. Large-release on bail of the biggest offenders as the large scale indicates that the roots of corruption have been deepened everywhere.

As far as the question of investigation-methods is concerned, it is unfortunate that in our country the medieval feudal system still is in investigating crimes-assault and by violence. British-era practice of putting handcuffs standing and independent government of India paid no heed to remove it. Handcuffs may only be a means of preventing such individuals typically cannot come into the possession of the police. A minor accused, passive resister, students, political leaders and responsible citizens so as to put handcuffs this is the mark of cruelty and barbarism proceedings. On September 25, 1989 at Nadiad in



Kheda district, the city's chief judicial magistrate N.L.Patel, pull cuffs by police in a false case unfaced the character of the Indian police. 's. According to a report in the country in 1991 was put at 149 the number of deaths in police custody while the number of such deaths in 1990 was 112. Deaths in police custody are therefore considered more serious because the police atrocities are lighted from it.

No significant improvement in the role of police and his character is the biggest cause did not significant change in the Indian Penal Code of 1861 in no particular pattern independent India, the Indian police with older 'is fighting a modern war weapons'. Upset, angry and frustrated Police constable says, 'hoping to create the effect of cement sand mortar of the same thing we will not get new result.



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The primary requirement for the police to bring the efficiency and integrity of the lower step is to bring competence and honesty in Police force.

The Janta government-appointed National Police Commission said in its interim report the meaningful improvement in that department would be possible only when attention is focused on the first soldiers. Their number is 80 percent of the police force. Direct contact with the public and their behavior and attitudes towards the public determines public attitudes. In the last thirty years there has been a steady increase in matters of peace and order, which faced by him. He is a victim of stress. Listed crime in 1943 was 5-56 million it became 13-54 million in 1977. Therefore Commission has therefore recommended that the additional cost of Rs 2 billion to improve the police force to be arranged. The 50 percent of this amount to be allocated for better weapon for their housing, better wages and allowances.

Better service status may improve the efficiency of the police force and more good people may be desirous to join them, but only so much conversion to give the original character of the police. But it is more fundamental that the role of the police. In some democratic countries of the West has tried to maintain police, 'independent'. His accountability is limited to law courts in Britain. London's Metropolitan Police has created a structure under which only Parliament can remove the Chief Commissioner of Police. Police Chief Commissioner cannot even order any other mandinus. The police there is not obliged to act on the order minister or a political party, do not. In India, the situation is quite different, because it makes use for the accomplishment of the ruling party's political interests. Indian democracy have make or representative of government the police as 'public servant' in place his role will have to be changed.

The most important thing is that the welfare state needs to be a redefinition of the role of the police. Police officials do not misuse their rights by any means, to ensure will find out some ways. To attract good and educated people in the police service conditions must be improved. Detect unwanted persons and should be removed from the department. Any complaint of abusing right by the public should be enquired completely and unbiasly. The general perception in the public remains that their complaints are ignored correctly. In the mind of public the reputation of the police to perform their functions and exercise the rights or worsening paired manner. The police work in our country in that way and the kind of behaves general public opinion of him at all is not good. Police employee is not considered a friend, and public confidence in the police gradually becoming exhausted.

If the police should be freed from political interference resulted in not only any crimes will stop automatically but it will help police to correct her bad imprisonment.

Why did not make the police of democracy as the police of public? From the late Prime Minister Jawaharlal Nehru to current political leaders have expressed their opinions on the role of the police, but was never to try to bring about a qualitative changing his character. In independent India British police structure was accepted not only as Police would also like to use the of the police power. Terms of Service is pitiable are the same today, that such facilities are not available to police which are for all

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government employees also have other departments, His salary is low, Working hours are not fixed, Housing, Education, Medical facilities are not adequate. They should definitely think that the what kind of police a democratic country need, According to the Constitution, the Public is the rulers the police should have of the public. Every person who works to the police public trust, respect, assistance and support for public welfare, But it seems the helmsman of independent India wanted to maintain the impression of police as the police of ruling power. Such police who work in the interest of the rulers, this kind of police repression becomes a weapon in the public eye used by the ruling class to defend its existence.

In short, for changing the attitude of the police as a member of society and government employees should given them advanced education with more training-with better educated and better-class people should be encouraged to join the police.

Yet the Indian police have followed, Indian Police Act of 1861 and the National Police Commission (1980), who drafted the bill across the country, could be the basis of police reform all over the country. Police Commission Report (1980) stated that rising crime on, increasing pressure, residential places especially in urban areas of controversy because of demonstrations and deters violence, students problems and unrest, radical political activities including, Economic and social laws to be implemented, etc. if such work is needed to give new direction to the police.

It was also noted that the government's objectives and expectations of the ruling party, and actual behavior is not clear. The resulting image of the police as law enforcement deteriorated fair. In such circumstances as police its finds it difficult statutory role and to work acceptable to the public. The report clearly stated the government should consider the desirability and feasibility that the police must be separated from the politics of the country.

Conclusion: After 64 years of independence, the basic problem that how the Indian police more humane, compassionate and dedicated group at the national policies?

## **10.7 Problems of Law and Order Administration**

According to Oxford Dictionary, 'Law' is said to that rules or recognized customs which the community is bound to obey. Accordingly it 'system' implies the existence of a built-in power and lawful state in which the nuisance, riot, violence and crime does not exist. Law and administration are interconnected in such a way that in a lack of one there is not meaning of other. Together these three conditions, it is expected that the presence a social, educational, political, economic and cultural situation will build in which the people as per their ability to contribute to the rise of society as a whole has been able to develop their knowledge and intellectual ability will afford maximum. Existence of law is prerequisite the system. Even though in the absence of system obeying law is not possible. A sound and efficient administration must be based on lawful rule. The system is a prerequisite for the efficient functioning of any democratic institution in society to the system is a prerequisite. Welfare state in India, the socio-economic justice is being stressed enough, Success and development challenges for the successful conduct of law and order is unavoidable and is a prerequisite.

You have to accept the fact that law and order in the country deteriorated. India's first President Dr. Rajendra Prasad said during his tenure after the freedom police fired on the people exceeds by the number of cases during the 150 years of British rule the number of such cases, gets the same number in five years. Today, things are even worse that the former President Giani Zail Singh could not attend his son in law's funeral. The reason that the deputy commissioner had told him that he could not guarantee their safety.

Late Keshvdev Malviya (which were Union Minister) complaint to Nehru was the that no person in India at night or without disturbing the other part woman with funds cannot travel as of thieves, But now it is no longer safe to travel even in buses and trains the armed guards are deputed.

Today the situation Uttar Pradesh and Bihar, has deteriorated so much that there seems an environment

of rule of some organization or gangs of some people. In some areas of the group and the group of people "protection fees" every month, also charge. In both these regions has a well known fact that the nexus between gangs and politicians.

The problem facing the country today is that the protector of the law and order themselves brought him to dissolve. Police and politicians, both are seen standing in a row when action is needed they do not take if take not more than half-heartedly.

## **10.8 Concept of Law and Order**

Law and order can be defined in terms both the negative and positive sense. In the negative sense, we expect a status in society if where there is might not be a chaos and unrest situations in society which constraint in building the personality of a human being. Positive sense of law and order must state the purpose of creating conditions that are conducive, a system in which the rule of law remains exist.

Positive perception of the state of law and order context of in the 'objectives' can be understood more clearly. The Preamble and the Directive Principles of State Policy and objectives has clear goals in the Indian state. In the preamble of the state Stated under the supreme law of the country socialist and secular, unexploited human-to create egalitarian society with freedoms have been accepted. The aim of in of state policy the Directive Principles in the State is expected to announce their construction of a social order that the state shall endeavor to enhance the welfare of the people, by the people of the country. All the problems of streams of national life social, economic and political justice are possible.

One side meaning of the positive law and order the achievement of building this condition of the state, On the flip side, to construct an arrangement as made possible the rule of law.

The directive elements mentioned in the Indian Constitution clearly being committed objectives of the state presents image of to revolution. According to the Justice Hegde constitutional wants to achieve certain social and economic goals "through non-violence revolution. The Constitution not only wants to fulfill the needs of the common man by such a revolution but also given the way to change the current structure of our society."

One of the stated goals of the Constitution is the question of the constitution of the society on the other hand; after independence we have the form of the existing system administration (bureaucracy), which is accountable for the achievement of these goals. Our current Administration system which is the legacy of colonial rule, its basic features is the same ones who still feudal, imperialist or colonial rule were considered necessary for the achieve the goals of colonial rule. In freedom in the new political environment we have accepted a fresh political-economic goal, but to realize those goals no made fundamental changes in the Administration system. Virtually new constitutional goals and objectives of colonial Administration system symptoms lie in the apparent conflict. On the one hand New supreme law, imagines a society based on justice un-exploitation, independent socialist and socio-economic is always our traditional administrative system promoting of exploitation, injustice, capitalist and feudal interests. As resret when the Constitution specified goals public consciousness or the regime sought to materialize, Administration system. Old Administration system not only capitalist, was dominated by elements conservative, aristocratic and feudal class but work in a certain framework-the Common Administrative officers were conservative.

Law and order all acts become nutrient of administration of the status quo is to address the negative side bound to in this perspective, the meaning of peace and harmony the survival of the status quo. In contrast, the positive side of law and order, which means Construction of such a system which can be achieved a goal established by the law and in a such constitutional system where the social, Economic and political justice has been recognized by the basis of the state, the administration could become the pivot of social change. It means the administration itself should be attemptive to change the status quo. In this case, certain thinkers believe that the challeng elements of law and order are contained in the positive role of the administration.

Notes

## 10.9 Deterioration in Law and Order

In India to maintain the law-order situation is becoming an extremely complex case. The number of incidents of persecution against Harijans in 1974 was 8860, in 1976 the number was 5968 and again in 1977, this number reached 10,879. The incident in November 1981 literally shaken the entire nation, 24 individuals of SC were killed together with a large cruelty by the so-called upper classes. In the first eight months of 1978, 576 incidents of Hindu-Muslim disturbances occurred which in the period to 1975, the number was 370. In 1974 in Uttar Pradesh P.A.C. had rebelled and in 1978 of law and order carriers 'police force' of the several states of the country movement undertook widespread defiance of the regime. From last many years, activities keeping of illegal weapon has increased in the country. In 23,908 cases in 1971 and 52,188 cases in 1976 of keeping illegal arms are registered. The weapon every kind of crime, play a key role in simple burglary, robbery, financial crimes such as smuggling and in communal riots. Industrial strikes in 1974 were 650 thousand, while in 1978 it reached Number 3 thousand.

12849 incidents of student unrest in 1987 compared to 12668 incidents in 1986. During 1987, occurred 487 incidents of violence communist militants. According to a government report by death toll police bullets was 697 in 1991 increased from 448 in 1990. In the number of cases of Murders are increasing. According to the report in every day hundred people a day are killed.

More than 32,500 people were killed due to terrorism in JK, including 13,000 civilians on. February 27, 2002 after the Godhra carnage on 28 February and 1 March 2002, communal massive violence in Gujarat took place. Uttar Pradesh and Bihar, today the situation has deteriorated so much that it seems there is rule of some organization or mafiagang.

In spite of strikes and lockouts collective boycott of examinations by the students, unrest in universities, Murder, Decoy, robbery, child abduction, fraud, eve-teasing, violence oriented trend of political movement, irresponsible conduct by the police has made very law and order situation of the country alarming. Frank Morris's comments today are important – India's government, but the administration seems to lack. The rule of law is Concomitant of the empire of chaos.

## 10.10 Causes for the Deterioration of Law and Order

In India demonstration, picket, encompass, fast and lockouts, favour of their proper and improper demand in front of administration is common thing from which deteriorating law and order situation creates the feeling of fear and insecurity in the general public. Its reasons are following:

- (1) **Background of National Movement** – India's national movement was mainly against foreign rule. In the days of the national movement Satyagraha, picketing, fast, Non-cooperation, Civil Disobedience, etc. were common. After independence, the day came to put pressure on our elected government use the such tools is which occasionally take the form of violence also. The prevailing law and order is deteriorating.
- (2) **Constitution Specified Target** – The Indian Constitution, is committed to achieving specified goals justice, equality and freedom. The Preamble and the Directive element inspire citizens for the realization of these ideals. Whenever the common man in India, have fought against injustice, exploitation and inequality that the bureaucracy tried to crush constitutional always struggle.
- (3) **Political Instability** – India's governance, of the situation political instability and uncertainty has occurred several times in Indian administrative. After the fourth general election since the position of a political vacuum has arisen in several states, Due to defection and loyalty coalition governments and the ministry and the Chief Minister could not conduct the government with loyalty and assiduity imagine. Similarly, after March 1977 the center of the ruling party's infighting, weak position of prime minister, the caretaker government Such limitation, political conditions etc. the administrative efficiency cannot imagine. Today Law and order the ruling party is also divided into many factions

of in the state, the Chief Minister is not convinced of his rank and position, administrative efficiency situation in view of will not come there.

- (4) **Colonial and feudal conduct of police**—Our police today still consider all common citizen criminal till they poore them selves innocent. The perception is deeply in common man that protector of strong police is not the general public. Today the attitude of the police towards the criminals is autocratic brutal and tyrannical while it should be reformist and tolerant. They have also been using in the political usage.
- (5) **Political interference in the administration**— The cause of deterioration law and order situation has also been political interference in administrative works. Every dangerous occurrence that has happened to law and order, the police and administration not to take any further action until it gets political indication for law and order. In the words of Police Commission President Dharmavir's, in any country in the world by the elected representatives are not interfering in everyday as it is in India. They do not listen to politicians who possess continuous transfer, humiliation and other such problems are troubled by fears.
- (6) **Socio-economic background**— The cause of deterioration is also law and order in our socio-economic status. Indian society is divided into religions, races, classes, languages and into different areas. The polymorphic character of society collides many times because of ideological differences, thereby resulting in conflict and chaos. Although of unity in diversity is the ancient tradition Indian society and culture, however in many times due to the social tensions caste fights, religious and communal conflict, linguistic strife and discontent towards the development of regional disparity as there are riots being continud. To subvert India's economic status in the society is responsible for numerous reasons of violate the social system. Chronic unemployment, poverty, inflation, rising prices, population growth, corruption, indiscipline, nepotism many other socio-economic factors have caused the breakdown has occurred several times, laws are broken and progress has been stopped.

## Self Assessment

Fill in the blanks –

1. Unless changes in the Indian villages, in India ..... cannot happen.
2. State's armed police are called ..... in Assam.
3. The area of operations of Indian police has only ..... considered.
4. The scope of the district police is nearly ..... square mile land.
5. The sub-inspector of police is known as .....

## 10.11 Suggestions for Improvement in the Law and Order Administration

With administrative aspects for improvement in law and order-With the sociological aspect to be noted is inevitable.

Administrative Aspects—In to improve Law-and order admlunistration first, work style of police, organization and training should be focused. Nowadays an unimaginate change has come in construction of arra of crimes so: the police should be use immovative tools investigation must be based on the science and technology for the job. Today also Indian police fight against all types of political movements and demonstrations with our ancient 'stick' only. Which are still being trained personnel in place of the feudal values make them more awake for equity and justice. Public values and the police should be trained to become sensitive to the masses and democratic value of police. Police force should be trained by new methods towards research and inoestigation and new challenges.

**Notes**

**Second, the administration** of justice must be improved. Sometimes the laws are violated because they have become useless and redundant in present. Thus with social change government must change in laws is required by the government.

Due to the weak side of the advocates of state government the number of surviving criminals is increasing steadily, so the district and sub-district level public prosecutor should be appointed only on merit. The system should be prompt to settlement of lawsuits. Deferred pending indictment for thousands of years living in the States, which has been a direct impact on crime rates.

**Third**, the district administration mainly responsible for the system. The district collector law-With the establishment of the system of revenue collection also conduct the development work related. Development works are so long that law and order work remain neglected. Administrative Reforms Commission had recommended that the Collector should be separated development work and should be made solely responsible for regulatory functions.

**Sociological Aspects**—According to Sociologists are of the opinion that the law-system challenged every event, whether it's common theft, robbery or violence, communal conflict or be a blaze of labor discontent, at the root the economic-social inequality and disparity spark is present. Therefore, it is required Constitution implementation of socialist specific goals, implementation of ideals of and public welfare of the state. As implement the goals enshrined in the preamble will be made a different social order and in this way this problem gradually be decreased.

**Conclusion**—Establishment of Law-order the whole question of is linked to the question of our ethics, character and integrity. In our democratic atmosphere in addition to government's machinery it has also specific importance citizens to establish law-order. The responsibility to every parents becomes their descendants law-explains utility of the system. Then is excess of laws at presents in our country, but the order is almost absent.

## **10.12 Summary**

- In Indian police lacks of the intellectual awakening. The cannot distinguish between The 'healthy chaos' and 'chaotic violence'. Police is indifferent 'social and economic changes' the forces of social change and economic development side are pushing full steam 'towards the change and transformation'. while following in the footsteps of maintaining 'Law and Order' is labeled all the 'Break the systems'.
- Police have a serious charged that the whole police system is full of corruption. A direct impact corrupt police of trends have on the general public shict daily life events, theft, robbery, Riot- Fracas, accidents; abuse etc., in connection with the exploitation of corrupt police is futile to hope to achieve justice. Political corruption and economic crime investigation together makes the police as crime investigation institution disapled.
- As far as the investigation-methods is concerned, it is unfortunate that in our country the middle age feudal system still is investigating crimes-assault and by violence. British-era practice of putting handcuffs standing and independent government of India paid no heed to remove it.
- According to the Oxford dictionary, 'law' Recognized by the community habitude regulations say that the community is obliged to obey. Accordingly, 'system' implies the existence of a built-in power and lawful state in which the nuisance, riot, violence and crime does not exist. law and administration are interconnected in such a way that one has no meaning in the absence of the other.

### **10.13 Keywords**

Notes

- The law-approved by society and government rules and customs etc.
- Police authorities-the police system in order to make peace

### **10.14 Review Questions**

1. Police-Administration by analyzing the role of the central government.
2. Explain the characteristics of Indian police administration.
3. Write critical articles on the changing role of the police.
4. Explain the major problems of law and order administration
5. Law-Please review the reasons for and order situation.

### **Answer: Self Assessment**

1. Change
2. Assam Rifles
3. Field
4. 3600
5. S.H.O

### **10.5 Further Readings**



Books

1. Indian Democracy – *Rajesh Rawat, Satish Chaturvedi – Secrets Publications.*
2. Politics in India – *Abhay Kumar Dubey – Vani Publications.*
3. Panchayati Raj in India – *George Matthews – Vani Publications.*
4. Democracy's in new Public – *Arvind Mohan – Vani Publications.*
5. Development in India, Democracy and Decentralization – *Chandnsen Gupta – Routledge Publications.*
6. Isolation and religion in India – *Smsul Islam – Vani Publications.*

Notes

## Unit -11: Media and Public Policy

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11.1 Public Policies

11.2 Communication and Democracy: Contribution and Effect

11.3 Media and Public Thought

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11.7 Further Readings

### Objectives

After studying this unit, students should be able to—

- Familiar with Public policies, communication, contribution of democracy.
- Will understand media and public opinion.

### Introduction

In the field of development media and democracy very important play contribution because in today's time zone and governments are not only responsible for the development but also common masses. Creating policies and initiatives since the government has expect the cooperation of the public and to ensure the activation of the election, meetings on particular issues which the arguments have to be done. In addition to media, all media organizations providing people with their suggestions and providing space available for meetings and gatherings for arguments. Today in the era of globalization media has become a very important factor of social administration. Everyone knows what and to what extent the media of public opinion. But the media specialists and social workers of some intellectual group believe that the opinion of those, who esteemed position and the people, them idle believe their role (contribution) is very important. But capitalist society of the time was rated as an integral part of the media because they were beginning to learn that any political, administrative, social groups to accelerate the process and those affected by their perceptions of the extent to which the media can contribute. Means of communication play a dual role. Media influence policy makers through publish the ideas of victims, different class of society formers, labour unions etc. on side on one side and to other the



other side of the debate on the same ideas, meetings, seminars, etc. on their policies and policy makers to put in pressure to realise the drawbacks of their policies. Also the process of democratization, globalization and technology on the development of communication and social effects use discussed.

## 11.1 Public Policies

Public policy process is that which makes policies for the central, national, provincial government, municipalities, authorities, and it panchayats and this process helps them also. In society education, health, development, defense, agriculture, communications, etc. there are many such cases having a larger impact on society and public policy only if they are known.

### Some Key Definitions

- In 1994 Considine was clear in its definition, “the public policy is that process in which make committed the administrative authority action in support of its resources to fixed values and forces (policy formulation) mass values such as clarification of the commitment of money and services and rights, and must involve post”
- By defining a public interest that scholar says that there are public policies where the community want to fix things communities according to but some scholars say that this type “public policies are government’s such decisions and actions which meant to resolve the problem of the society.
- Public policies define a good society and to the social amenities is the result of conflicts.
- According to one definition, public policies help to achieve politics that have the power, authority, resources, information and distribution of the benefits and management of public goal.

Today’s time as we all realize the scope of public policies has greatly increased and all cases are concerned in it. Government must ensure that all of the smaller hygiene and health too big as some of the water problems in society in order to implement by making public policy to feel public better.



*Task* Their views on public policy brief.

## **The Relationship between Public Policy and Administration**

Public chooses their politicians regarding their public promises, according to different standards depending on qualifications. If no, the leader of a political party that people do not think their standards effective it is immediately rejected. Both, the Government and opposition have must a particular context to the public. In other words we can say that the debate on policy formulation, by the existing policies etc. concerning a new approach of democratic governance and to become an integral part.

Democratic forms of government policies by the public body set up by Parliament are the legislative processes. There are many units of National policy-making institutions in a democracy, state-level, regional-level and district level etc. Parliament is, the highest mark of the contribution of the public participation send elected representatives public and there the various policies and their implementation on the part of the public debate (if required) discuss. Various political parties representing different public or another form which are composed of like-minded members of the same classes and the same class etc. society collected ideas (other societies) appear to have been interested in social work people are automatically exposed. Labor movement, peasant movement, governmental or non - governmental organizations all political manifestations are the appropriate forum. One such dominant medium is media or communication facilitates communication between the public and the political parties.

Notes

## **11.2 Communication and Democracy: Contribution and Effect**


When the printing press was invented in the beginning and especially since the establishment of democracy in Europe immediately after the media and politics are complementary. The advent of the printing press had been done in Europe revolution of capitalism the importance of the printing press in Europe and had been found to be well after the revolution the printing press got its importance. Because of feudalism was abolished a capitalistic system provided that equality, liberty and fraternity are dependent on, had to be established. However, the revolution of the printing press had already become a magical instrument that Rousseau, Hobbes, Walter, John Stuart, Mill and Like many other philosophers promote ideas and possible consequences. We all know that the philosophical debate between Pascal and Descartes, was possible only because of the media. It would not be an exaggeration to such debates, meetings, who assisted in publicizing the movement of democracy ideologically grounded and the media in the new democracy has been recognized as the main pillar.

At the origin of capitalism brightest emerging talent and improve the work of the media to disseminate at the same time the importance of the media in politics and development was done. It made the main source of capitalistic democracy of thoughtful development and enhance and strengthen its subject matter also interviewed the elite of society. Whichever party comes to power say about in the society, to the society, for the society.

Information on Economic, political, social and cultural areas must provide to the public that was not given to the public because they were afraid lest the significance of this achievement that the newly established or go public again take its stereotypical attitudes toward the old system and the political party or Denying. For this reason many spokespersons said that – “the abuse of freedom of democracy in this range that led to the fact that the existence of moral values and the power of the state to reach any trouble or danger of such immediate control over should be independent society.” Capitalist democracy has evolved many years later when he felt that the public democratic process cannot be activated unless and until there is increased in freedom of media.

Now that the new democracy fellings were charged with liberty, equality, fraternity, the Parliament (Legislative Council), government (Executive) and the Court (Judiciary) taking the support of the political process in various states started control accordance with the rules. This link is they declared to the media the main pillar of democracy. From the moment the in the U.S. and Europe has become independent media key means of discussions

Herbert J Altschull in his lectures discussion of democracy and media relations concerning the objectives of the American press says –

	<i>Did u know?</i> In democracy people only rule and their voices can be heard by ballot boxes. Ballot boxes received from the public the decision depends on the information they received.
---	--

Originally they provide all the information though the media. So the media are essential for survival of democracy.”

The same thing can be said to understand more deeply the meaning of democracy is an independent because citizens cannot be independent in any other system of government in a free society. So, for constructing or determining an independent society such medium is required which should be fully independent and today not only America, but the entire capitalist world has become many people’s perception.

## New democracy and media

## Notes

In today's globalized world Means of communication, the processes of democracy in each country are being added continuously. Whether government officials or politicians to fulfill all its programs and goals through the use of communication to very high levels. Public also to respond to these ideas "How are our leaders? How are their views? What is his ability are functioning properly implemented? How do they rule? How they make policies? And what do they do for their implementation?" Uses media in abundance. It is very surprising the fact that the with increased means of communication voter participation is declining. To become active participants in our democracy and to become a knowledgeable citizen of the administrative process and the public should be recognizant of the importance of media. Common citizen immense knowledge of intertainment and culture world but he does not know the relationship to the means of communication of politics and public policies or maybe the relationship and how can they affect the life of a common man can. It is very important for him to know these things so that he should become an considrate users of political messages and do not accept any message. How can we motivate that they find changing relationships of communication and democracy? Similarly on some of the the questions journalists of society, senior citizens, intellectuals, etc., should think together.

In today's time, the relationship between communication medium and public policies is being critical and complex. In today's society where the 24 × 7 news is showered on public information, there informational recreation and traditional journalism is overlapped somewhere and there public policies to repair or upgrade and create the necessary political consensus to achieve the goal of the discussion are very difficult. Election, intended or implied fraction of group discussions, debates, etc. Special interest expenses on and the offices of the popularity and prevalence of pressure can destroy important issues or have jeopardized.

Public policies such as the media and the media are absolutely necessary for students to know that modern communication mediums, how the these powers collide and that the news of cells public policies to include issues related to how and on what basis decisions are taken?

It is crucial for them to know."Media spokesperson to forward your messages on how to use and rely on them"? This is also an important question.

Democracy and the media in the new media of the latest technology - new technological connectivity and media technology with the convergence of communications media has drastically changed. In earlier times magazines and newspapers were the only means of communication medium whereas –



Notes

In today's age involvement of radio, television and Internet and computer media has a broader meaning.

With the increasing use of information technology and technology have changed the media. All information are readily available on the Internet due to which readers and citizen's dependence on news papers have been reduced. Nowadays in the whole world national, global, political or any information provided to the public for governments are making use of the Internet and even submission of applications, issuance, fill them, even encourage the internet to release the news bulletin. This is called e-governance which uses numerical technology and internet.

So far the computer and Internet use is still limited but due to the continuous development of information technology the possibility of free expression of public will increase compared to the radio and television any type of the text or in fact private or government control is less. Therefore the freedom of the media was granted so as to represent the voice of the people but because of the cost and management these technologies to their owners have been given special rights to prepare materials that suit their interests and benefits.

**Notes**

Nowdays the region of lively communication medium between the government and the people is via e-governance and less control over Internet and because of like of interest group relations are closer to those of the same religion and many are able to agree on various matters of public opinion.

**11.3 Media and Public Thought**

It is the media that largely determine public opinion, can definitely be said. While many studies also show that the idea media are not the only source of making the public. In 1940, during presidential elections in America Paul Lazarsfeld and many other scholars who observed that the communications medium or media do not affect direct on the public decision-making process. In his book "The People's Choice", he considered factors leading to the creation of the public thought is interpersonal communication, peer groups and opinion makers. However, not the contribution of two step information model the media was not denied but accept a important source of reflects the people who give suggestions and feedback and the public.

In 1970 media theorists again said the importance of the media in creating public opinion informed 'George Gerbner' propounded in (in 1967) 'Cultivation Theory', it was announced that the "media are the only manufacturer of society." He suggestive impact of media on people or the media because he showed the effective symbols again and again and that made them taller because of the prevalence. Since his time, the advertising were very impressed community so his research were in favour of time.

Then examine the relationship between politics and the media were also checked during elections agenda made by Maxwell McCombs and Donald Shaw (1972). Agenda by those pioneers who built the principle of preparing agenda, that the media? What is there to think? In place of more successful in telling. In this study the media built issue compared by the isjine made by the politician. According to this study," the issue was fixed over time by the media take the form of public issues." Other scholars of Mass media suggest several alternative theories of mass communication.

**Self Assessment**

Fill in the blanks –

1. At present limitation of public interest policies have .....
2. Labour movement present movement etc. are the proper forum of politices .....
3. In democracy people only does .....
4. 24 × 7 media in showing of ..... over public.
5. The media largely forms .....

Media and Audience or spectator are integral part of the society around them, so their socio-cultural reference did not control only the taken or given by them but also control the influence of which on the audience." An important principle of 'Development communication theory' By the Mc Bride commission of developing countries has been formulated for the study of communication problems. Main problem of this study were absence of communication problems, dependence on developed countries for instruments and content materials. The goal of these countries, economic, political and social development of their societies, national work and their commitment to abiding priority countries and nations recognize the common interest. Development of communication theorist's tension was to find different poverty alleviation, population control, literacy, employment growth prospects etc. functions use the media ways to was concerned. The credit of sucess of this theory goes to governments because it is government is the only institution which independent media using legal rules or it can impose control.

The above facts make it clear that the media to convey information, among the public, the media is the powerful means to convey information to the public to educate public for other issues and to entertain them. Due to this ability to influence the general public of many times governments want to control of such as these censorship laws. The effect of communication or media on public message can be most easily seen. While there have been changed recent in almost every media policy.

## 11.4 Summary

Notes

- Public policy is merely a process of working in the interest of society by the government. Many times society challenges government's current policies and lack their own government is also forced to change their policies. Such changes can only be seen here in a democratic society, because there is provision of provide internal controls.
- There is no ultimate authority in a democracy society where such laws often force many ways when discussed in the parliament and is subsequently changed. Legislative Council, The executive and judiciary system has been considered a major factor of democracy.
- The media also has come as the most powerful and the fourth factor of democracy and have to prepare public thought and people-policies. To improve public policies, many political parties and civic organizations are seen to play a very important responsibility. The development process is useless without public policies.
- Even if the news media does not include general development work in news there is dispute with all viewpoints vote in favor of any one lays sentiment of people. Press and Politics has a strong history of the relations of these theories are discussed and create a poll.

## 11.5 Keywords

- **Media** – Means of mass communication (radio, TV, newspapers, etc.)
- **Internet** – Computer based network, a storehouse of information.

## 11.6 Review Questions

1. To clarify the role of public policy and its development.
2. What is the role of the media in creating public policy?
3. clear the distinction between the role of media in constructing nature of public policy and public thought.
4. What is the New media technology impacts on governance and democracy?
5. How globalization influences the development process?

## Answer: Self Assessment

- |                |                   |               |
|----------------|-------------------|---------------|
| 1. Increased   | 2. Expression     | 3. Governance |
| 4. Information | 5. Public opinion |               |

## 11.7 Further Readings



Books

1. *Bhartiya Loktantra – Rajesh Rawat, Satish Chaturvedi – Raj Publications.*
2. *Bharat Main Rajniti – Abhay Kumar Dubey – Vani Publications.*
3. *Bharat Main Pachayati Raj – George Matthews – Vani Publications.*
4. *Loktantra ka Naya Lok – Arvind Mohan – Vani Publications.*
5. *Bharat Main Vikas, Loktantra aur Vikandrikarann – Chandrasen Gupta – Routledge Publications.*
6. *Bharat Main Algavad aur Dharama – Shamsul Islam – Vani Publications.*

## Unit-12: Interest Group and Policy Making

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- 12.9 Criticism of Pressure Groups
- 12.10 Summary
- 12.11 Keywords
- 12.12 Review Questions
- 12.13 Further Readings

### Objectives

After studying this unit, students should be able to –

- Learn the meaning and importance interest groups.
- Understand the role of pressure groups in Indian politics.
- Be familiar with the characteristics of interest groups.

### Introduction

The pressure groups are of vital importance in the political process. It was also the time when the pressure and interest groups was considered immoral and were looked down upon. Fredrik wrote that, “what all garbage haul and serious students of politicatonce see these pressure groups were spurious and frivolous view. It was considered a sinful power, which weakens the roots of democracy could distract or representative governance. ‘Lobby’ word was looked down upon and it was considered the symbol of

deception, corruption was considered the epitome of evil, etc. But in modern times pressure and interest groups is considered the protagonist and partners of democracy. In various countries the importance of these groups in the political system and the contribution has increased so much that they not only an essential is considered evil, but political activity and public policy for effective implementation make healthy elements are also accepted. In plitical system the growth and development of pressure and interest groups is not the new fact always a rule in all kinds of societies pressure groups are present. At present the only budding element of pressure groups that they are working in politics as an institution.

## 12.1 Interest Groups: Meaning and Definitions

Pressure groups have been addressed by different names. Pressure groups, Private Organization, Lobbies, Informal Groups, etc. use words, pressure groups are used. There is sinely the difference in pressure groups and other organizations. Not all organizations are pressure groups nor interest groups and pressure groups are the same. Hundreds interest groups are in each country and society, but with the intention of influencing power when they become politically active, then become 'groups'. Such groups of persons in called pressure group which do not influence the on the basis of any programme electors, but whose relations are with special cases. Neither these had been Political organizations nor their candidates contest elections.

According to Prof. Madan Gopal Gupta, "The pressure group is actually a medium through which by common interests persons of attempt to influence public affairs. This means that any social group which try to influence both administrative and legislative decision, without any control of the government to be called pressure group". According to Odigard, "the Pressure group is a formal organization of people who have one or more general-purpose or self-interest and the sequence of events, especially the creation of public policy and attempt to influence government so that they can grow and protect their interests." In the words of Mairn Wiener, "My understanding about the significances of pressure group is that such group which is out side administrative system and optional but organized which try to influence the appointment of administrative out to review, public decision making and their administration and agreement system".

Indeed, Pressure groups is such medium which people with common interests' attempt to influence public affairs. This means that any social group which want to impress without any effort both administrative and parliamentary officers to get control of the government, will be in the range of pressure groups is to be compared with. The pressure groups 'Anonymous Empire'. When their interests are threatened, or when they have to achieve certain interests when they become active. Otherwise they remain inactive as interest groups.

On the basis of above definitions the main significance of pressure groups are –

- (1) Pressure group to achieve its objectives, influence policy-makers.
- (2) Pressure groups are concerned with **special issues**.
- (3) They are not a political organization nor participate in these elections.
- (4) Pressure groups unknown Empire is as when their interests are in danger when they become active.

## 12.2 Importance of Interest Groups

The importance of pressure groups is becoming very widespread. The constitution of most countries recognize the fact that there should be provide the appropriate facilities to develop of this type of groups. The function of these groups is very important to mold the administration in favor of public. The usefulness and importance of the major causes of pressure groups are as follows-

- (1) **Pressure Groups for expression of Democratic Process** – Pressure groups is considered a means of expression of democracy. It is necessary to prepare public opinion for the success of democracy in

Notes

order to specific policies can be supported or opposed. Pressure groups in different ways in different countries are striving for their conviction. By educating public opinion, gathering data, providing the necessary information to achieve your intended has become part of the process.

- (2) **Pressure group as the organization to collect information for Government**—Government and administration in each country should have the necessary information adequately. Governance information as pressure groups private sources play an important role to governance information. Pressure group collect data, research and aware the government of their difficulties.
- (3) **Pressure group and organization of influencing Government**—Nowadays the existence of pressure group is an an institution which as such power in the view that the can give successful pressure on government machinery to sulf interest particular interst.
- (4) **To Limit the Tyranny of Government**—In every government-system trend is growing of centralization of powers which are concentrated in the hands of the government. Pressure group delimits of government tyranny by their menses.
- (5) **Establish Balance in Society and Governance**—An advantage of the existence of pressure groups that balance remains between different interests. Traders, workers, farmers, ethnic community, female and religious community etc all want to get their own interests, but they are forced to compete with each other. As a result, established balance society and governance a and this contervasing tendency protects the society in which personal community capture the whole community.
- (7) **Medium of Communication between Person and the Government**—Pressure group in democracy system establish balance between national interests and individual interests. These group works like a mean of communication between the citizen and Government. According to Reddy, the elected leaders find out the desires of their electors through pressure groups. So they can be called non-governmental communication source.
- (8) **The act of the Legislature after Legislature**—Pressure groups help legislators in law making. Because of their expertise and mastering they give essential advises Committee members. They are so helpful for both counseling and support that they have come to be called the Legislature back to the Legislature.



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The major causes of the emergence of pressure groups in India - Public welfare state principles, policies of government intervention in the economic sector and the increasing trend towards individualism to the socialism.

### 12.3 Interest Groups and Political Parties

In administrative system of India to distinguish between political parties and pressure groups is a difficult task. Our country has developed a multi-party system and the number of parties so that they become tools of factional politics. However, the fundamental difference between political parties and pressure groups-political parties participate in elections while pressure groups do not stand candidates in elections political parties; has objectives and program while pressure compressed goal. Political party groups have legislature while pressure group acts outside the legislature.

**PRO. Herman P Fainer** states that, “where there are weak principles and organization of political parties pressure groups in the organization will grow, where there are powerful pressure groups the political parties are weak and where there are powerful, political parties pressure groups will be suppressed.” but the soundness and weakness of political parties cannot be connected be connected with strength and weakness of pressure group. For example, political parties in the UK are quite strong in terms of



organization and discipline, but are not impaired pressure groups. In India and France political parties are weak in terms of organization and doctrine, but also to pressure groups has been recognized as king makers. Political parties in India is the United Alliance (Coalitions) Various pressure groups, affect the team approaches remain within the party. **Almond** and **Powel** write, "where a single party rule in countries like India and Mexico - the system runs the means of expression of the interests of the various parties."

**Indian Administrative system**—In order expression of various interests from the beginning the Congress party organization is impressive. During their interests and the interests of the independence movement in various set-ups, attempted to influence policies of the British. After independence the congress party, in place of 'National Movement' became operational as a modern political party. People of many ideologies, races and communities in Congress included and resume its position emerged as an institution as earlier appeared to reconcile the various interests. The position of other parties and no party has more or less been same caste, creed, is not free from the interests of the state. All sorts of people have subscribed to all parties and that's why the team announced the election—the second team announcement letters—letters almost resembling that. **Almond** and **Coleman's** three reasons to believe that political parties in India by clear and intense expression of interest groups is not the—**First**—in India is in the process of building party system **II**, team, second, limitations of party, legislative and bureaucracy are not clear, most works are done by the burcaucracy, third political parties are weak in organization and doctrine.

## 12.4 Techniques of Pressure Groups

Pressure group adopt a means or way suitable for the fulfillment of their. In ancient times hate and their instruments were seen the evil eye, but today they're considered not bad. The means adopted by the pressure group are as follows—

- (1) **Means of Promotion and Dissemination**—To achieve their aim, to build goodwill at his side and objective approach to auxiliary proven ones in receipt at your side public to these various influential pressure group or class or economic interests organization press, radio, television and public relations experts use the services of and use.
- (2) **Publish Data**—To present their side to Policy-makers vigorous pressure group publish data in order to meet your point clear.
- (3) **Organizing Seminars**—Nowaday's pressure groups organtze for conferences, seminars discussion and debate. The leading authorities of administrative and legislative are invited in these conference and seminors and try to influence them by their opinion.
- (4) **Stay Active Parliament Lobies**—The pressure group go to they Parliament through their agent and try to influence members. professional organizations to influencing members of Parliament assemblance appoint in the lobbies of parliament and they do clever lawyers hard work for fulfelment of their self interst. Lobby area of ejent their to defend legitimate rights support a open measures also keep relation with legislators. Their monitoring their movements and try to change their ideology.
- (5) **Bribery, Dishonesty and Other Measures**—Use methods of the dishonesty wherever possible and the interests against their self-interest to discredit his accomplishment. Somewhere-anywhere the use of liquor and them as needed. Pressure groups representatives of actively in the capital of each country spent the money and business active. Pressure group engaged in the realization of their perposes. Business pressure group always forward modern measures pressure groups.
- (6) **Lobbying**—Lobbying means influence "Government." this is a political measure. The person working for lobies is called the mediator between pressure group and Government. There are three functions of lobies—broadcast inofrmation, protect interest of employers and clear the political effect laws. Pressure group through the lobbies influence the law markers to get disired goal.

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- (7) **Interest in nomination of the Members of Parliament**—Pressure group nominate such candidate in the elections may later help in the promotion of their interests in Parliament. It is said that in democratic governance Members of Parliament are in the pocket of pressure groups. Members of Parliaments want money and pressure group provide in search of money they go to pressure groups and in return they support the demand of pressure groups.
- (8) **Performance**—Sometimes pressure group use the demand of pressure group use the agitational and demonstrative means other pressure groups also used more of the strike, marches, rallies, etc. means usually.



*Did u know?* To protect their ambitions pressure groups do not hesitate to bribe.

According to **Odigard**, Generally three types of pressure groups remain active - **First**, pressure groups remain active during the elections, **second**, they tend to focus their attention on Vidhanang and Lobbying work, and **third assembly election**, trying to do public opinion in their favour.

### Self Assessment

Fill in the Blanks—

1. Pressure groups are considered to be ..... of expression of democracy.
2. In autarchy there does not a lack of .....
3. Pressure Groups do their Work in ..... of legislaturcy.
4. Lobbying means to ..... Government.

## 12.5 Pressure or Interest Groups in Indian Politics

The conclusion three scholars of Asian politics (Kahin, P. Park and Tinker) that this conclusion also applies to India, "Western countries have been clear articulation of interest groups in the political process, while non-Western countries did not happen". As US in India a pressure group has not been developed, although some professional organizations are indeed active in such as pressure groups. However, other communities because of the pressure group led by middle-class leadership actively in the political process can not affect the decisions of the political process as modern. Economic deprivation causes a large pressure difference between the groups demand and ability of the Government of India is spectacular. Because of universal adult Fracise custom, incrise in political rights, mandmus and economic and social sectors public programs planned expansion and India's is organized political structure pressure and interest groups are increasing.

**Historical Background**—Prior to independence there are many interest groups active in Indian politics. Brahmo Samaj, Tarun Bengal Group, Satyashodk Society, the British Indian Association society etc. interest groups,—were employed as social reformer. In the year 1885 the Indian National Congress and in 1906 the Muslim League was established. Almond and Coleman is said the reality of South Asia in the early modern community were interest groups not political parties. The aim of Congress, Muslim League etc. was to promote the interests of the middle class volume and therefore it can be said initial interest group. As one historian wrote, "The purpose is to influence the government under the prevailing legal system." Subsequently Congress transformed into a national movement. The change of interest group into the Indian national movement, in political the event sought to change the nature and structure of the pressure group influences. Our national leaders with the goal of organized Congress

as mass - movement construct farmers' associations, trade unions, student communities etc. in. So it would be fair to say that the pre-independence Indian National Congress was an organization different Community interest used to organize and promote their interests. Muslim society for the promotion of the interests of the Muslim League was also very active in this period.



*Did u know?* The HMS was founded to modest effect of the Muslim League.

## 12.6 Kinds of Pressure Groups

There are several types of pressure group in India. These groups represent the country's social structure. According to the findings of prof. Morris Jones, in order to understand "The Indian government thoroughly the activities of private organizations and gender study is useful and indispensable" Morris Jones composition in his '**The government and politics of India**' expressed three languages or models in Indian administrative system. The first and third language are concerned with pressure groups only. They consider the model of second language of modern and model of first and third language of conservative and 'Saints'.

Pressure groups operating in India can be divided into four groups on the basis of Almond and Powell 'model' –

- (1) Institutional Pressure Groups
- (2) Associational Pressure Groups
- (3) Non-associational Pressure Groups
- (4) Anomic Pressure Groups

### Pressure Groups in India

Institutional Pressure Group	Associational Pressure Groups	Non-Associational Interest Groups	Demonstrative Pressure Groups
1. Congress Working Committee	1. Labor union	1. Communal and Religious Communities	1. Jammu and Kashmir Liberation Front
2. Congress Parliamentary Board	2. Professional Associations	3. Generic community	2. Babbar Khalsa
3. CM Club	3. The Farming Community	3. Linguistic community	3. Khalistan Commando Force
4. The Central Election Committee	4. Student Community	4. Gandhism Union	4. ULFA
5. Bureaucracy	5. The Employee union	5. Young Turks	5. Khalistan Liberation Force
6. Military	6. Communal Union	6. Sindiket	

- (1) **The Institutional Pressure Groups in Indian Politics** – Institutional pressure are active in groups, political parties, legislatures, etc. are active in the military bureaucracy. They have formal organizations, they active autonomously or are funded under the umbrella of various institutions.

**Notes**

With this expression of your interests, represent the interests of other social groups. Developing country like India, groups of highly influential force for many reasons, such as organizational pressures are employed. There are several reasons for these drastic of First, They have right base of organization pressure groups are neither effective nor has the highest number third, institutional pressure group are an integral part of decision-process, and fourth, they also represent the other interests of society. form of the type of pressure groups in Indian politics are the Congress Working Committee, Congress Parliamentary Board, the Chief Minister clubs, the Central Election Committee, the bureaucracy and the army, etc. can be taken.

Congress is not only major political party in India but also the leadership of Indian government has been long in the hands of the team. India's politics which revolves around the Congress and congress is Congress high command. In the era of national movement the position of high command was the uncrowned emperor. Many important decisions is taken by the CWC and that was also actively executed. After Freedom the party high command center of our political axis become around which the government, parliament and ministers began moving. If the high command of the later independence is said to be India's 'King Makers' speaking then it would be no exaggeration. After the late Shri Jawahar Lal Nehru working committee has been playing an active role in order to help asce the there of prime minister Shri Lal Bahadur Shastri and Inira Gandhi. Kamaraj was selected Congress party president post at the discretion of the Executive Committee. Wheat of nationalizing the important decisions taken suggestion the Executive Committee. Working Committee as an institutional pressure group by influencing politics of the country and government decisions continue played the most effective role.

Congress Parliamentary Board is being also influential pressure group. Parliamentary Board has a separate office and organization. Important leader of the Congress Party Board members are. Initially the parliamentary board was very ineffective institution in comparision of working committee, but gradually after independence Board in its powers has increased. In 1957, ignored Parliamentary Board ignored of Nehru, declared Dr. Rajendra Prasad, President candidate in wall Dr. Radhakrishnan. Board in November 1962 against the wishes of Nehru Krishna was forced to give up resignation from defense minister post. Shastri became prime minister in 1964, the main reason was that he had the support of 80 percent of the board members. The Parliamentary Board in August 1969 declared the Sanjeev Reddy candidate for the post President Mrs. Gandhi never wanted it. Thus in Indian administrative system Parliamentary Board is a strong institutional pressure group. The prime minister and are required to take support for their decisions of the board, or occasionally may be diminishing their hopes.

Chief minister is as ministers political decisions-the role of in the process of pressure groups. Overbearing and powerful chief minister influence government decisions central level teams. After fourth general election the non-congress chief ministers together consistently inhvenud central government. Nowaday's all States appointed high-level officials in New Delhi to protect state interest unfair to say State lobby'. the selection of the successor of Nehru in ten States to organize Chief-Misnisters' role was important. In January 15, 1966, several Chief-Ministers supported shastri in the selection of the successor to Mrs. Gandhi overtly. Due to effective pressure from the States the central government could not limit the holding, could not impose tax on agriculture. in 1972-73 the States Chief Ministers "influenced the political Committee must 'ministry on the matter wheat production is more there to reduce the wheat prices was not politically judicious. To establish public enterprises their own States still State Government putting pressure on the central government. If center of weak leadership in the States is to be successful to put pressure and strong political leadership, the influence of the not states more powerful. In 1996 after Lok Sabha elections built the united front's Supreme policy-maker entity was 'Stiyaring committee, which members were chif ministers of regional parties as influence at large Shri Chandra Babu Naidu, which Karunanidhi, Prafullakumar Mahant. Selection process of Gujaral and as PM post these Chief-Ministers inflence at large extent. Congress Party's Central Election Committee. Deve Gowda also affect the decision process, the selection of nominees in general-election of the load is put on the Election Committee

and the Election Committee interviewed thousands candidates who are seeking the Party ticket. Morarji syndicate favoured shastri for the post of Prime Minister because of he helped the syndicate supporters in working elector committee.

Notes

Bureaucracy is active in administrative system as organised form. High officials in the service of his union protects their interests. How strong the center at state capitals is can be confirmed by an example. Once the chief minister of MP has suspended on IAS officer holding the post after receiving the message from. Soon a meeting of IAS officers is called of bureaucracy. The meeting decided that the Chief Minister will be ready for change. Eventually CM- had to change the his former decision. It is believed that after Nehru's influence his decision in this case in the decision process has been steadily increasing. Shastri Ji in the era of deeply Secretariat was formed powerful prime minister, became the country's political - administrative the pivot. Senior I. A. S.. Officials influence increased. Because of his influence these officials rise got it in the pay. Today, the impression "The prime minister's office," is reflected on the decisions of all departments. prof. C. P. Bambri said that if the political leadership is weak bureaucratic pressure increase occurs., or J. D. Sethi writes that in India autonomous political bureaucracy is achieved unequalled power increase."



Notes IAS officers association such is called' Indian Civil and Administrative Services Association. This is the All India Association whose branches are also in state capitals.

Budding nation's military as plays a comprehensive role pressure group in politics. The force a pressure group can be said in Indian politics? In fact army has no role to play in influencing decisions of Indian politics. Civilian control as on military factions in support of their demands have not been activated. Exorcism from the Chinese NEFA in 1962, decision was taken at the political level, not soldiers. In the war of 1965 the army on the order of at the and civil officers war of 1971 no change in the status of the military. In 1966 and 1969 on the question of political succession there was no role for the army., Where non - Western Countries of military influence in politics is becoming deceptive as pressure groups, wherever the significance of Indian administration system is in that the army remains silent on political questions. center Strong political leadership in the because of there is no scope for change in style Army in the near future. Prior to the March 1977 elections, formation the was an unprecedented event in the Indian politics. Four-five political parties insert in the formation of Janta party as the alternative of congress. Center and in most states, the ruling Janta Government was from 1977 to February 1980. During this period, the Party and the government coalition parties role as pressure groups is remarkable. Morarji cabinet made on the grounds that it will give all condition get representation in proportion to their strength. In the 44-member Central Cabinet 12 of bulod, Jana sangh of 11, Organization Congress 10, SP 4, Kanfode 3, SAD 2, Chandra Shaker group 2 were ministers. Charan Singh and Morarji struggle to get the post of prime minister respective components clash. To show his strength Charan Singh organized Kisan Rally and organized farmer lobby. Jana Sangh of the power of leadership is the main reason that he and his various Audience groups (consequences) were unable to establish coordination. In Indian politics, that party can remain in power who can coordinate with competitive audience. In 1989 the ruling National Front government at the Centre was also mutual consumers between the various factions emerge competition. Competition in various factions of the Janata Dale in the selection of the prime minister clearly viewed. Built in 1996, 'United front' government was a gathering of various state level and the component group of smaller parties which on various issues Competition with each other.

- (2) **Associational Pressure Groups in Indian Politics** – Associational pressure group are specialized association of expression of interest. The main characteristic is fulfilment of specific interests. These are active in Indian politics in the modern environment. Prominent among them - professional organizations, farmers' organizations.

**Notes**

Labour organization is the association of labours who protect their interests by collectively work. Labour organization were employed prior to independence and many the Indian National leaders of Congress were active in trade unions. National movement encouraged to organize workers to fulfil their interests. At present trade unions concerned linked to political parties. BJP-led Bharatiya Mazdoor Sangh, led by the Marxist Communist Party the United Trade Union Congress, the Congress-led Indian national trade union congress All India trade union Congress led by Communist Party are active. The motto of the trade unions to protect workers' economic, political, social and cultural interests. Labor union partially influenced the government policies, they are hands of political parties and not in the hands labour leaders.



*Did u know?* The business interest groups are the most enable to act as a modern pressure group to enable the most.

There are several types of traders association such as industry groups, regional groups, communal groups, all Indian communities and big business houses. Officially organized pressure group of businessmen are organized and officially resourceful. Modern techniques of pressure to be adopted by the western countries, given their pressure groups can be found. They have news - papers and magazines, by the form of enterprises.

Promote the interests, financially assist political parties, to contact the ministers and departmental secretaries their to warn interests members of Parliament. The influence of business group of influence of business presence group on our political process can be estimated on the basis of Vivin Bose enquiry report on Dalmia business house. This enquiry is the detailed representation of irregularities to this business house. But representatives of the business house do not report the details of the group have to access the news to the M.P., it did not publish in news and did not consideration in Parliament. The report was suppressed and was reported missing from the parliamentary library. This example shows that in India traders, pressure groups have influence on government and parliamentary machinery.



*Notes* Nowadays traders organizations 'Federation of Indian chambers of commerce and industry' (FICCI) is considered one of the most modern and influential pressure group.

It represents almost more than a million small and big business units. The federation approaches the government and places the professional demands. The federation is to deliver by prime minister every year. Other ministers such as finance minister and commercial minister also participate in annual meetings of federation. High officials and Secretaries participate in the annual meetings seminars of federation. The research by federation highly respected. After 1958 federation appointed parliamentary Liaison officers for lobby work. These officials familiarize Parliament members with the approaches of federation and to provide necessary figures promote business interests. "In New Delhi by reorganization of the Institution Divan Chand federation indirectly also attempts to influence public opinion. On the Institute held seminars several topics in which minister, Parliament Member, Secretaries and experts, etc. participate federation by passing resolution on various occasions tried influence the government policies. This is a fact that many Uncontroversial bills federation has influenced the Government but major economic questions, such as economic planning, public enterprise policy, bank nationalization etc. had no effect on the Government. Of federation representatives participate in various advisory committees of government and trade federation plays an impressive role as pressure group in the country.

Farmers' interest groups also are becoming politically active. 1936 All India Kisan Sabha has been active as an interest group, but the Communist Party has been control the house. Even today Kisan Sabha working as the Communist Party arm of. Other parties also formed- their farmer organizations, such as of the Hind Kisan Panchayat the Socialist Party and communist party occasionally becomes active. In fact, there is no any role have been of former union in influencing, agricultural policies of the Government of India. Sanyukta Kisan Sabha still believe that due to the influence of farmer's lobby until today the Government could not impose. The former lobby's influence have been on tax, Punjab, Uttar Pradesh and Haryana. Government policies. Nowadays the importance of Panchayats in being increased and the effects of farmers is on Panchayats so the farmers lobby can be most effective in the near future. After the elections in March 1977 from the inception of the Janata Party Government farmers the impact of farmers lobby is increaed. 'Farmers Conference' and 'farmers rally' through. Charan Singh has organized farmers like labour unions. Farmer's lobby is only reason to compromise PM Morarji Desai with Ch. Charan Singh; again would be included him in the labinet as departy pm.

Charan Singh as Minister of Finance in his budget has sought some concession to the former on fertilizers, diesel, agricultural production, etc. In the Union ministry he has to be considered as the guardian of the interests of the farmers.

"Indian farmers Union Organization ". Organized farmers in Uttar Pradesh, he took protest to the Uttar Pradesh government. October 25, 1988 Oct 31, 1988 at India Gate in New Delhi on the boat club about two lacs by collecting farmers the Bharatiya Kisan Union found a new route to their economic demands. Maharashtra Shetkari organization in Sharad Joshi's also attempted to organize farmer's strength. In July 14, 1989 in Delhi All India Institution of farmers 'Bharatiya Kisan Union "was attempted to form, headed by Uttar Pradesh farmer's leader Mahendra Singh Tikait, but only in 1989 between two major leaders Sharad Joshi and Mahendra Singh Tikait leaders of Bharatiya Kisan Sangh confrontation between not only the differences taken birth not this All India Association of farmers broke well before installation.

Active collaboration of youth in freedom struggle and even today our students are politically conscious is being relationship of various student organizations will political parties and political parties have misused student organizations. student-community adopt ways labour associations of and sometimes assume that their interests collide with the interests of teachers and University officials. "Student Council" concerned is the and Jan Sangh, the BJP student federation of the; 'concerned Communist Party of National union' student's association of Congress Party. Different political party funding these associations do and sometimes political parties called off a strike, blockade, etc. these organization resorting too.

Public servants also have their specific organization. Organization for the protection of their interests and to prevent unnecessary intervention by the Administration work at different levels. In these 'All India railway man association', 'All India postat and Telegraph workers association', & 'All India Teachers Association "etc., last year's of employee pressure groups strongly demand pay revision and dearners allowances. In support of their demands these communities served sporadically 'strikes' and 'close' Also held. Actually this pressure group have been affend the Government's policies related to salary and providing other facilities.

Even many types of communal organization associations has been engaged in fulfil their specific interests through accretion. In these associations in a 'Hindu Sabha' 'Kayasth Sabha', 'House', 'All India Council of Indian Christians, ' 'Parsi association' etc. are specific and their demands they influence government policies in the same perspective.

- (3) **The Non-Associational Interest Groups in Indian Politics** – This interest group express their interests as informal pressure group. It does not have organized Union and in these conservational press the groups communal and religious community, ethnic communities, Gandhism community, linguistic community, syndicate and the young Turks are communities formed in based on communal Muslim Majlis., the World Hindu Council (VHP), Bajrang Dal, Babri Masjid Action Committee (BMAC),

**Notes**

Jamayat-e-Islam-e, Islam, Jamayat-e-Hind etc. are important on Ayodhya issue Vishwa Hindu parishad affect Uttar Pradesh Government policies. The dieharded BJP's success Uttar Pradesh and Gujarat, because it is supported by Vishwa Hindu Parishad, Jain society, Church, Vaishnava society, Nanyar Sewa Samaj, Vishwa Hindu parishad etc. pressure group come in this category. Their own schools, College, students hostel, etc. they constantly endeavoured to maintain constant seclusion. In India most of the minorities Organization are in the same format. They do not access, policy makers accordingly strive to be benefited from administrators of the local and State level. are these groups active Election days and a lot to win candidates depend on their stance.



*Task* Make a list of pressure groups formed on basis of religion.

Racial pressure groups have influenced Indian politics from the beginning. Importance of race has inheared in politics after independence. In the attainment of their economic and political interests began to organize and of caste politics rise up in various states. Nadar caste association in Tamil Nadu, in Kamma Andhra Pradesh and Reddy ethnic community, Lingayats in and Okkalinga Karnataka, the Jats and Rajputs groups in Rajasthan. In Gujrat Kshatriya Mahasabha became active. Become of increasing pressure of Jat Mahasabha. In August 1999, 13th Lok Sabha with the intention of gathering support announced reservation for Jats. In the election today's politics party stands candidates observing race in the creation of ministry the ethnic element is noticed and race influences voter attitudes. According to the Mayor the races are trading political importance of the pressure group. In short, on the basis of ethnic interests, different pressure groups will born and participate in the political contest by organized. By which the political awarness and interest towards national politics, borne in them has Rudolf tried to prove it by the creation of caste-based groups have become helpful in establishing of establishing political ideals modernization and efficient operation of the parliamentary Democracy. Many Gandhism organization are also affected government policies e.g., Sir-Bhoodan Andolan, Khadi village Industries Association, Sarvodaya Serva Sewa Sangh Gandhi Peace Foundation, led by Vinoba Bhawe. Jayaprakash Narayan, Kakakalelkar, Dada Dharmadhikari such as the nation's of well-known noble personality. MP, legislatene and minister respect them and their noble opnions and advise to counsolar pay homage to the Nation father Gandhiji. It is noteworthy that the various Gandhian faction do not work for interests but the spirit of public welfare.

Pressure groups Syndicate Indian politics the Congress in 1960-70 and across the country-affecting the system of administration and congress. The word 'Syndicate' is used for some influential politicians who influence decision-making process together. Virtually certain of the chief ministers and his peers was the faction of the bloc has decided that he will continue floating and setting as well and together will affect the politics of the Congress Party. The biggest anxious of them was the selection successor of popular concern them of succers on of Nehru because his future was also linked with it. When was sick in Bhubaneswar, the syndicate helps Shastri to join the ministry he intended that the successor. Syndicate of Nehru Kamraj the chairman of congress party. By support Syndicate in 1964 Shastri and in 1966 Indira designed prime minister at the time of. IV general election was angered with Indira Gandhi because of Syndicate helpd Morarji to became deputy prime minister, but gradually has been reduced the effect of syndicate. His big leaders to be defeated in IV general election by the public. Syndicates nominated candidates Sanjeev Reddy have not elected President and Mrs. Gandhi, and to match the Department of finance from Morarji took sharp poke syndicate. As soon as the Congress party split in July 1969, of effects the syndicate also suffered. Almost up to six-seven years as in our decision-making pressure group effect of syndicate. Syndicate affected the question most of political succession. It appears that the syndicate had become "king makers".

The Congress Party and the Government attached a new pressure group active in Indian politics after 1969 which to be called, the young Turks "the young Turks" means the people of lettist ideology and



belief in quick economic changes some Parliament Member and former communist are in this after split Congress this left faction have influenced several political and economical decisions. these harsh criticism of capitalism supporter government policies and insist on the implementation of Socialist decisions. After spilling Congress several revolutionary Decisions as bank nationalization, Kings' royal prerogative and Imperial bag elimination, general insurance nationalization, lay, urban property holding limit setting, of nationalized wheat trade etc. can be called the impact of leftist faction. The impact of communist factions shows on 24th, 23th and 36th amendements Indian constitution.

Pressure groups play an active role in our politics based on language. It is believed that the present linguistic States are the result of political pressure groups. To fulfil the demand groups Gujarat, Tamil Nadu, Punjab and Bengal has to be given the form of language island of as demand for linguistic groups was to generate new States infrequently in 1953 Andhra Pradesh State's Bombay in 1953 states Division in 1960, and construction of Maharashtra and Gujarat was the result of the linguistic processor group Akali Dal demanded, separate Punjabi state. Partition of Punjab have done in 1966. In Uttar Pradesh 'Anjuman highTariq-e-hind has struggled constantly for proper importance Urdu soliciting letters on behalf of public the were sent, Anjuman's representative met the President and finally Ministry of Home Affairs on 19 July, 1958 would be adopted the President and sympathetic nature on their demands.

Thus the non-associational pressure groups are being quite influential in Indian politics not only have affect policies and decisions on the big issues, but sometimes due to pressure from it the Government had to be radical mortise changes to their own policies are, as conscious these organization. communities are not as vocal.

- (4) **Anomic Interest Groups in Indian Politics** – Anomic interest groups are the significance of administrative system of in developing nation and these can not be said the new comex facts in Indian politics. Anomic group are those that use illegal measures, violence, political assassinations, riots and other aggressive attitude. Anomic protest and direct procedure are of many types, such as public meetings, street meeting, foot marchers rally, celebrating protest day, strike, picketing, non-violent protest hunger strike harining public properties, self flaming, to make traffic jam, laysiege the organised faction by them not only express his grudge but the structure of also touches the form of government investment (input) and output (output) affect the framework rules (rule making) to influence the structure of also also touches the rule (rule application) and rule of adjudicating (Rule adjudication). There faction give pressure to the government to make or change some particular policy.

The rise of anomic pressure groups in Indian politics because it is believed that the Government does not give attention to people's justified demands and the people political party people do not properly represent the demands of all kinds of when peaceful demands are overlooked pressure start group work out of the legal framework. According to Mayran Wiener in India governing do not noticed the demands until they introducing their power through public movement. The government accety demands not due to they are justified but due to enforcement of demanding group.

After independence demonstrators Many important decisions are taken as a result of pressure of anomic group. As a result of these pressures Madras, Bombay and Punjab were partitioned. Led to the creation of new states in Purvanchal. Against monks kept hunger strike in supporters of oppose to Hindi language the English do violent movement. Bengal was born in Naxalite faction using the tools of violence, murder, robbery, etc., government towards land storms, Naxalite draw attention off distribution of land and justified increasing the daily wages of workers. Dissolution of the Gujarat Assembly decided in March 1975, had to take account of such pressure groups the 'Nav Nirman Samiti. New construction committee has created a hostile environment close of hunger strike violence, strike, looting, arson in Gujrat. A great leader kept hunger strike for several days, and finally the central government reluctantly had to dissolve the Assembly. In this way anomic pressure group entangled in the clutches of pilitical parties and used give support politics of violence and counter

**Notes**

movement. To see adopted unconstitutional methods by the suspicion arises about their true nature. Today Jammu and Kashmir Liberation; Front Kashmir, Khalistan Commando Force, Babbar Khalsa, Sikh Students Federation (Punjab), Ulfa (Assam), Ranvir Sena (Bihar) are noteworthy anomic pressure groups. More than 50 terrorist groups in the castnorthern states are running their activities in Manipur alone have 17 active groups.

## **12.7 Role of Foreign Lobbies**

In all types of administrative system the foreign lobbies are also active. Abroad, official and non-official representative of the interests of foreign patrons. Lobbies are called foreign. In lobbies the foreign diplomatic representatives and the detective one to be called foreign lobbies. World Bank technical experts and representatives of foreign institutions to give financial assistance also lobbying work. These tend to propagate their ideology, give financial assistance to political parties, influential individuals are tempted to travel abroad, give valuable gift to administrators sons - daughter birthday on their. By offering higher posts to the relatives of policy maker fulfil self-interest. In the past century in the fields of petroleum and fertilizers lobby has been active in India. The role of Soviet Lobbies has been in not obtaining to distillate and companies Bokaro Steel project work. Lobbies have the same pressure. Our government's initiative in Gujarat CIA on Nationalization of foreign oil purifier companies activities have increased and it can be said indirect procedure of foreign lobbies. Mrs. Gandhi's feet were uprooted in the 1977 elections, he alleged that some foreign powers in this part of the world had conspired against him with the intention of causing instability. He was twice repeated at the Emergency time of that the government out of western Europe and Britain are assisting opponents through Amnesty International and Socialist International, Emergency-related white - paper was alleged that George was able to get financial support from the Japanese and German. American Indian researcher R. S. Pandey, Viskosin University said in his treatise called Sarvodaya movement related institutions are receiving funds from abroad than Indian funds. It says that in former Prime Minister Morarji Desai's private secretariat through to the many foreign companies and one Israeli company, consolidated Packers tried to make anti-Arab and pro-Israel foreign policy of India. Subrahmanyam, a former business associate of Kanti Desai tried to prove. It is doubt about Jorge Fernandes that West Germany's socialist rulers, in lieu of assisted by just a deal Bharat Heavy Electricals with was in the industry sits against Indian interests. U.S. in reference to the book of Thomas Powers US journalist that Gandhi quoted that before elections in January 1980 gave rise to much controversy during the Bangladesh liberation war in the Ministry the agent CIA was true. Former U.S. ambassador to India Daniel Miyanihan in his book '**A Dangerous face**' is clearly written that "We intervened in politics twice by money funds was given to the Congress party. Activities of the reason Lobbies excessive that we are more dependent on foreign aid. There is foreign assistance in most countries is situated in India. Foreign companies to influence government officials provides them opportunities. By of foreign government officials, stakeholders can get breathtaking variety, of bribery such as bribing them outside India may acquire foreign currency, which they can spend while traveling abroad. Taking or recently. General Hriday Kaul admitted in an interview that a foreign company making cannon Rs. 2.5 crore in his name at the bank of any country, in any currency deposit offered, that they in turn wanted the company to be purchased by the Government of India to give up in order of preference cannon. From January 1983 to February 1985. Le. General Kaul medium-range weapon for Army artillery officer in charge of the selection. Our governance structures are also some that's it lobbying activities are led automatically. In current system of promotion in the civil service it becomes known when who is the secretary when retired and which will become Joint Secretary and Secretary. Have already started to turn affects the brain, foreign agent that departmental officials resulting in time, her selfishness is easily accomplished. Many of us lack of a sense of national responsibility resulting in lobbies are successful.

## Self Assessment

## Notes

State whether the following statements are True/False –

5. Nowadays' pressure group, uses the strike, march, etc. Sadhnon rally close ok.
6. Pressure groups are not found in Western countries.
7. Congress Parliamentary Board is being also influential pressure groups.
8. No direct evidence of Lobbying found in Indian politics.

## 12.8 Features of Indian Pressure Groups

Prof. Myran winers book Politics of Security is the first scientific creation to analyze presurra politics in India. After Wiener Stanley Kochnik's Business and politics in India presents study of the role of pressure groups of traders presents. According to the findings of Kochnik and Wiener pressure and interest groups have following features in India –

- (1) The conservative pressure groups such as ethnic caste, community, religion and regional groups are playing a pivotal role in India piolet. Most political parties to organize its followers on the basis of caste and community. Ethnic community in India today, a king whithout crown.
- (2) Most associational pressure group controlled by the political parties. His leadership is in the hands of politicians and can be called 'power team behind the team', but it is a curious fact that the prominent business - industry interest groups are autonomous from party control.
- (3) Immediately after independence the limited role of pressure groups in the making of public policy is noticeable. These were of two types - first, the Centre and the states had strong political leadership and the second, the had a monopoly on the government Congress party. With declines of strong leadership and Congress monopoly was broken, it was increasing political influence of pressure groups. Initially, the negative role of pressure groups was increasing. They insisted that the government should not nationalization and land accretion in Forbid. However, many pressure groups present in positively affecting their interests are cooperating with the government in formulating policies. For example, in March 1974 plays a positive role in the creation of the Federation of grain traders the government's wheat policy.



*Did u know?* The pressure groups mainly in India are engaged in influencing the administrators not in policy - building.

- (4) In the past few years the Central government policies influence of States of the Indian union is raising and engaged in attempt to excirt among anised pressence. States deput officers for state lobbying by which they has make direct contact the member of Parliament. Under Article 262 and 263 Union Parliament 'interstate river-water dispute' and 'border dispute', and among the several States has disputes power to resolve such violent remain elusive. So by the politics of lobbying by and pressure and they are trying to enhance their interests. The role of Bangarappa (Karnataka) and Jayalalthaa (Tamil Nadu) Cauvery water dispute is the latest example. Stop were held putting pressure on the Centre in both states, which were inspired by the State Governments. Chief Minister Chandrababu Naidu on the issue of dam Almaty tried to influence in any way Prime Minister Deve Gowda.
- (5) When constituted and Congress governments were opinating in the state in support of their demands, protests against inspired pressure groups the Central government. Such demands as more universities,

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the installation of steel factory, oil setting refining factory for installation of public enterprise etc. movement in the States by the non - Congress government adopted an attitude of sympathetic to the protesters .

- (6) In the existing institutional pressure groups political parties have tried to bleed the party system. The ruling and opposition parties and groups engaged in the act of a majority government - has challenged the system.
- (7) Because of Dependent on foreign aid and foreign technicians, international lobbies also, apply pressure to influence our policies. This is illustrated in the boforce gun deal.
- (8) Associational and anomic pressure group protesting would not hesitate to use illegal means violence, mass - movement, strike, hunger strike and non-cooperative movement.
- (9) Faction leaders believe it is probably the of in charge of the development and upgrading most important cultural and economic programs, and even the creative arts and science institutions both in the hands of the bureaucracy.
- (10) General conception is adverse of working system of pressure groups in India. It is not considered that the interest group guide policy makers - to philosophy. It is also believed that if the government has succumbed to pressure groups, then any decision cannot be taken in the public interest.

In conclusion it can be said that unassociational pressure groups are the most influential pressure groups in India and even the 'race' effect is visible everywhere. After that has affected the institutional pressure groups politics. In Associational pressure groups only federation of Indian Chamber of Commerce and Industries' can be considered modern pressure group. Indian pressure groups are proved wrong the perception that in the conservative nature of modern society cannot develop pressure group. Business - Industry interest groups do not belong to political parties which can be compared to the pressure group found in Western countries. Conservative pressure groups in India use, elections and political parties to represent their interests, modern pressure groups influence Ministry and bureaucratic by their latest research. Occasionally anomic pressure groups are also active. Such groups occasionally do pose a threat to the survival of the administrative system.

## 12.9 Criticism of Pressure Groups

Political pressure debate has been subject to and criticism over the years. Critics have highlighted the extent of saying that these groups have been under threat of sorrow the nascent Indian democracy,. It always insignificant to the public welfare for their self-intenest. These pressure groups liked corruption, bribery and had given shelter to many abominable measures in our public life. Foreign Lobbies has been able to obtain secret documents our security.



*Notes*

Function of pressure groups in India - is kept secret and the general public does not get any information about him. They consult authorities in camera and policy - makers to secretly.

It is not necessary to explicitly for legislatives their relationship - with the groups and how they benefit from them. Sometimes the pressure group do not hesitate by bribing administrators to suit their interest. Pressure groups' success not depends on the fact that they presente demand but depends on the fact that his group is so vast and rich in financial instruments. Pressure groups use violent means violent against government. Mayrn Wiener writes that organized violence is used in non-Western countries, but most do not become suddenly but in organised planned justified chaos is created by violance and mass-movement and such clutter chaos threat and to dengerous for existance of administration system

strike demonstration etc. have become a fashion for the union of white collar government employees. To close suddenly the work by government employees collapse the administration which creates great inconvenience to the general public. Occasionally the pressure groups present such irresponsible demands which are not possible to fulfil by the government.

Fraction of truth must be in these criticisms, but for any democratic system it is not possible to get rid of pressure and interest groups. Pressure groups are active in Communist and totalitarian regimes constitutional protection is obtained by them in a democratic system we will adopt a positive attitude rather than a negative approach. In the present system pressure groups have become our king maker so our problem is not that how it should end, but our real problem is how is bent in the right direction?

To increase stability and power set of administrative system stability and power set should be given proper place. Our political decision - process pressure groups, the following suggestions may be made – first, at various levels of policy - making government should consult with affected interests and practice more consistent. Second, the Rajya Sabha and state legislation - representatives of interest groups in the councils should be given more and more seats. In this respect, the current Constitution can be amended as necessary. This rule openly interest groups - democratic opportunity to participate in the system will be available debate between various interest groups will help to build the balanced policies. Third, Parliament Consultative Members of interest groups should be provided co-committees - membership of parliamentary advisory board, Fourth which will increase the maturity of policy. The tradition of nomination of members of the representative advisory board working with various government departments should be adopted by interest groups in place of the government. Fifth, most decisions affecting local people and local administrators are collector and SDM. So close linkage between the general public and local administrators is essential.

Prior to execution of any decision of local authorities to consult local interest groups should be in practice. They should explain utility of their decision. This will remove red tapism and a sense of responsibility grow in the administration. Do not need to be condemned pressure and interest groups. The basic thing is that, how pressure groups? We expect from Pressure and interest groups They will place themselves to accepting conception of public interest for their growth and advancement. To withstand external pressure to develop national will and national spirit is indispensable. Yet a balance between interest groups and the public interest remains a problem.

## **12.10 Summary**

- All organizations are not pressure groups and not interest groups and pressure groups are the same. Hundreds of interest groups exist in each country and society, but when they have the intention of influencing power when they become politically active, then become 'pressure groups'.
- Pressure groups are considered a means of expression of democracy. It is necessary to prepare public opinion for the success of democracy in order to support or oppose specific policies. Pressure groups in different ways in different countries are striving for their conviction.
- In the Indian administrative system to distinguish between political parties and pressure groups is a difficult task. Our country has developed a multi-party system and the number of parties so that they become tools of factional politics.
- The pressure group, through its agents, attempts to influence members of parliament at visiting rooms, and professional organizations to influence MPs in Parliament lobbies hire smart attorneys or agents, who work hard for their own ends.
- Pressure groups nominate such individuals as party candidates in elections to whom will be helpful in increasing their interests in parliament. Accretion might help in increasing. It is said that democratic governance - parliament members are in the pockets of pressure groups.

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- Congress Parliamentary Board also influential pressure group. Parliamentary Board has a separate office and organization. Board members are important leader of the Congress Party. Initially in the parliamentary board was very ineffective institution in comparison of working committee, but gradually in past independence board has acquired imaginative increase in its power. In 1957, in the place of Parliamentary Board instead of Nehru, declared Dr. Rajendra Prasad as presidential candidate.
- In Political decision – Process Chief-Ministers are equivalent to that of the role of pressure groups. Domineering and powerful CM is continuously affecting government decisions and party at central level. Non - Congress CM after the fourth general election meet together influenced the Central Government. Nowadays as states to protect the interests of their states deput high-level officers in New Delhi who are would not be unfair to say state lobby.
- Labour Unions are union of labours collective work to defend their interests. Prior to independence labour unions were in working and many leaders of Indian National Congress were active in labour unions. Nationalist movement organized workers to be encouraged to meet their interests. At present labour union concerned to political parties.
- Farmers' interest groups are becoming politically active. By 1936, the 'All India Kisan Sabha; has been active as an interest group, but the Communist Party contrary on the house. Kisan Sabha today serves as the arm of the Communist Party.
- Even government employees - have their specific organizations. These organizations for the protection of his interests and the prevention of unnecessary interference by the administration to operate at different levels. In These 'All India Railway Man Association', 'All India Post and Telegraph Workers Union,' All India Teachers Association ", etc. are main.
- Ethnic pressure groups have influenced Indian politics from the beginning. Increased importance of race in politics after independence. Nations in the attainment of their economic and political interests races began to organize and caste politics rise up in various states.
- Belonging to the Congress party and the government, a new pressure group has been active in politics since 1969, is called by the name the young Turks. 'Young Turks' means believer in rapid economic change and believing in the communist ideology Parliament members - some of whom are ex-communist people.
- After independence demonstrators many important decisions are taken as a result of pressure groups. As a result of these pressures groups Madras, Bombay and Punjab was partitioned. Led to the creation of new states in eastern region. Fastid by monks in protest of government cow slaughter policy and supporters of Hindi kept in protest to English.
- Foreign representative preserver of governmental or no officer interests of one called foreign lobbies. Diplomatic representative and detective are also called foreign lobby. World Bank's technical experts and representatives of foreign entities giving economical assistance Lobbying work. These tend to propagate their ideology, give economic assistance, to political parties lure influential individuals traveling abroad, give valuable gift on birthday of son or daughter of administrator and by offering high post in foreign companies to fulfil their interest - and foreign companies are offering substantial policy - makers relatives When the exalted spiritual Dilwaker your interests.
- State lobby deput officer due to that can make direct contact parliament-members. Union Parliament under Article 262 and 263 and among the several states union parliament has to be provided power to resolve disputes 'interstate river-water dispute' and 'border dispute', such violent remain elusive.

### 12.11 Keywords

- **Interest Groups** – Who constituted the collective for interests influence government policies.
- **Lobby-domestic** – Domestic and Foreign interest groups try to influence the government to keep their interest.

### 12.12 Review Questions

1. Give a clear definition of the meaning of the interest group.
2. By underscoring the importance of interest groups.
3. Explain the difference between interest groups and political parties.
4. Please evaluate the role of pressure groups in Indian politics.
5. Discuss various pressure groups.
6. Determine the characteristics the Indian interest group.
7. Critically examine the functions and procedures Pressure groups.

### **Answer: Self Assessment**

- |               |                   |            |             |
|---------------|-------------------|------------|-------------|
| 1. Instrument | 2. Pressure Group | 3. Outside | 4. Affected |
| 5. True       | 6. False          | 7. True    | 8. False.   |

### 12.13 Further Readings



Books

1. *Bhartiya Loktantra* – Rajesh Rawat, Satish Chaturvedi – Raj Publications.
2. *Bharat Main Rajniti* – Abhay Kumar Dubey – Vani Publication.

## Unit 13: Devolution of Powers and Local Self-Government

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### Objectives

After studying this unit, students should be able to—

- Get introduced to the institutions of self government.
- Know the new model of Panchayati Raj.
- Will understand the achievement, problems and politics of Panchayati Raj.

### Introduction

India is a country of villages. The prosperity and progress of India depends on the progress and prosperity of villages. It was very well said by Gandhi Ji that, “if the villages are destroyed India will be destroyed; its message in the world will come to end.” Our constitution makers were well aware of this



fact, so they paid adequate attention towards the rural administration to make our independence real and stable. It is directed by our constitution that "State shall take steps for the upliftment of the villages and shall be entrusted them with that much amount of power so that they can work as an independent unit of administration. Actually our democracy is based on this concept that there shall be maximum participation of the common people in the function of administration and it shall only rule over itself. The future of democracy depends on this that up to what extent the direct contact of the villagers can be established with the administration. In other words, panchayati raj is the best plan for rural India. Panchayats are the backbone of our national life. It does not matter how big people are sitting in the parliament at Delhi, only 'panchayats' will be making the pace of India.

### 13.1 Role of Panchayati Raj in India

The history of village panchayats in India is very old. In ancient times the mutual disputes were resolved by panchayats only, but panchayats were destroyed by Britishers during British rule and all this started to be done by the provincial governments. After independence the state governments paid special attention towards the establishment of panchayats. According to Prof. Rajni Kothari, "A farsighted act of national leadership was the establishment of panchayats. With this administration is getting decentralized. And with the establishment of uniform institutions their unity is also enhanced." The credit to start it goes to Jawaharlal Nehru. Pandit Nehru said, "We shall give rights to the villagers. Let them work even with mistakes. We shall not hesitate. Give rights to panchayats."



*Did u know?* Nehru was a staunch believer of democratic methods? In 1952 the starting of community development programme was the initiative of Nehru.

In it many government officials were appointed and big claims were made. And it was assumed that there will be people participation at a large scale. The purpose to start the community development programme was to develop active interest of the people in the economic planning and social upliftment. But the purpose could not be solved. There was lack of active people participation. This programme failed to lessen the gap between government structure and rural people. The main reason of this failure was that it was run like a government department and instead of the progress of the rural areas more attention was paid towards the expansion of government machinery of the community development. People's intentions were tried to be changed through government machinery. As a result instead of working themselves for the progress of the villages, villagers started looking towards the government. An American writer **Reinhard Bendix** writes, "the biggest weakness of community development was its governmental form and ignorance by leaders. On one hand the initiators of this programme wanted the people to come on the forefront and on the other hand they believed that desired results can be obtained by government action also. Programme was to be run by the people, but they were made on imposed from above.

The method to remove these evils was to check the evil of local politics by establishing really sovereign democratic local institutions. Many people believed panchayati raj to be the solution which can also lessen administrative tension. Gandhi ji and Jayaprakash Narayan were the beholders of this idea. Jayaprakash Narayan considered Panchayati Raj as equivalent to native and ancient 'communal democracy' and more modern than the western participating democracy.

### 13.2 Balwantrai Mehta Committee Report

After spending huge amount on the community development programme and making big claims of its success, an investigating committee was established in 1957. Shri Balwant Rai Mehta was the chairperson

**Notes**

of this committee. One of the functions of this committee was to check the suitability of the organizational structure and method of working of the programme for the purpose of intensifying the performance of the programme. This committee reported that the basic weakness of this programme was that people did not cooperate in it. The committee suggested that the programme which is related to the day to day life of the people can be implemented by them only. It is said in the report of this committee that unless until rights and responsibilities are given to the local leaders the political and developmental aim of directive principles cannot be achieved. It was recommended by the Balwant Rai Mehta Committee in its report in 1957 that for the success of democratic decentralization and community development programme panchayati raj institutions should be established. The committee called it 'democratic decentralization'.

This is how panchayati raj was started for the purpose of getting maximum people participation in the process of democratic decentralization and community development programmes. Its form varied from state to state but basic features were same. **Firstly** there were three levels of panchayati raj – gram panchayat at village level, Panchayat Samiti at block level and district council at district level. **Secondly** people were free to work in panchayati raj institutions and observation was from above. **Thirdly** it was not the part of administrative structure like community development programme. Panchayat raj institutions were elected one and its officials were to work under the representatives elected by the people. **Fourthly** these institutions had right to collect funds and get people's cooperation.

### Significance of Panchayati Raj

Panchayats existed in very old order but they are new in the sense that they are given more rights, resources and responsibilities. It's a new name for old institutions. Their importance and utility becomes clear from following points.

- (1) Panchayati raj provides solid base for establishing healthy democratic traditions in India. Through it ruling powers go in the hands of the people. This system increases the interest of the villagers in the democratic organizations.
- (2) It prepares future leadership of India and gives initial experience and training to leaders and ministers by which they get acquainted with the problems of rural India. So panchayats contribute much in preparing proper leadership and increasing people's interest in the developmental works.
- (3) Panchayats lighten the burden of centre and state government related to local problems. Administrative powers and functions can be decentralized only through panchayats. In this process of democratic decentralization the administrative authority goes into the hands of panchayats instead of getting concentrated in the hands of few institutions.
- (4) The panchayat official and workers act as link between local society and political system. It is difficult to run the centrally sponsored programmes of national development without these local office holders. The work of the government officials becomes difficult without them.
- (5) Our people go very close to administration through these institutions. Administration and people try to understand each other's problems by this. So mutual cooperation increases which is very essential for the progress of the villages.

In short, the purpose of panchayati raj is to develop a link between efforts for village development and the people. Great importance has been given to panchayats to solve five year plans and developmental programmes. Actually the future of democracy in India depends on the success panchayati raj.



Notes

**Panchayats** are laboratories of democracy. It educates the people in the use of their political rights. It also helps in the development of good citizenship.

### 13.3 Ashoka Mehta Model of Panchayati Raj

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After coming Janta Party into power on 12<sup>th</sup> September, 1977 the cabinet secretariat appointed a high level committee to study the functioning of panchayati raj institutions and prevailing structure. Shri Ashok Mehta was its chairperson. This committee suggested a new model of panchayati raj institutions in its report. The spirit behind the recommendations of this committee was that the authority shall be institutionalized by decentralizing it. Following were the features of the panchayati raj model proposed by this committee—**Firstly** district council shall be made strong and Mandal panchayats shall be established in place of gram panchayat. Means panchayati raj institutions shall be organized at two levels—Zilla Parishad and Mandal Panchayats. **Secondly** district shall be the pivot of decentralization. Zilla Parishad shall be the central point of the all developmental works. It will do economic planning of distrub, harmonize all developmental works and will guide the lower level of administration. **Thirdly** after district council Mandal panchayats will be considered as the basic organization of developmental programme. Mandal panchayats will be composed of many villages i.e. 15,000 to 20,000 populations. From the point of view of the implementation of the programmes the Mandal panchayats will be developed as Base- level organizations. Gradually the panchayat samitis will wither away they will be replaced by mandal panchayats. **Fourthly** panchayati raj institutions shall execute its functions based on samiti system. **Fifthly** all district officials including district collector will be under Zilla parishad. **Sixthly** political parties will be given freedom to contest elections for these institutions on their party symbol. **Seventhly** judicial panchayats shall not be mixed with developmental panchayats. It will be good if judicial panchayats are presided over by capable judges and elected panchayats are attached with them.

### 13.4 Panchayati Raj : Ups and Downs

Maximum states of India have passed acts for the establishment of Panchayati Raj institutions. Rajasthan was the first state to establish Panchayati Raj institutions. This plan was inaugurated by Pandit Nehru at Nagour on 2<sup>nd</sup> Oct, 1959. In 1959 only Andhra Pradesh joined Rajasthan by doing the same. The structure of Panchayti Raj Institution varies from state to state. In 14 states/unions of the country there is single level structure.

It was assumed in the beginning only that PRI are not functioning properly. Period from 1959 to 1964 is the phase of ascendancy, from 1965 to 1969 is the phase of stagnation and from 1969 to 1983 is the phase of decline of PRIs. For long time elections were not held for PRIs and these institutions became inactive. Recommendations were made by the Ashok Mehta Committee to give new life to these institutions in 1977 but they were not implemented. Actually after 1983 there is the phase of revival of PRIs. In this direction Zila Parishad, block panchayat samiti, mandal panchayat and judicial panchayat act of state of Karnataka has played great role. A committee appointed under the chairmanship ship of G.V.K.Rao made recommendation for making district as the base for policy planning and programme implementation and holding periodical elections for PRIs. Another committee was appointed in 1887 under the chairman ship of Dr. Laxmi Mal Singhvi which made recommendation for making PRIs self dependent by providing them with more economic resources. In May 1989 for removing the inadequacy of panchayati raj system Rajiv Gandhi government introduced 64<sup>th</sup> constitutional amendment in the parliament for deliberations but it could not be passed.



Task

Bring out the reasons for the inactivity of the Panchayats.

### **13.5 New Model of Panchayati Raj: 73rd Constitutional Amendment**

Constitutional recognition was given to PRIs by 73<sup>rd</sup> constitutional amendment. A new chapter 9 was included in constitution. By chapter 9, article 16 and 11<sup>th</sup> schedule was included in the constitution. The 73<sup>rd</sup> amendment act was implemented on 25<sup>th</sup> April 1973. As a result of its implementation in all the states except Jharkhand, the system by 3-level regular elections for PRIs Political Strengthening was principally established. As a result of this elections were held for 2,32,855 panchayats, 6,094 middle level panchayats and 633 district level panchayats. These panchayats are being run by 28.18 lakh elected representatives at all the levels. So it is a wide representative base which is not found in any then developing or developed country of the world. Following were the features of the Panchayati raj according to this act.

1. **Gram Sabha** – Gram Sabha at village level will perform such functions and use such powers which shall be devolved by the state legislature.
2. **Organization of Panchayats** – Article 243b provides three tier panchayati raj. In all the states panchayats will be established at village level, intermediate level and district level. But the state whose population is not above 20 lakh, panchayat need not to be established at intermediate level.
3. **Structure of Panchayats** – State legislatures have been empowered to make provisions regarding the construction of the panchayats. But at any level the ratio of seats in the panchayats and the population will be same in all the states.

All the seats in the panchayats will be filled by directly elected representatives from the panchayat electoral constituencies. Each panchayat area will be divided into constituencies in such a way that the ratio between the population and the seats of each panchayat shall be same in all the states. The head of panchayat in the village will be elected by the method prescribed by the state legislature. The heads at intermediate and district level will be elected by its members among themselves only.

**Reservation in Panchayats** – In each panchayat seats will be reserved for SCs, STs and OBCs in proportion to their population. Such seats will be allotted to each panchayat in rotation. One third of the reserved seats will be kept for women of these communities. In each panchayat half of the directly elected seats (which also include the seats reserved for SCs, STs and OBCs) will be reserved for women and will be allotted among different constituencies of panchayats in rotation.

4. **Tenure of Panchayats** – The tenure of Panchayati Raj is 5 years. The elections to the panchayat shall be held before the completion of 5 years and in case of dissolution elections are to be held within 6 months.
5. **Finance Commission** – The governor of the state will constitute a finance commission for the investigation of the financial position of the panchayats within one year of the enforcement of 73<sup>rd</sup> amendment and after each five years. The finance commission will be making recommendations to the governor on the following issues – (a) Such taxes, duties, toll tax and fees which can be given to panchayats. (b) Grant in aid for panchayats from consolidated fund of the state. (c) To give suggestions for the improvement of the financial position of the panchayats.
6. **Elections to Panchayats** – State election commission has been provided for holding elections to the panchayats. Same method will be used to remove the state election commissioner as is used for removing the judges of high court. The election commission will be responsible for preparing electoral rolls, supervision, direction and control of elections to PRIs.
7. **Functions of Panchayats** – There are 29 subjects in 11<sup>th</sup> schedule which are entrusted to the panchayats. They are – 1. Agriculture, including agricultural extension. 2. Land mortgage, implementation of land reforms, land mortgage and soil conservation. 3. Minor irrigation, water management and watershed development. 4. Animal husbandry, dairying and poultry. 5. Fisheries. 6. Social forestry and farm forestry. 7. Minor forest produce. 8. Small scale industries, including food processing industries. 9. hadi, village and cottage industries. 10. Rural housing. 11. Drinking water. 12. Fuel and fodder. 13. Roads, culverts, bridges, ferries, waterways and other means of communication. 14. Rural

electrification, including distribution of electricity. 15. Non-conventional energy sources. 16. Poverty alleviation programme. 17. Education, including primary and secondary schools. 18. Technical training and vocational education. 19. Adult and non-formal education. 20. Libraries. 21. Cultural activities. 22. Markets and fairs. 23. Health and sanitation, including hospitals, primary health centres and dispensaries. 24. Family welfare. 25. Women and child development. 26. Social welfare, including welfare of the handicapped and mentally retarded. 27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes. 28. Public distribution system. 29. "Maintenance of community assets".

Notes

**Evaluation**—Now nobody can take back the rights, responsibilities and financial resources from the panchayats as they have become the part of the constitution. 73<sup>rd</sup> amendment is not only an effort to bring structural uniformity in the panchayati raj institutions but also makes sure that there shall be the partnership of weaker sections in the society. So reservation has been made for the SCs, BCs in each panchayat in proportion to their population. 1/3<sup>rd</sup> seats of these reserved seats will be reserved for the women of these communities. It is compulsory for the state to reserve 1/3<sup>rd</sup> seats for the women. If the state legislature feels it can also reserve seats for OBCs also.

The reason for the unsuccessfulness of the PRIs is that their elections are not held periodically and they have been dissolved and suspended again and again. In the present act proper attention has been paid towards this problem and it is hoped that PRIs will prove to be effective instruments of democracy at lower level because proper provisions have been made for their periodic elections. Now these institutions cannot be suspended or dissolved for more than 6 months.

In August, 1997 a conference of the Chief Ministers was held on the issue of giving rights to the PRIs in which CM of Rajasthan Bhairon Singh Shekhawat said that there is need to reconsider the 73<sup>rd</sup> amendment. He also said that Sarpanches shall be made the members of panchayat samitis and head shall be made the members of zilla Parishad. In this way there will be coordination between the panchayats, panchayat samitis and zilla parishads. They were of the view that with this the extra financial budern which have been put on the state governments because of the system of direct elections of the members of panchayat samitis and zilla parishads can be got rid of.



*Did u know?* The negative point of 73<sup>rd</sup> amendment act is that in it the role of political parties is not clearly defined.

Similarly it is also silent about the relationship between PRIs and local bureaucracy. Writers are of the view that in spite of the making of the 73<sup>rd</sup> amendment act the success of PRIs depends upon the wishes of the states.

### Self Assessment

Fill in the Blanks –

1. The history of Gram Panchayat in India is very .....
2. Article 243 B provides ..... panchayati raj.
3. PRIs have been established as the ..... of democracy in the country.

## 13.6 Panchayati Raj Institution and Voting Behaviour

PRIs have been established as the laboratories of democracy in the country. These are the first classrooms of democracy. Through them citizens get knowledge about function of administration. The country in which citizens participate in the running of administration that brings political awareness in them.

**Notes**

Through panchayats democracy assumes real and practical shape. Panchayats have brought democracy to the door steps. Electoral system and universal adult franchise are the basic pillars of democracy over which Panchayat Raj system is standing. Institutional elections at different levels are the basis of the working of the Panchayati raj, so that – (i) There shall be increase in the interest of the villagers in the local problems. (ii) There shall be increasing political awareness. (iii) There shall be increase in the use of right to vote. (iv) Initial training can be given regarding the use of right to vote. (v) Indifference among the citizens can be removed because they are the foundation of our self-rule.

In many parts of the country this practice of PR is moving with a snail's pace because the rural people are conservative and narrow. If we analyze the elections held so far for PRIs in different states it will be clearly visible that how does the rural people exercise their vote – (i) Voters vote on the basis of caste and religion. (ii) Majority of Voters do not show interest in elections. (iii) Sometimes candidates bribe the voters and buy their votes. (iv) Rural voters vote on the basis of political factionalism due to which the people in the villages get divided into factions and which is a great threat to unity of the village.



Notes

The main duties of citizens as the voters are – to cast vote, to cast vote with honesty and intelligently.

Gandhian philosopher Kaka Kalelkar says, “The rural voters should elect their representatives in the same way as we choose doctor for a patient. The voter should consider two things – **Firstly** which people can look after the interest of the village. **Secondly** are those candidates holding a good character or not.” In the words of Pandit Nehru, “I am fully hopeful towards panchayati raj. The rural electorate is the key of success of panchayati raj. The only need is to reform their attitude.”

### **13.7 Achievements and Problems of Panchayati Raj**

The establishment of panchayati raj is called a historical event in our country. Very fewer institutions have got such an appreciation which is got by PRIs. Pandit Nehru said, “I am fully hopeful towards panchayati raj and I feel that it is very fundamental and revolutionary in context of India.” According to Prof. Rajni Kothari, “these institutions have given birth to new local leaders which can be more powerful than the elected representatives of state and central assemblies. The politicians of congress and other political parties have started understanding them. They have started giving preference to panchayat samitis and zila parishads than the state assemblies.” Actually these institutions have played an important role in the political modernization and socialization and have increased people's participation in political system and have brought awareness among the rural people.

But it has to be said that the experience so far is not very encouraging. These institutions have failed in bringing faith and hope in rural people. Actually, unless until the rural people become vigilant, these institutions cannot be successful but it does not mean at all that PR system has failed. In some states and areas it has worked very well especially in the field of civil amenities. There are new problems in front of PRIs which are as follows –

1. **Problem of Decentralization of Authority** – The first condition for the success of democratic decentralization is that local institutions shall be given share in authority. The purpose was to make PRIs the powerful units of autonomous rule. It can be possible if there is inspiration from below and the higher level shall only guide. The state government should not consider them as the agents meant for carrying their orders. There is need to change the attitude of the local bureaucrats.
2. **Problem of Illiteracy and Poverty** – Illiteracy and poverty are the serious problems of the villages. Due to this rural leadership is not coming up. But now due to the efforts made by administration in the direction of literacy there is some encouragement.

3. **Party politics** – The most serious problem in the way of the success of PRIs is party politics. Panchayats have become palestra of politics. There is the problem of mutual fights and factionalism in the panchayats. If our political parties stop interfering in panchayats, then PRIs can be saved from the evil of dirty politics.
4. **Problem of money** – This problem is faced by PRIs right from the beginning. These institutions have been given independent financial resources but they are meaningless. As a result there is total dependence on grant in aids. So adequate and independent financial resources should be given to the PRIs so that they can become financially strong. Provisions have been made for the solution of this problem by 73<sup>rd</sup> amendment.

Notes

### Suggestions for the Success of Panchayati Raj

Villages are the symbol of economic prosperity for India. The all round development of villages depends on the success of panchayats. Following suggestions can be given for the success of PR –

**First**, Factionalism should be abolished in PRIs.

**Second**, There shall be provision for compulsory voting in panchayat elections and fine of at least Rs. 50 shall be imposed for non-voting.

**Third**, Financial position of panchayats shall be improved.

**Fourth**, Officials shall work like the friends, philosophers and guide of PRIs.

**Fifth**, Elected representatives shall be given training and lastly we have to have faith in PRIs. They will be making mistakes but we shall be having liberal attitude towards them.



Task

Bring out the financial resources of PRIs.

### 13.8 Financial Grant of Finance Commission for Panchayati Raj

There is provision of the appointment of finance commission by the president in article 280 of the constitution. The first such commission was appointed on 19<sup>th</sup> November, 1951. The 13<sup>th</sup> finance commission was appointed by the president under the chairmanship of Dr. Vijay Kelkar on 14<sup>th</sup> November, 2007.

#### 10<sup>th</sup> Finance Commission

In accordance with the purposes and spirit of the 73<sup>rd</sup> and 74<sup>th</sup> amendment the 10<sup>th</sup> finance commission recommended giving grants to the states under article 275 so that they are able to manage resources for the PRIs. It recommended Rs. 4.381 million for PRIs for the period of 4 years i.e. 1996 to 2000.

#### 11<sup>th</sup> Finance Commission

11<sup>th</sup> finance commission was to make recommendations for the methods to increase the consolidated fund of states so that the states could enhance the resources of local governments. It recommended a grant of Rs. 8,000 million for panchayats for the period from 2000 to 2005. It was recommended that the amount of grant shall be used for the maintenance of civic amenities; for example primary education, primary health services, safe drinking water, street lights, sanitation facilities, public services and maintenance of community assets.

Notes

## 12<sup>th</sup> Finance Commission

12th finance commission recommended an increase of Rs. 20,000 million in the consolidated fund of states for the period from 2005 to 2010 to make easy the financial resources given to panchayat. It was also recommended that the amount shall be distributed among the panchayats within the period of 15 days after being deposited in the consolidated fund of the states. Following conditions were laid related to the issuance and utilization of the grant –

1. Those states shall not receive any such grant for the period during which elections to the panchayat are not held.
2. The finance secretary of each state has to issue a certificate within the period of 15 days which shall be containing the amount and date of issuance of grant by the government of India and also the date and amount of grant issued by the state government to the panchayats.
3. If there will be delay in the distribution of grant to the panchayats by the state government, then it has to pay interest to the Reserve Bank of India according to the current rate of interest.
4. Before getting the amount of grant the state government shall give the details regarding its distribution among the panchayats.

In this way on the basis of the recommendations of the finance commission the work of the distribution of increasing grants to the panchayats was facilitated and it was ensured that the grant shall be spent for the purposes for which they have been issued. A strict and regular monitoring of the grants issued to the panchayats was ensured on the direction of finance ministry. Now panchayats are receiving increasing amount of grants.

## 13<sup>th</sup> Finance Commission

13<sup>th</sup> finance commission recommended that 2.28% of the distributor grant (2009- 2014) shall be given to the local bodies. This grant is divided into two components – one is basic component and the other is work accomplishment based component. For the period of 5 years (2010- 2015) the total amount of grant is 57,693 including the general basic grant and total special area grant.

The general basic grant and work accomplishment grant will be distributed among the rural and the urban areas on the basis of their population according to the census of 2001. On that basis the share of rural and urban areas will be 26.82% and 73.18% respectively.

## 13.9 Politics of Panchayati Raj

The importance of panchayati raj institutions is increasing from political point of view. Political parties have started playing active role in panchayat elections. Panchayats are being to considered as the basis of the national and state level politics. Political parties have started feeling that to get success in Parliamentary and assembly polls it is necessary to get hold on panchayats, panchayat samitis and zila parishad. Rural leadership is coming up in the form of Sarpanches, Panchayt Head and district heads. The effectiveness of a political party in Indian politics will depend on its capacity to evolve rural leadership. In Kerala and West Bengal the Marxist-communist parties have succeeded in this respect. Today Sarpanches, Panchayt Head and district heads are playing more important role than the legislatures and members of parliament.

Rajiv Gandhi very well understood the importance of Panchayati Raj so he gave the slogan of power to the people and passed 64<sup>th</sup> constitutional amendment. Afterwards national front government and Narsimha Rao government also did the same.

The foundation of local self government has been laid in India through Panchayati Raj. Following are its interesting political consequences –

1. For the first time the officials of departments of district administration and community development has to face the network of all powerful local popular institutions.



2. The immediate effect of Panchayati Raj system is that the power of congress has increased in the rural areas in comparison to the other political parties. The organization of congress was bigger than that of other political parties and was capable of bringing coordination between these different new institutions. It (congress) was already getting the support of the influential classes of rural society and on the top of it, it (congress) could provide many things to the people being the ruling party. The maximum identity between congress and local institutions did not at all mean that congress candidates will be winning the elections; rather it meant that the candidates who won the elections will become the members of congress if they were not. In the states where there was political instability, it became very complex to make up with the rural local leaders.
3. Panchayati Raj had its effect on the internal life of the congress. On one hand way to governmental authority was opened for the inspired workers of the party. If they are not satisfied while being only the social workers, then they could join the struggle for authority in party organization especially district congress committee. Dissatisfied workers of the party got placed in these new institutions and they got the facility of training. The biggest thing was that it provided a great help in solving the problem of attracting young bloods in the congress party. These new institutions of the new levels of the government brought out the people of high political caliber and aspirations. On the other hand, new problems and pressures came up with the intervention of the congress at the lower level. The factionalism found at the village and block level reached at the top level of the party.
4. The long term effect of the Panchayati Raj was that the dynamism increased in rural politics. Congress got benefits in the beginning but in spite of that congress became weak and broke down. It was difficult to hope that all the Sarpanches most of whom were selected for the first time from congress will be using their rights properly and with farsightedness. On the other hand, it was very difficult for the state level leaders to keep such people in discipline who were more required by the party or who were comparatively less required by the party. So there were as many enemies of congress as were the friends and it played a great role in the disturbance in the congress party in 1967.
5. Linkage politics developed as result of panchayati raj. Villages got linked with the district and state head quarters. The district and state level politics had its effect on village politics. State level leaders were trying to manage place for the people of their faction and party in panchayats so that their support base can become strong. Panchayati institutions and leadership are an important source to link villages with politics.
6. New consciousness had came in the backward class people due to panchayati raj. By 73rd amendment provisions have been made for the reservation of seats for SCs and STs in proportion to their population. Similarly 1/3rd seats have been reserved for the women. The offices of Sarpanches, presidents and district heads have been reserved in the same proportion. As a result there is an increase in the aspirations of the backward class people.
7. The elections to the panchayats are contested in the same manner as they are conducted for state assembly and parliament. So factionalism developed in rural life. There is struggle like situation.

### **Self Assessment**

State whether the following statements are True/False –

1. There are 29 subjects in 11th schedule over which panchayats can legislate.
2. The political importance of PRIs is decreasing in India.
3. A high level committee was appointed under the chairmanship of Ashok Mehta in 1977 to know about the working system of PRI.

Notes

### 13.10 Summary

- The history of village panchayats in India is very old. In ancient times the mutual disputes were resolved by panchayats only, but panchayats were destroyed by Britishers during British rule and all this started to be done by the provincial governments. After independence the state governments paid special attention towards the establishment of panchayats.
- Panchayati Raj were existed also in ancient times but panchayati institutions are new in the sense that they are given more rights, resources and responsibilities. It's a new name for old institutions.
- In short, the purpose of Panchayati Raj is to develop a link between efforts for village development and the people. Great importance has been given to panchayats for five year plans and developmental programmes. Actually the future of democracy in India depends on the success panchayati raj.
- The head of panchayat in the village will be elected by the method prescribed by the state legislature. The heads at intermediate and district level will be elected by its members among themselves only.
- Now nobody can take back the rights, responsibilities and financial resources from the panchayats as they have become the part of the constitution. 73rd amendment is not only an effort to bring structural uniformity in the panchayati raj institutions but also makes sure that there shall be the partnership of weaker sections in the society.
- The reason for the unsuccessfulness of the PRIs is that their elections are not held periodically and they have been dissolved and suspended again and again. In the present act special attention has been paid towards this problem and it is hoped that PRIs will prove to be effective instruments of democracy at lower level because proper provisions have been made for their periodic elections. Now these institutions cannot be suspended or dissolved for more than 6 months.
- PRIs have been established as the laboratories of democracy in the country. These are the first classrooms of democracy. Through them citizens get knowledge about administration. The country in which citizens participate in the running of administration that brings political awareness in them. Through panchayats democracy assumes real and practical shape.
- The most serious problem in the way of the success of PRIs is party politics. Panchayats have become palestra of politics. There is the problem of mutual fights and factionalism in the panchayats.
- In this way on the basis of the recommendations of the finance commission the work of the distribution of increasing grants to the panchayats was facilitated and it was ensured that the grant shall be spent for the purposes for which they have been issued. A strict and regular monitoring of the grants issued to the panchayats was ensured on the direction of finance ministry. Now panchayats are receiving increasing amount of grants.

### 13.11 Keywords

- **Panchayat** – A system of self-government at village level, rule of panches.
- **Trilogy- Level** – Three levels of panchayat (1) Village panchayat (2) panchayat samiti (3) zilla parishad.

### 13.12 Review Questions

1. Write a comment on the role of panchayati raj in India.
2. What were the main recommendations of Balwant Rai Mehta committee?
3. Explain the Ashok Mehta Model on panchayati raj.

4. What changes came in the panchayati raj system by the 73<sup>rd</sup> constitutional amendment?
5. Evaluate the achievements and failures of panchayati raj.

**Notes**

### **Answer: Self Assessment**

- |           |               |               |          |
|-----------|---------------|---------------|----------|
| 1. Old    | 2. Three tier | 3. Laboratory | 4. Truth |
| 5. Untrue | 6. Truth      |               |          |

### **13.13 Further Readings**



*Books*

1. *Bhartiya Loktantra – Rajesh Rawat, Satish Chaturvedi – Raj publications.*
2. *Bharat Main Rajniti – Abhey Kumar Dubey – Vani Prakahshan.*
3. *Bharat Main Pachayati Raj – George Methew – Vani Prakahshan.*
4. *Loktantra ka Naya Lok – Arvind Mohan – Vani prakahshan.*
5. *Bharat Main Vikas, Loktantra aur Vikandrikarann – Chandersen Gupta – Rutlej publication.*
6. *Bharat Main Algavad aur Dharama – Shamsul Islam – Vani Prakahshan.*

## Unit-14 Political Parties and Participation

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### Objectives

After studying this unit, students should be able to—

- Understand the nature of Indian political parties arrangement, meaning and characteristics
- Understand the foundation of Indian political parties, functions and problems etc.

### Introduction

From the time of Independence till date many political parties have been made. Many of those parties exist even today, and many of them broke up, have been fragmented and new parties have been formed in their place. Political parties are the foundation of a Democracy. By the medium of parties the common public shows its participation in public administration. After a fixed time period there is the procedure of elections by polls in which the public of the country participates. The political parties make all the possible efforts to

make the public poll in their favour. The future of the political parties lies in the polls made by the public. This way for good government an awakened public's participation in public administration is a must.

The wheels of democracy are the political parties. "The political parties till a great extend have become play an important part in our lives. The words when democracy talked about then the political parties are first that come to our mind. Democracy in whatever form may be there it is unimaginable without political parties that is why they have been called the Life blood of democracy. If the political parties are called the Fourth organ of the Government then that would not be wrong. In the words of Prof. Munroe "The rule of Democracy us another name for rule of political parties..... There would not have been any independent government in the world which has not been ruled by political parties. "In the words of Hrubert," The vehicle of Democracy is driven by the petrol of political parties." Today the representative based government summary is that the government and the parliament both are in the hands of the political party in rule. The legislature and executive, government and parliament are only parliamentary environment. The real power is used by the political party only.

### **14.1 Nature of the Party System in India**

Without a party-system democratic administrative system cannot work. Let it be parliamentary or presidential without the political parties the concept is not possible. In any rule there are hundreds of people who think about the problems of the state, but till when their thoughts and opinion is not bound and is organized in a party's environment till then the rule does not become functional.



*Did u know?* The political parties perform the task of making together, simple and stable the political activities.

According to Myciaver "The state in which there is no political party concept in that condition only a revolution can change the government." In political party's concept there is no need for a revolt and according to the constitutional remedies there may be change in administrative.

The political parties create a system between the crowd of numberless voter's, they provide a leader to represent the public and they provide the political arrangement and give them conducting powers. In the words of Herman Fire " Without political parties the voters will observe such policies that will make them powerless and destroy the political instrument will be destroyed.

The political parties is their medium of formation of public opinion and expressions are the prime sources for these factors. They make their representatives stand in the elections and their programs and policies are put forward in the public and convince the public to vote for their party by bringing them in their influence. After the elections the party who comes to power forms the government the opposition stands with the criticism to their moves. Therefore the party concept has made the representative form of government to materialize.

The political parties give knowledge of the politics the citizens. In print of view of protection of personal independency party has significant importance. Prof. Loskey in his words said that, " Political parties are a protective shield against one man's rule or monopolistic rule."

Meriot has described the political party rule as 'suplimentary institution of government' because they elect the administrators, public policies helpful farming the and to form the government and criticize the government it is helpful.

In the words of markover, "In the absence of Political parties there can be no true expression of values and neither can policies come into progress and neither can in a regulated manner the parliamentary elections the statutory declarations and recognized institutions can be made to favor by whom the politician can keep their powers or to get the powers."

Notes

## 14.2 Political Parties: Meaning and Definition

By the political parties here we refer those people and people's group who for some problems and their solution in this context they had one opinion and who have achieved the common goals and to achieve them have legally and have promised such deeds. Many thinkers have given different definitions to the term parties.

According to Newman, "The political party in an independent society the citizens that are an organized community that want to regulate the political affairs and for them they participate in the public consent and try to send their representatives to government positions."

According to Edmund Burk, "Political Party is a group of some people who on some principles abide and consent their unanimous efforts work for the betterment of the public and make union for progress."

According to Leacock, "By political party we refer to that group of people who with a political base work. On public issues their views are the same and to fulfill general needs they use their voting powers to rule over the government."

According to Mekaiver, "Political party is that community that on some special principle or policy is formed and by constitutional remedies try to form the base of their rule by that principle and policy."

According to Gaitel, "The political party complete or incomplete consists of those group of citizens union that work like a political institution. Whose aim is to use voting power for regulate the government and conduct their general policies."

According to Gilchrist, "The political party is that organized community whose members have same political opinion and who workers political unit towards making their power in the center.

This way the political parties is that organization of people on public question and believe to acquire administration by help of public. In other words, people who work for the same purpose that is called a party. If the purpose behind the party is political it is called a political party.

## 14.3 Features or Essential Elements of Political Parties

From the analysis of above definitions of political parties the following symptoms are apparent—(1) Long time alliance (2) Concord on very less issues (3) For achieving goals they follow peaceful and legal means (4) Willing to execute the policies of national interest. In short it is very important for any political party to incorporate all the 4 points in them at the time of formulation.

(1) **Alliance**—To is most essential to make the party strong and stable. The meaning of unity is for a political party is that it should have set of rule and regulations written or verbal office, occiver etc. These parties keep its members disciplined. In absence of unity the parties' followers are only a scattered crowd and they would never be able to accomplish the goals. Actually the secret of the power of a political party is its organization.

(2) **Unity of Fundamental Principles**—Party is such group of individuals, who share the common point of view on public problem. They may have differences at grass root level but they have agree with the basic principles.

The unity of these principles gives the solid foundation to the party. In the absence of unity of principles it shakes the roots of a political party and it starts deteriorating.

(3) **Use of Constitutional Remedies**—The political parties must always take help of the constitutional remedies to achieve their target. The parties which do not take the help of constitutional remedies have to take to illegal and violent moves they cannot be termed as a political party.

(4) **The Increase of Nation's Welfare**—Political party is such a community which gets life by high principles whose programs and policies have a nationwide foundation, not area-based or communal.

Instead of being biased to caste, religion, community or class it must think about the welfare of the nation. If any organisation gets benefit to particular the class, cast or religion then it can not be consider a political party.

Notes



*Task* For the formation of a political party identify the essential elements for it.

## 14.4 Basis of Political Parties

Following are the basis of origin of political parties:

**(1) Psychological** – Many times the reason behind a political party may be psychological. Some people want to stick to the past and do not like any revolutionary changes to take place, on the other hand there are people who have no attachment with the past and with regular new changes and make progress their aim. On this basis people with similar thinking for the propose of implementing political programme are organised with various political parties. This way four type of people are seen – (i) Firstly, The ones who believe in old institutions, rites and rituals and want to return to them will be called reactionist (ii) Secondly, The ones who do not want any changes in the present system will be called; will be called consevative (iii) Thirdly, The ones who want to improve the present conditions they will be called; will be called liberalist (iv) Fourthly, The ones who want to remove the institution from its roots, will be called extremist. Thus as people will anyway – the nature of the way liberals and conservatives, reactionary, militant groups will become.

**(2) The Effect of Environment** – In the formation of parties the importance of the environment is no less. In the environment in which a child stays the effect of it is there on his nature. A child being brought up in a socialist environment becomes a devotee of it in the future. In England in today's time also there is so family which traditionally believes in the conservative party.

**(3) Religious Base** – Many people from political party on a religious base. Their main aim is to protect people of their religion. In European countries the Catholic party was formed on this base. In India the Muslim league, Akali Dal, Hindu Mahasabha all had the same base for their formation.

**(4) Monetary Reason** – The monetary base for the formation of a party is most important. In the absence of monetary programs no party can stay for a long period. The political parties can get nationwide importance only when they have a monetary programme. The monetary policies have their direct effect on the educated citizens of the country. Through one common monetary program a political party may try to bring the various sections of the society under its influence.

**(5) Leadership** – Visually parties are shadow of thier main leaders. The things he believes in his devotees without giving it a thought also mould themselves according to his idealism because every candidate in the party is not that thoughtful neither he has not presence of mind. He is like a heavenly object revolving around his leader.

**(6) Idiology** – In the words of Rowsack " To keep alive a political revolt there is an ideology is most essential. In the absence of ideology the revolt is in dark and in will end in confusion." Common consent insocial, economical and political ideology corrects the members of the party. For example, in 1977 in India it was the condition ideology which was as a chain for connecting themembers of Janta Party.

**Lord Brias** in his statement said there are people of different views are found in every community. Some of the views are opposing in them. The person which propoget are found in every community that views some of them became leader andrest being to approved and support them. Moving ahead these people make the political parties psychological idealism base based on four concepts sympathy, simulation, oppose, competition. For these reasons the people on the basis of common policies and concepts on that basis they achieve their aims and make separate groups.

## **14.5 Functions of Political Parties**

For Democracy the political parties are a complementary factor. The work of political party is most important. According to Meriam five important work – (1) To elect the people who hold positions, (2) To decide the policies, (3) To conduct the ministry affairs and its creative criticism, (4) Political canvassing and training, (5) To establish good relations between the public and the government. The political parties basically perform the following functions-

**(1) Determining The Public Policies** – The political parties to get the confidence of the people they convince the public regarding the plans and policies in a big way. On various aspects of political, economical, and social problems are brought in front of the public. That is why they are called agents of views. In the words of Prof. Loskey “ In the modern states confusing environment after choosing the problem it is necessary on the basis of priority some tasks are to be performed after being sort out they much be put in front of the public for consent. The activity to choose is done by the working parties.”

**(2) The conducting of rule** – The political parties after winning in the elections form a government. From their party they elect minister and different laws they with their election declaration letter they make their promises and try to fulfill it.

**(3) Criticizing the Government** – If in the elections some party does not get majority votes then it plays an important role in form of opposition. Being in the opposition it becomes important duty to keep the government aware. It presents a constructive criticism and presents the optional policies. The opposition party’s weaknesses are put in front of the public they prepare a public opinion and convince the public for support.

**(4) The Conducting of Elections** – Through the political parties only the completion and conducting of elections is possible. They at the time of elections prepare manifesto, campaign it, nominate the party candidate and by all means try to win the elections. In the words of Herman Finer, “ Without political parties electoral college will be helpless or by following impossible policies will be destroy the political system.”

**(5) The getting of public Confidence** – In its absence the public will be a non regulated crowd of people. Lord Brias’ words “ Public opinion after being trained, formed and expressed and this is an important function of the political party.”



Notes

If by the ruled people’s consent the government’s rights are performed and if the government policies want to gain public consent then the role of political parties is absolutely indispensable.

**(6) To Act as an Intermediary between the Government and the Public** – The political party intermediates between the government and the public. It presents the problems and wishes of the public in front of the government and makes the public aware of the government. According to Barker “ The political parties act as a bridge whose one end touches the society and the other the state. It is such a pipe social ideology flows which liquidizes the liquid of the administrative system and moves the which.”

**(7) Political Training** – Through canvassing of political parties the citizens get political training out of it. They come to know about the various aspects of the problem. This way, the political awareness rising in the citizens.

**(8) Social and Cultural Work** – Most of the political parties work towards the progress of social and cultural lives of people. The independence revolt’s time the congress worked for the purpose of schedule cast and Women Awakening.



(9) **The Party Work**—Every political party does party related works. It makes the voters its members. Organizes public meetings, collect donation for the party etc..

Notes

## **14.6 Ideological Nature of the Political Parties**

The people according to their Ideological nature and divided are bound and partition is the basis of political parties. The difference between both is based on the revolutionary and reactionary parties different using towards changes. This is basically a difference of quantity. People are divided on this basis as reactionary and revolutionary. In the modern day this difference is called leftist and rightist names have been given to it. The leftists are they who believe in bringing about a revolution in society and support the economic trials. The rightists are they who are supporters of the orthodox system. All the political parties are not based on ideology. The idealistic parties are the definition to political parties. In position they are those people who by unanimous efforts become one for the welfare of the nation they agree to some principles which is given consent by all. Afterward work down the political parties are not still rigid on their ideologies. Now their interest is to get the consent from various sections. The wants and their welfare cannot be related.

On the basis of ideology the rightist and leftist can be categorized. Before the Second World War in Europe the Fascist and Nazi parties revolted the communism the traditional values were supported and national pride and respect in its name got public consent. They were the rightist parties. Their appeal basically was caste, blood and the fame of the past. These parties to achieve their target were ready to take any move. In the economic field rightist supported the independent industry and in the economic field they did not support public investment in private sector. In India the Swatantra Party and Jansang were considered to be rightists.

The leftist party supported Socialist policies. In this view the party could be divided into two parts— First, those who support communism and second those who support socialist. On the whole leftist party who support the capitalism and want to bring fundamental change in structure and nature of the society are ideological.

In a few countries only the political are ideological. For various reasons in United States of America and India have not been able to keep a hard approach idealism. In Great Britain of course the role of political parties surely has idealistic approach and base.

In India the Congress party in 1955 practiced mixed economy and supported it and after that they made own aim the socialist society. From that time the congress has supported the socialist party but the rich farmers of the congress do support the socialism but it also brings into actual practice the principles of Mixed Economy. The Janta party made claim of old opposition parties to benefit the poor section and support socialist idealism but it too was a mixture of all types of vision. In reality in India the difference between right and left and old oppositions is meaningless. In November 1989 after parliamentary elections in the centre's national movement government got consent to Marxist Communist Party and Bharatiya Janta Party proved that left and right views had become meaningless. In the present scenario Congress and BJP economic policies are much similar.

## **14.7 Alan Ball's Classification of Political Parties**

Alan Ball explained the arrangements of political system based on their numbers, their structure and their strengths.

- (i) **Indistinct Two Party Systems**— In indistinct two party systems, the party ideology is given the less importance, the lacking of hierarchical structure and it emphasizes on the works of winning votes. The party system of America and Ireland can be termed as indistinct two party systems.
- (ii) **Distinct Two Party Systems**— In distinct two party system parties are more centralized. Under this method electoral battle clash of ideology and politics makes some more interesting. Britain, West

**Notes**

Germany and Australia are the examples of distinct two-party systems. The multi-party systems are the system that is being more than two parties behaves like distinct two-party systems particularly in relation to the stability of governments.

- (iii) **Working Multi-Party Systems** – Working Multi-party systems is that systems which is whether multi-party behaves as distinct two-party system. Their are social democratic parties in Sweden and Norway which to oppose by liberal, farmers, conservativetist, Christian parties such as the center-right parties but it keeps the basic situation is that either the social democratic governments or like the center-right parties stable governments are made.
- (iv) **Unstable Multi-Party Systems** – Supported of government in an unstable party systems. Such practices in state of such party system are formed governments mostly formed by partnerships of parties at center which are opposed by right and left parties. The best example of this type of party system are found in Italy. In Italy the parliament of Italy has at least eight parties presentation and other the Second World War till now no party could get majority. In unstable party systems state governments collapse early, but most of the time shortly after the fall the second government come into power.
- (v) **Dominant Party Systems** – Dominant party system that systems under that team competition is running, but when one such team rise which dominates on all parties. India is a good example of Dominant party system. After independence, for long-term (1977–80, 1989–91 and except period 1996 to 2002) was Congress only the ruling party at national level. So other parties also present and they exempted from the competition with effective parties. Even some regional parties control the government in several Indian states.
- (vi) **One Party Systems** – It is difficult to give a true definition of single party systems. In this category from Egypt to Tanzania can be placed. At the time of Sheikh Mujeeb in Bangladesh and currently in Myanmar also single party systems are put in this category. In these systems do not fully lack electoral competition. In the party itself faction, some exempt electoral pulls.
- (vii) **Totalitarian Party Systems** – Totalitarian party systems is differ from single party systems in many ways. In these systems social, control of party is high on all aspects of economic and political activism. In these put emphasis dominant ideology. China and other communist countries have totalitarian single party systems.

## **14.8 Party System in India**

At the time of independence movement in India it needed organization of dominant party had been felt. Indian National Congress took birth as an organization that collected as a special entity collected anti-British elements in the country. After Independence this party has began working as a political party, although Mahatma Gandhi wanted it to act only as a social service organization. After independence the Congress party had such an important role in the country's politics often described as a **dominant party system**. Congress was the favorite party of general public and everything was included in their plan. Often they considered the short form of the Indian society wherein the reflection of all elements of the nation.

But we should not reach to wrong results. In Congress were itself existed various elements which kept different views on important questions. The Congress party which was transformed from a movement party into a political party, if wanted could contain all the different elements in the large organization. After it Congress party has become a central party in which leftist and rightist politics were involved. It creates the internal purifier in the party in which according to external circumstances different element of this could combine each other.

It is a fact that congress influence in India was not in whole. Although in the parliament Congress got overwhelming majority yet in national elections they did not get majority of the public votes. On the other hand, the opposition parties in Lok Sabha although got less seat, but behind them voters had enough power Congress was even less impact on the state level.

In India is particularly against the government. The Congress was the ruling party therefore means of protest was against Congress. Opposition party's effort was too primarily to criticize Congress and put them out of power. Congress party's countrywide powerful organization extended to remote villages. It accepted the legacy of leadership of the Independence movement. It took regional and sectional interests together. Its program was flexible enough to moderate and its growing aspirations resulting from different classes could accommodate various demands. It never adopted extreme view in terms of ideology. All interests had been accommodated in the Congress party so the other party could not get up. Congress programs covers rural and urban interests, cottage industries and large industries and agriculture and industrial interests were mixed. This approach has both conservative and modern. In fact, the Congress party has the basic function of achieving consensus and integration.

A unique feature of India's Congress Party was that it was the coalition by a variety of different perspectives. In its internal only opposition stood up. Although it was a system of one-party rule, but even then it adopted the democratic efforts and institutions. In this case, there was no area to establish the opposition party.



Notes Make a list of existing political parties at the time of independence.

## 14.9 Salient Features of the Party System in India

In the period from 1947 to 1999 at least three times (1967, 1977 and 1990) it appeared that India's party system is going to take new direction, but all three times it did not happen like that and in that case after some change party system returned to stay to its original format. In the fourth general election in 1967 in about half the states of the Indian Union assemblies Indian National Congress could not even get a majority of these states were coalition governments formed with coalition government parties. In the context of this case many reviewers expressed opinion that in Indian politics the era of single party domination was over and in center and states coalition governments were formed with coalition government parties. As per **Rejani Kothari's** words, "Indian politics moved from single party dominance into a position where different parties begin to struggle to get the dominance." In 1971 parliamentary elections and in 1972 Assembly elections party position was not in this form and party system again adopted its old form of '**Multi Party System with one Dominant Party**'.

In 1977 parliamentary polls resulted in India first time the change of power happened at center and in the place of Congress Janata party government was established. Janata Party established by conlition of five political units—organization Congress, Janasangh, Bharatiya Lok Dal, the Samajwadi Party and combined with the rebel Congress led by Chandrasekhar and in the first week of May 1977 when Jagjivan Ram led 'Congress for Democracy' also merged in this duly then by viewing this situation began to hope that very soon in Indian politics 'political polarization' will come that is much lesser extent in India 'Two party system' will be established, but in the last days of 1977 only got the sign and by early 1978 it became absolutely clear that instead of growing in the direction of 'political polarization' we are moving towards disintegration and scatter of parties. In 1979 situation completely came in this form and it began to be suspected that in January 1980 Lok sabha elections coalition government will rise at center, But in the period of 1967-70 at the state level and again in the period 1977-79 much lesser extent at the state level and at the center level (the ruling Janata party government at the center in many ways was a coalition government and in July 1979 literally the coalition government was formed with Janata (S), Congress (S) and Anna DMK). The idea of coalition governments emerged political instability and directionless rule. So the people of India were in favour of handing over power to a single party government. This situation resulted in the in 1980 parliament elections almost two—thirds majority received by 'Indira Congress' and the remaining seats were divided among various opposition parties. This way the basic trend of the

**Notes**

Indian party system was restored to '**one-party dominant multi-party system**' or '**multi-party system dominated by one party**'. After the elections of November 1989, we again began to move to minority (coalition government) government. The polarization of political forces began after the 1991 elections, but the growing coalition of various parties' multi-party system remained the same. After the elections in 1996 at center and in the states the single party dominance was over; at center minority coalition government of 13-14 parties were formed and it was received an outside support from Congress and Marxist Communist Party. The biggest feature of the 12th parliamentary elections held in February 1998 was that the country's polarization of political forces has three alliances—BJP and its allies, the Congress and its allies and the United Front.

**April-May 2004** concluded the 14th Lok Sabha elections mainly two leaders, alliances between the two parties and concluded as face to face collision. The two leaders were there - Atal Bihari Vajpayee and Sonia Gandhi, the two parties were there - the BJP and the Congress and two allies were there - the National Democratic alliance and the Congress allies.

April-May 15th parliamentary elections held in 2009, with the UPA and NDA - with third and fourth front were in the fray. In third front Left party, BSP, AIADMK and parties like Telugudesham then in the fourth front Samajwadi Party, RJD and LJP Paswan were there. 369 parties including 7 national parties fielded candidates in elections. In the last days of the election fought two alliances - UPA and NDA and remained their leader LK Advani and Manmohan singh.

### **The Main Characteristics of the Party System in India**

(1) **Multi-Party System**—In India no two-party system like Britain and America, but multiparty system. According to the Election Commission in April-May 2004 political parties in the country was 655 including 6 national parties. 46 parties of these were at the state level, and the remainder were registered unrecognized party. Except some of them did not have a policy or program, or they lacked the ideas. After the 2004 elections to the 14th parliament in addition to 6 national parties 32 recognized parties, including eleven parties with single member each. April-May 2009 to the 15th parliament elections held in the country in total were 1,055 political parties of which 7 were national parties and 48 state-recognized parties. There were approximately 1,000 registered non-recognized parties. 369 parties, including 7 national parties fielded candidates in elections. Thus the existence of many parties gave birth to the administrative instability and the multi-party system may not be in the interest of Indian democracy.

(2) **One Dominant Party System**—Before the fourth general election Morris Jones described party system in India 'The multi-party system dominated by a single party' and except during 1967 and 1970 this was the trend in Indian politics generally. In multi-party system generally there is disintegration of political power and in this situation none of the political party could build the government on its own, but before 1967 in general this situation was not in the Indian politics, the reason was Congress party that dominated Indian politics. In 1967 the fourth general election in Indian politics at the state level gave rise to that situation, that can be said that the natural result of a multi-party system but in the period of 1967-70 in some states formed the coalition governments, the general public was greatly disappointed and that ensured the collapse of opposition. So in the 1971 and 1972 parliamentary elections the people gave opportunity to Congress to build their government at the center and in most states.

Based on the January 1980 elections there was thought of establishing coalition government at center, but the election results did not come in this form and re-established the dominance of single party in Indian politics. Thus the period of 1947-66 in Indian politics Indian National Congress received the of prominence, party system of India during 1967-70 appeared as 'competitive party system', but in 1971 again single party 'ruling Congress' came to have a dominant position until the beginning of 1977. Party system in the period of 1977-79 was not clear, to some extent, the 'competitive party system' and to some extent a multi-party system in which one party had gained the status of a dominant party. As a result of January 1980 parliamentary elections and May 1980 Assembly elections 'Indira Congress' gained the dominance in this multi-party system. 1984-85 in the parliamentary and state assembly elections

results also underlines the dominance of Congress party. 1989, 1991, 1996, 1998, 1999, 2004 and 2009 parliamentary elections have transformed the situation and the era of dominance of single party was over. None of the party receives a majority at the center. 13th parliamentary elections held in 1999 the BJP got 182 and the Congress got 113 seats in the 14th parliamentary elections held in May 2004 the Congress got 145 and the BJP got 138 seats. April to May 15th parliamentary elections held in 2009, Congress received 206 seats with 29.67 per cent of the votes and the BJP received 116 seats with 19.29 per cent of the votes.

**Self Assessment**

Fill in the Blanks –

1. As the wheels of democracy ..... are inevitable.
2. Political parties are the best means of creation and expression of .....
3. Integration of Principles provides a ..... solid party unity.
4. In India, the Muslim League, Akali Dal, Hindu Maha Sabha, etc. are based on ..... Construction.

**No of Recognized National and State Level Parties**

Year	National Party	State level party	Total
1951	14	60	74
1957	4	12	16
1962	–	16	16
1967	–	21	21
1971	8	17	25
1977	5	18	23
1980	6	19	25
1984	7	19	26
1989	8	20	28
1992	6	34	40
1994	6	35	41
1998	7	48	55
1999	7	40	47
2005	6	46	52
2009	7	48	55
2010	6	42	48

Year	No of National party	No. of regional party
1951	14	35
2008	6	781
2009	7	1048

**3. Partisan Politics is Based on Individual Leadership** – Partisan politics is based on individual leadership and parties often break out for individuals. Supreme positions are often entrusted to a particular individual of ruling party in Indian politics. Pandit Nehru had this position from 1951 to 1964 followed by Indira Gandhi from 1970 to 1976 and again in the beginning of 1980. Rajiv Gandhi emerged with effective role after 1984 elections. Personalities and individual style of Shri Atal Bihari Vajpayee and Mrs. Sonia Gandhi were under limelight during general elections in February 1998, September – October 1999 and April May 2004. General elections for 15th Lok Sabha, concluded in April-May 2009, were oriented around the personalities of Dr. Manmohan Singh and Lal Krishna Advani. In this respect period from 1964 to 69 and 1977 to 79 were certainly exceptions. However it is also a fact that lack of individualistic leadership in ruling party has always resulted in decline of power and discipline in the organization.

**Notes**

**4. Nature of Partition, Division and Instability in Political Parties** – All Political parties in India have been victim of continuous split, division and instability. The first political party Indian National Congress has been split three times. Indian national congress was divided in 1969, ruling congress was divided in 1978 and Congress (I) was divided to form Congress (Tiwari) in 1995. Janata Party, formed in 1977 was divided into four parties by mid 1980 namely Janata Party (JP), Bhartiya Janata Party, Janata S (Charan Singh) and Janta S (Rajnarayan). Likewise there are four socialist parties of the two are together. Janata S was formed by division of Janata Party in 1990 which got further divided with the split of Ajit Singh Sect. Lalu Prasad Yadav formed Rashtriya Janta Dal from Janta Dal. Regional parties like Akali Dal and AIADMK have also been divided time to time. After being expelled from BJP, Kalyan singh formed Rashtriya Kranti Dal in 1999. Before this when Sharad Pawar and P A Sangma were expelled from congress, formed Nationalist Congress Party. The most important thing here is that a political party is formed today and it sees a divisive situation tomorrow. Thus there is uncertainty and instability in partisan system and this certainly is a deformity.

**5. Strong Opposition:** The opposition has been weak and divided in India except during period from 1967 to 70, 1977 to 1979 and 1989 to 2009. While explaining this Morris Jones had said that major reason for division of opposition parties was lack of social cooperation among them and their leaders' desire to hold their position even without having requisite power. The leaders never wanted to merge into a bigger group. But the Ninth parliament had seen the birth of a strong opposition in parliament and Indian politics. The congress party was a strong opposition in parliament with 193 seats in Lok Sabha and majority in Rajya Sabha. BJP emerged as a strong opposition in 1991 and 1996 general elections with 119 and 161 members in parliament respectively. Similarly after 1998 and 1999 General elections congress again made a strong opposition with 141 and 113 members in parliament respectively. Post 2004 and 2009 elections BJP with 138 and 116 members respectively is recognized as the main opposition party and parliament Advani is the leader of opposition in the parliament. The party has been playing this role effectively since then. In state assemblies also the opposition is the strong enough or at least has got the required numbers to be recognized as the main opposition.

**6. Increasing opportunism:** Opportunism has always had prevalence in Indian politics and has been continuously more aggressive form in recent years. According to Rajni Kothari "personality has still got its impact in Indian politics. In India different parts of one organizations work differently. National and state streams of one organization work in different directions and are allied to groups which are quite different from them in terms of philosophy and policies". In 1980 Indira Congress and Janata Party contested election under one alliance in Kerala while on national level both were, and still are, radically opposite. One can find many such examples of opportunism in Indian politics.

**7. Lack of clear differentiation in policy and program of political parties:** Political parties have not been able to present a clear alternative to the public as that do not have clear policies and program that differentiates them from others. This is because, first all players in political system received their political training during the national movement only and second, which is more important, that the political parties themselves do not have clarity in their program and policies. There are around a dozen smaller parties who have declared socialism as their goal, apart from the congress. Absence of an agenda in many of the parties leads to destructive works and encourage separatist elements.

**8. Communal and regional parties:** Many political parties in India are formed on communal and regional grounds. Among them are Anna Dravid Munetra Kashgam (AIADMK), Dravid Munetra Kashgam, Akali Dal, Hindu Mahasabha, Muslim League, Muslim Majlis, National Conference, Asam Gan Parishad, Sikkim Sngam Parishad, etc. In Nagaland, Mizoram, Manipur, in Arunachal Pradesh Nagaland Democratic Party and Manipur Peoples Party are strong and Indian parties' reach are negligible. These communal and regional parties show limited effect in parliamentary elections but come out quite strong in state assembly elections. From 1989 to 2005 Shivsena, which is a regional party, has also gained considerable strength.

**9. Groupism within the political parties:** Internal groupism is an important specialty of Indian partisan system. Almost all parties have various smaller sections, one which is in power and the other which is of rebels. There is huge differences among these groups which many a times rise to such a level that during

elections one section will work to ensure the defeat of their own party's candidate if that candidate belong to opposite section. Internal conflict has been highest in congress as there is continuous power struggle within the organization which has affected the overall growth of the party. Similar situation exist in other political parties as well. After 2004 election defeat BJP headed towards internal conflict resulting in internal conflict on state as well as on national level. This kind of groupism is not seen in political parties in west and certainly it is a curse for Indian political system.

**10. Political Defection:** Political defection has always existed in Indian politics but it was more common during period from 1967 to 1970. It is quite commonly seen in Punjab, Haryana, Uttar Pradesh, Bihar, Rajasthan and Madhya Pradesh that member of one political party after winning election switch to other political party in assembly without taking consent from the voters of his area. This continuous defection has resulted into frequent power transfer in the state and created political instability. People expected that Political defection will stop after 1971 and 1972 parliamentary and Assembly elections and people had the same hope after March 1977 and January 1981 elections, but this did not happen. Manipur, Meghalaya and Nagaland have been in limelight in last 2-3 years (1990 - 92) because of political defection. In February 1998 political tug of war between Kalyan Singh and Jagdambika Pal established new heights in political defection. Between 1998 and 1999, Goa saw four times change in chief minister and once president rule because of political defection. Political defection is a reason as well as outcome of political instability and it has polluted the political environment in India.

**11. Decrease in number of independent candidates:** Number of independent candidates has gone down in 1977 assembly and 1980 parliament and assembly elections. Only 9 independent members were elected for parliament in 1977, 8 in 1980 and 5 in 1985. In 1989 total 3712 independent members fought elections and only 12 were elected, out of 5687 only 5 members were elected in 1991. In 1996 this figure was 10635 and 9, 1915 and 6 in 1998. Only 6 independent members could make to parliament in 1999 and 9 in 2009. Assembly elections held in 9 states in 1989 had 2225 independent contestants out of which 98 contestants won, but this election saw a gross increase in independent candidates and members. They had a 12-13% vote share. There should be some legal and political arrangements to reduce the number of independent candidates. Norman D Pamer's statement still holds that "the healthy partisan system has not emerged yet and it looks difficult in future also".

**Lok Sabha Elections: Number of Independent Candidates**

Year	Total Number of Independent Candidates	Elected	Number of Candidates who Deposit was Ceased	Percent of Deposit Cessation
1	2	3	4	5
*1952	849	36	503	59.25
*1957	667	73	342	51.27
1962	480	20	379	78.96
1967	865	35	747	86.36
*1971	1134	14	1066	94.00
1977	1224	9	1190	97.22
1980	2821	8	2791	98.94
1984	3792	5	3746	98.79
1989	3712	12	3671	98.90
**1991	5687	5	5660	99.52
1996	10635	9	10603	99.70
1998	1915	6	1898	99.11
1999	1945	6	1923	—
2004	2385	5	—	—
2009	3831	9	—	—
*Including other parties (Excluding national parties)				
**Including Punjab where election was held in 1992				

Notes

## 14.10 Problems of Political Parties in India

Political parties in India face lot of problems. Major of them are organizations, financial, indiscipline, etc.

**(1) Organizational Problems:** Social structure in the country complicates the partisan system. India represents a traditional sectional social structure. Religion, caste and other cultural aspects dominates the people mindset and thus it is difficult to practice politics of principles. It is further difficult to run a completely an organization which neutral to any religion or section.



*Notes* One specialty of Indian political system is prevalence of internal conflict which is a major hurdle effective organization of parties.



*Did u know?* There are three communist parties, Indian communist party, Marxist communist party, Indian communist party (Marxist-Leninist), which have born from faction related politics in Indian communist party.

There has been two major split in congress party in three decades. Regional parties like Akali Dal and Dravida Munnetra Kadgam has also been divided. This type of formation of cliques is prevalent in all political parties, and individual differences lead to different parties without any theoretical basis.

**(2) Defection** – Defection is common in India. Defection damages the political stability in the country, altogether with affects people confidence adversely in the administration and parliamentary institutions. Defection is an obstacle to the development of a healthy party system.

**(3) Financial Instruments** – Political parties in India usually don't maintain the financial record keeping, even they don't record the details of fund received from members and fund operations.

Practically the usual source of all political parties is the donation imposed on Members of Parliament and state legislature. The main source of income of all political parties are donation bags and fund operations. First time the company act 1956 has delimited the donations and other funds with political donations. To ban the donation from companies to political parties a bill was passed in 1968. But the speed of the financial instruments of political parties continued undone as earlier. The less controversial method of income is the bags received to leaders of these parties. These bags are collected from public and businessman by the regional party workers and are gifted to the leaders usually at the time of elections.

**(4) Crisis of Leadership** – Crisis of leadership is found in political parties. There is a deficit of sharp and clean leadership. Politics has been made a dirty game by our leaders. Political opportunism is seen in these leaders.

**(5) Impact of Black Money** – Election being too expensive the genuine public servant are hesitant in contesting the election. Parties get financial assistance from capitalists and companies. People who give money want to take undue advantage. Former President Neelam Sanjeev Reddy said that “the person, who spends lakhs of rupees in contesting the election, certainly can't be an honest man”. This is such a harsh reality which reveals the hollowness of our political system.

**(6) Racism and Communalism** – Life values such as Racism and Communalism are received by us in heritage. Because of these every party has to compromise with these elements. They have to give the tickets to such candidates who have the ample support of their race in these constituencies in place of eligible candidates.



**(7) Criminalization of Politics**—There has been an intrusion of criminals in all political parties. Criminals have trapped the political leadership in their claws. Literally the process of criminalization of politics starts from the Politicization of crime. Commenting on the results of assembly election of 1996 India Today has written “you name the crime and there will be a Members of Parliament who has been charged for the same crime. UP is ahead in this affair. There are 435 candidates who are from criminal background; out of these, 27 have been elected in parliament. With 14 candidates BJP is in top of the list, although most of them are charged for trifle crimes. There are 7 MPs of SP who are from criminal background and 4 out of these 7 are History-Sheeteer. There is 1 MP in congress and 3 in BSP who are from criminal background. 15<sup>th</sup> Assembly election held in 2009 many of the godfathers have been defeated but numbers of MPs belongs to criminal background has increased 128 in 2004 to 153.

**(8) Deficit of co-existence culture in India**—When the numbers of parties are increased in legislature, so sometimes coalition cabinet is formed. Coalition government can function smoothly when there is a mutual trust among different parties. It has been the misfortune of India that our leaders fight each other for their personal issues in place of policies.

In short county needs two or three all India parties who are based on the explicit ideology.

### Self Assessment

Multiple Choice Questions –

5. Left parties usually support the policy of .....  
(A) Capitalistic                      (B) Liberalist                      (C) Socialist                      (D) Marxist
6. Minimum ..... parties represent in the Italian Parliament.  
(A) Two                      (B) Eight                      (C) Ten                      (D) Four
7. After his expelling from BJP, Kalayan Singh founded the party named.....  
(A) Rashtriya Krati Dal                      (B) Samajwadi Party                      (C) Samta Dal                      (D) NCP
8. There is a .....leadership in Indian political parties.  
(A) Deficit                      (B) Development                      (C) Emergence                      (D) Crisis

### 14.11 Summery

- Political parties are the best means of creation and expression of public opinion. They provide the concrete form to the abstract voters. They project their candidates in election and affect the voters by advertising their program and policies. The winning party in the election forms the government and losing party criticizes the government by sitting in opposition. So representative rule is get moved by the party system.
- We intent to say that political parties are the group of such people, who are of the same opinion in terms of some problems and their solution. These people are united and are intended to work legally to achieve the common goals.
- Political party is a community which is animated by the great ideals. And whose program and policies have ubiquitous base, but not the regional or communal. Rather than caring for the wellbeing of any particular caste, religion, community or class, it should put its effort for the growth of national interest.
- In every public community, people of different opinion are found. And some opinions are contradictory. People who propound these opinion become leaders and other people starts approving and supporting their opinion. And hereinafter organized political parties are formed.

**Notes**

- Political parties mediated between public and government. They present the problems and inspiration of public to the government and make the government aware of the public position.
- On the basis of their point of view people differentiate reactionary party from highly revolutionary. Many people come in between of these two. In modern days these people are known as with the name of leftist or rightist. Leftist are those who support revolutionary social and economic efforts. And rightist are those, who are the supporters of conservative state of maintaining the status quo.
- Totalitarian parties are found to be of different in terms of methods in many things as compared to single parties'. Party has total control in the every aspect of social, economical and political activity in these methods. Effective ideology is emphasized in these methods. Totalitarian single party system is found in China and other communist countries.
- In India opposition specially means opposition of government. Congress party is the ruling party, so opposition means opposition of the Congress. Opposition party put its effort mainly in criticizing and removing the Congress from the power.
- The ubiquitous and powerful organization of the congress party was spread to the remote villages. It accepted the heritage of the leadership of freedom movement. It took the regional and sectional interest together. Its program was enough liberalist and flexible, resulting in the adjustment of various demands derived from the increasing inspiration of different classes.
- There is no two parties system in India like in Britain and America, rather it has multiparty system. As per the election commission there are 655 political parties including 6 national parties in 2004. out of these 46 parties are state parties and rest of them are registered and non-recognized parties.
- There is a deficit of explicit distinction of the program and policies of political parties in India. And due to same they are unable to produce the clear alternative in front of the public.
- Internal factionalism is the chief characteristic of the party system in India. Small groups are found almost in every political party, the one group is the one who is in power and other one is discontented group. Mutual contradiction in these groups are found to such an extent that sometimes member of one group put their best efforts in defeating the supported candidate of the other group.
- The contained profile of political system increases the problems of party system badly. India represents the traditionally layered social system. Religion, caste and other cultural things have rooted in the minds of people. And totally principled politics is somewhat difficult in this context. Operation of totally secular organization is rather more difficult.
- Election being too expensive the genuine public servant is hesitant in contesting the election. Parties get financial assistance from capitalists and companies. People who give money want to take undue advantage. Former President Neelam Sanjeev Reddy said that "the person, who spends lakhs of rupees in contesting the election, certainly can't be an honest man". This is such a harsh reality which reveals the hollowness of our political system.
- There has been an intrusion of criminals in all political parties. Criminals have trapped the political leadership in their claws. Literally the process of criminalization of politics starts from the Politicization of crime. Commenting on the results of assembly election of 1996 India Today has written "you name the crime and there will be a Members of Parliament who has been charged for the same crime. UP is ahead in this affair. There are 435 candidates who are from criminal background.

### **14.12 Keywords**

- **Opportunism** – The taking of opportunities as and when they arise, regardless of planning or principle to fulfill one's political ambitions and even shaking hands with the opponents for personal benefits.
- **Multi-Party System** – A democratic arrangement in which various political parties participate in elections.

### **14.13 Review Questions**

Notes

1. Define and explain the meaning political party.
2. Describe the characteristics of political party.
3. On what basis a political party is constituted?
4. Political parties always strive for power. With reference to the abovementioned sentence discuss the functionality of political party.
5. Based on Alen Ball's classification of political parties, evaluate them critically.
6. Analyze the characteristics of Indian political parties.
7. Find the prevailing reasons behind the criminalization of politics.
8. Analyze the difficulties of political parties.

### **Answer: Self Assessment**

1. Political Party
2. Public Vote
3. Base
4. Religious
5. Socialist
6. Eight
7. National Revolution Party
8. Trouble

### **14.14 Further Readings**



Books

1. *Bhartiya Loktantra – Rajesh Rawat, Shatish chaturvedi – Raj publication.*
2. *Bharat Main Rajniti – Abhay kumar dubey – Vaani Prakashan.*
3. *Bharat Main Pachayati Raj – George Mathew – Vaani Prakashan.*
4. *Loktantra ka Naya Lok – Arvind mohan – Vaani Prakashan.*
5. *Bharat Main Vikas, Loktantra aur Vikandrikarann – Chandansen Gupta – Rootlej Publication.*
6. *Bharat Main Algavad aur Dharama – Shamsool Islam – Vaani Prakashan.*

Notes

## Unit-15: Labour Unions Movement

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Objectives

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- 15.1 Meaning of Labour Union
- 15.2 Labour Unions after First World War
- 15.3 Labour Unions Movement after Independence
- 15.4 Nature of Labour Movement in India
- 15.5 Other Mass Movement
- 15.6 Summary
- 15.7 Keywords
- 15.8 Review Questions
- 15.9 Further Readings

### Objectives

After studying this unit, students should be able to –

- Understand the labour union movement.
- After independence will learn the nature of the labour movement.
- Be familiar with other mass movements.

### Introduction

It is true that the condition of farmers in India is pathetic. The plight of the farmer's movement can be considered as the mother, but the peasant movements are also not untouched by politics. From time to time various leaders in the name of peasant movement promote the movements in order to build their credibility, inspired by self-serving etc. Today, the farmers need such a leadership that the partisan politics aside to work tirelessly for the benefit of the farmers.

Like peasant movement in India has a long history of trade union movement. In this movement from time to time various changes that have been occurred. In India after farmers, workers can be said of other oppressed classes. Today despite various government policies and constitutional provisions many workers are still in a mess. Also today many minor labors are employed in the works, but like farmers' associations Workers Union of India has also not untouched from political and partisan activities.

Although various improvements have been made to the labour movements but trade unions to be involved in politics and party politics is not in the interest of workers.

Notes

## 15.1 Meaning of Labour Union

Labour union working to maintain or improve the conditions of life for the purpose of a permanent association of wage earners. Robert F. Hokes believe that the labour union is caused by 'group psychology'. Characters of the labour movement in a specific country are the role of intellectuals, opposition to capitalism and the function of consciousness depends on the specific mix.

**Historical Background**—In 1872 the first attempt to take care of workers Mr. P.C Majumdar a Brahmin teacher opened eight night schools in Bombay. It was established under the auspices of the Brahma Samaj in Kolkata in 1878. For jute workers *Shashipad Banerjee* began school in the Bara Nagar. In 1877 receive information about the first protest by workers whereas the workers of Nagpur Empress Mill made an unsuccessful protest to get good wages. Finally, the first Factory Act was created in 1881. In September 1884, Kalyan Meghaji Lokhande in Bombay who himself had been a factory worker, convened textile mill workers and to give to factory commission chairman, prepared a reminder to improve working conditions of workers, which was signed by 5,000 workers. In 1891 made new factory act. In 1897, rail workers from India and Burma who built their organization, which was later known as 'National Union of Railway Man'

Between the end of the nineteenth century and the early decades of the 20<sup>th</sup> century labour union movement's the following feature appear –

1. Efforts to make the labour union were significantly lower.
2. The labour unions had been established by some minorities who were not themselves workers.
3. Because workers were unable to make their own union so the work done by social workers of middle class society. These associations were not in the labour unity and stability.
4. In the 1880s and 1890s casual and sometime work was stopped by the factory workers of Bombay and Calcutta. This time the railway, textile and Printing staff hampered the work for higher wages and better working conditions.
5. Although this was not an organized labour union, but unity of the workers, an anonymous and unwritten collaboration that was not in the Indian workers.

## 15.2 Labour Unions after First World War

1914-18 World War changed the situation significantly. Many soldiers who had gone out brought the news of good conditions of workers in other countries. Also there was the impact of the Russian Revolution. Wave of discontent and resistance persisted. The increase in prices was more than double and the wages were behind that. The capitalists collected benefits of wars and workers wanted share of that. The awareness of their rights as workers came from workers due to the political discontent was going in the country. Indigenous movement, the government's suppression policy and the establishment of international labour union labour class gained some reputation and had received invitation to attend the annual conference of international labour union. By the end of 1919 and by mid 1920 it had reached climax. There were more than 200 strikes in the first six months of 1920, which was attended by 1.5 million workers.

In 1919 Mr. B.P. Wadia founded 'Madras Labour Union was the first organization in India that was like a modern labour union. It was primarily Buckingham and Carnatic Mills textiles workers organization, although the other workers were also included. The main demands of the workers with proper working conditions and activities of European supervisors were not tolerated.

In 1920, the All India Trade Union Congress, headed by Lala Lajpat Rai, a national organization was founded as the country's labour union movement began to act as spokesperson and coordinator. In 1921

**Notes**

N.M Joshi made an unsuccessful attempt for creating trade union law. In 1923 workman compensation law was made and its aim was to put obligation on employers so that workers for accidents at work shall be given reasonable compensation and death or wholly unfit shall be given compensation for three years.



*Did u know?* In 1924 the communists attempted to capture the All India Trade Union Congress and in 1927 they had founded Girni Workers Union.

But Government being discontent arrested these communist. There were significant strikes in 1928 and 1929. Before the split in Congress the All India Trade Union Federation was founded by N.M. Joshi. In 1931 establishment of All India Trade Union Congress, Trade Union Congress was partitioned again. In 1938 they once again joined the Congress. In 1936 Payment of Wages Act was created. The purpose of this certain type of wages to the laborers engaged on the work and should be given at intervals and arbitrary fines or unauthorized exploitation of low wages as a deduction should be eliminated. In 1938 the Employment of Children Act was made and its purpose is to control the employment of children below 15 years of age in Industrial operations.

During this period, labour union could not exist without Political Movement and Irrespective of the prevailing social forces. Another important fact is that these leaders gave less importance to struggle with industrial employers whereas the first place given to self-realization.

### **15.3 Labour Unions Movement after Independence**

At the end of the Second World War there were two All India Federation of Labour unions – the All India Trade Union Congress the majority of which was that the communists and other Indian Federation of Labour which was controlled by MN Roy's Radical Democratic Party. At the end of the war and Mahatma Gandhi and other Congress leaders were released, it was clear that people in independent India will support congress. These two organizations from a political perspective were different from India's main national stream. AITUC neutral attitude during the war and I.F.L's supports to the war policy they differ from congress leaders and were alienated.

In 1946-47 strikes flooded. 50 percent increase in the membership of labour unions, which was 100 per cent in 1947-48. The reason was the increase in labour discontent which was the result of the Second World War. It was a labour fallacy that after independence their demands would be considered sympathetically, but Government faced them with Section -144, sticks and bullets.

Government created Industrial Disputes Act in 1947 has an important role in resolving industrial disputes, whose purpose was to establish the cordial relations between employers and employees, but the whole government machinery was the settlement of disputes. The purpose of the Act in 1948 resulting from long hours of physical labour, was to get rid of stress and labour whereas the purpose of the Insurance Act to workers while working staff sickness, maternity and accidents was to provide comfort and convenience.

In 1947, the Congress was ruling at the center and states, an organized labour union movement that was aggressive towards them, and encountered. Not only legal but to take steps in 1947 a new All India Labour Organization 'Indian National Trade Union Congress' was established.

AITUC from getting out of Congress increased the communist takeover but who were non-communist weakened their position. In 1948 Socialists broke away from the Congress and made the labour union known as 'Hindu Mazdoor Sabha'. In 1949, unsatisfied people from Hindu Mazdoor Sabha created a federation - 'United Trade Union Congress' which was committed to the class free society and apolitical labour unionism. In 1955 Bharatiya Jana Sang established a fourth group, known as the 'Bharatiya Mazdoor Sangh'. In the last decade of 1960 due to cracks in the Communist Party Marxists formed their own group and then in 1970 they established 'Centre of Indian Trade Unions'.

After independence the some more important act made, for example, the Employees Provident Fund Act 1952, Mines Act 1952, Bonus Act 1965 etc.

Notes



Notes In 1975, by an ordinance in some industries the bonus was abolished.

## 15.4 Nature of Labour Movement in India

The nature of the labour union movement after independence can be summarized as follows –

- (1) Overall in the country labour unions have secured a fixed location. Government and employers assumed that the union will be there. It is true that labour union in independent India already had a great journey, they become an important institution of Industrial and urban India. Labour union leaders, if not in the union, at least have an important role in society.
- (2) Tata Steel's labour union would be appropriate to say 'leaders union' instead of Indian union's 'Trade Union'. Compare to the increase in membership associations the increase in associations cannot be said enough from any point of view. In 1927, 29 labour unions were there and its members were 1,00,619. In 1940-41 Labour unions were 727 and the numbers were 5,13,832. These numbers have increased over time.
- (3) Current labour union not only limited to construction industry, transport, commercial enterprises, sales or service organizations but also spread over research and educational institutions, professional, charity institutions, health organizations, social service organizations. It has been entered in the agricultural sector of the national economy. Public administration employees, police officials, including security forces, have also adopted it.
- (4) Labour Union in India-essentially tied in a loose and complex structure and they are not a trend. The difference is found according to industry and region. Commonly used in the industrial sector union and is organized at enterprise level, in the service sector they are organized at the industry level such as railways, insurance or government service. Enterprise level organized labour union itself affiliates to a central labour union while some prefer to remain independent.
- (5) Labour union leader's doubtlessly got a different behavior and a high reputation in factory and society. In addition to labour union positions in society and politics of public society is easily accessible. Because of the position of the privileges, and power and rank them considerable stress to maintain its current position. The effect of centralization of power and authority in society and politics has on other entities such as labour unions. Prices differentiated labour in society - without any effort union leaders are able to retain monopolistic structure.
- (6) Prior to the last decade of the twentieth century, the Indian Industrial Worker got separated from labour union. For Indian worker union membership is not a matter of priority. Even those who are members of associations labour unionism is not a serious matter for them. In fact the number of members is not the correct criteria for the strength of labour union. The actual strength of Labour union can be determined only at the time of crisis.
- (7) Labour union members scatter is due to the small size. There are financial constraints of small size. Union cannot develop an effective administrative system, so it has no life. They cannot make any long-term policy and program. Yet labour union is at greater leadership organization, because those who are interested for leadership move to other union for good opportunities.
- (8) The trade union act of Government is the parent of more than labour unions under which any seven people can make up their own trade union. In addition to this legal form of labour union is also quite complex.

**Notes**

- (9) In August 5, 2003 by a directive of the Supreme Court has put a question mark on the role of trade unions. In the direction of the Supreme Court, Justice Shah and Justice Lakshmanan supporting the instructions provided in 1962 said strike by government employees to solve their problems neither their legal rights, nor the moral right nor a fundamental right. It was assumed that strike the base of the arms from time to time has been abused and this is causing chaos. So by Supreme Court strike is immoral and not considered to be the role of the trade union rights and power in a dispute - which stood up. On the other hand, trade unions are in favor of strike and consider it a part of democracy. Now is the time to see the trade union activities in the coming years and what impact it has on the powers.

Thus in India one can find the nature of labour union movement and development, politics and the role of the state in the economy, the nature of managerial and entrepreneurial skills, and ultimately social problems associated with unemployment. Trade union movements in India are constantly developing. The major political parties have themselves associated with trade union. India's experience in the trade union movement shows that there is lack of consensus in the trade unions. In fact political parties directly or indirectly influence on labour unions can be seen. Like the Indian Farmers Association Trade Unions are also abused by political parties constantly for their own benefit. So the real solution to the problems of workers in India, need a healthy and independent trade unions without the pressure to keep their demands to the Government.



*Task* What measures are taken by the labour union to fulfill their demands?

### Self Assessment

Fill in the Blanks –

1. Peasant movements like the labour movement are too long .....
2. In 1891 ..... built in new factory.
3. In 1946-47 ..... of strikes occurred.
4. Centre of Indian Trade Unions was established in the year .....
5. In Assam from November 1979 ..... was conducted.
6. In 2003 women barricaded in Delhi for 33% .....

### 15.5 Other Mass Movement

After independence, in India not only farmers trade union movement, but also launched many movements. Major movement among these are The Akali movement, Assam movement, Gujarat movement, Gorkhaland movement, Uttarakhand movement and movement by women and backward classes. All these movements individually are different in nature. But people proactively participated in all states. On the one hand seeking growth opportunities for the underprivileged, the aim is to improve the status of women's movements, women's purpose, as also the object of many movements for demanding a separate state. Recently Uttaranchal, Chhattisgarh and Jharkhand states were constructed.

(1) **Movement in Gujarat** – From January 1, 1973 Bharatiya Jana Sangh and the organization of the Congress in Gujarat adopted revolutionary attitude. In Rajkot 'Protest' was held and the procession taken in this regard that resorted to violence and the police dispersed for they had to shoot. After that 'Protest' was organized in. The student community was also involved in the movement. The students held demonstrations and acts Rampage later, causing the closure of Ahmadabad was held on January 10. Various political parties in



several towns in Gujarat called for 'protest', processions and picketing at several locations. In Ahmedabad formed 'Nav Nirman Samiti' whereby decided to lead the movement

(2) **Bihar Movement**—In Bihar movement was majorly conducted by students to demonstrate their fury against the increase in price of essential commodities, relating to the growing problem of unemployment, but success in Gujarat and anti-social elements in the frenzy of political parties designed a master plan to perform in Patna on March 18, 1974. The purpose of this demonstration is to stop the governor to address the annual joint session of the legislature.

Students were asked to boycott examinations and boycott all the colleges for one year but do not sit exams call have been widely disregarded. There were numerous incidents of pressure and terror, an examinee in the test shot of terrorism. To speed up the movement planned to hang government offices and social boycott legislators. Tried to include trade unions and non-gazette Government employees into the movement. From 3rd to October 5th, 1974 called off 'Bihar Protest'. Numerous incidents of violence occurred during that time. On November 4 in all states called for a massive demonstration and to call large gathering to block assembly and residence of members of the assembly. And encompassed a huge procession and picketing in Secretariat. In December 1974, the leaders of the movement in villages to install 'Chatra Sangharsha Samiti', 'Jan angharsha Samiti' etc. and turned their attention to tasks like setting up parallel government.

(3) **Gorkhaland Movement**—Gorkha National Liberation Front under the leadership of Mr. Subhash Ghisingh conducted movement for two years in the Darjeeling's Mountain area of North Bengal to establish a separate new state 'Gorkhaland'. The movement spread across Darjeeling, Kalimpong and Kurseong's subdivisions. Some times 40 days long protest movements were there. At several places, the workers opened fire on the police and the movement became violent. For two years, to solve the movement several rounds of talks arranged between the Central Government and West Bengal's Jyoti Basu Government and the leader Subhash Ghisingh.

In the end August, 1988 solution for this problem was searched. Gorkha National Liberation Front left the demand for a separate state and Ghisingh and his partner were satisfied with the establishment of 'Gorkha Autonomous Council'. According to this agreement 'Darjeeling Gorkha Hill Council' has been established, in which people are given sufficient autonomous power. 28 members of the 43-member council will be elected directly. The Council was given the responsibility of land development, development of reserved letters, entrusted with the responsibility for management and water supply. Provision was setup to conduct the Election of Members to be done directly by the Council by December 1988. This Agreement has been executed successfully. Gorkha National Liberation Front and the Marxist Communist Party activists handed over their weapons to the police. In November 1988 Subhash Ghisingh the Gorkha National Liberation Front have been elected unopposed in the Gorkha Hill Council elections.

(4) **Assam Movement**—In November 1979, Assam the 'Gana Satyagraha' was held. Movements arranged by the 'All Assam Students Association'. Protesters demanded that existing Bangladeshis and Nepalese in Assam soon be detected and removed from Assam. It was against the constitution for allowing foreign citizens to give right to vote. Foreign nationals who have settled there and are still coming to Assam must be removed.

Assam activists who have given figures were quite startling. Since 1951 according to their calculation nearly 70 lakhs of people have settled in Assam. Increased number of people coming from outside, so that Assamese people have become alien in their own territory. They have been weakened political control over its own territory. Located on the border of Assam delicate area of foreign nationals to enter and can cause a serious challenge to national security.

Many places in Assam strikes were held. It has become difficult for the government to conduct elections in Assam and was forced to postpone the election. For almost five years they had been spearheading the movement. In 19<sup>th</sup>, 20<sup>th</sup> and 30<sup>th</sup> of November, Way Stop campaign and strikes in Assam organized by the agitators strongly indicative of the success of public passion and allegiance to the movement. In 1983 'Assam Assembly' elections were called, but most people boycotted the elections. August 15, 1985,

**Notes**

agreement was reached about Assam. Overall agreement was that Saikia government will be dissolved but new elections will be held on old voters list. In Assam foreign nationals came since 1966 will then shortlist but neither it will be sent back to their neither country nor remove from Assam and will be resettled in other states. Nowadays, the Bodo security forces and ULFA are active in Assam. These proceedings are notorious for rampage militant organization. All Tripura Tiger Force and National Liberation Front are most active in spreading violence in the state of Tripura.

(5) **Akali Movement**—Over the years the movement began under the leadership of the Akali Dal in Punjab. There are some religious and political demands of the Akali protesters. These demands are based on 'Anandpur Sahib Resolution'. Movement was becoming violent, so in November 1983, the Central Government had imposed President's rule in Punjab. In 1985 an agreement was reached between the Union and the Akali leaders and able to find solutions to the Punjab problem. Punjab elections were called and the Barnala led Akali Dal government was formed, but the government could not control terrorist activities and Rampage. In this case, President's rule in Punjab was in May 1987. In February 1992, Congress (I) government was formed and the President's rule was lifted, but it continued terrorist activities in Punjab. Approximately 10 thousand people were victims of terrorism.

(6) **Uttaranchal Movement**—Under the demand of a separate state movement started by people of the mountainous region of Uttar Pradesh. Agitations initiated in the entire Uttaranchal. Appropriate support received not only from Uttaranchal but also from Delhi and other states. Many times given Let us go to Delhi slogan and huge public meeting was held on Parliament and Red Fort. Many agitators lost their lives in Muzaffarnagar movement under Uttaranchal and other areas. Eventually led to the establishment of the state of Uttaranchal in November 2000 and made its capital as Dehradun. The patterns of movements in India changes from time to time, but these movements has been presenting at all times. Today due to one more demand for creation of separate state Chhattisgarh, Uttaranchal and Jharkhand were formed; on the other hand the movement started for demanding 33% reservation for women. Recently, July 22, 2003, the 33% reservation for women in Delhi is resulted barricaded. Therefore, movements in India's state of nature, vary according to the location and time.

### Recall Signal

- **Labour Union Means**—Maintaining or improving the conditions of life, making the task of the workers union.
- **Historical Earth Surface**—In 1872, P.C Majumdar's contribution.
- **After First World War, Labour Unions**—During the 1914-18 war, the soldiers went out described the conditions of outdoor workers. In the first 6 months of 1920, nearly there were 200 strikes. In 1919, the Madras Labour Union (India's first modern labour union) formed.
- **The Nature of the Trade Union Movement in Independent India**—Currently only union are not limited to workers, but originally loose and flexible structures are bound by Labour union and its leaders are high reputation in the society and the factory, small size and scatter of Trade Unions, Trade Union Act.

### 15.6 Summary

- In 1920, the All India Trade Union Congress, headed by Lala Lajpat Rai, a national organization founded, and the country's labour union movement began to act as spokesperson and coordinator. 1921 N.M Joshi made an unsuccessful attempt to create the trade union legislation.
- At the end of the Second World War, there were two All India Federation of Labour union—the All India Trade Union Congress, the majority of which was that the Communists and the second Indian Federation of Labour M.N Rai's Radical Democratic Party.

- The purpose of the Act in 1948, was to free resulting from long hours of physical labour, Stress and the labour will Employees Insurance Act's purpose was to rid the course of illness to workers, Maternity and accidents was to provide comfort and convenience.
- Labour Union in India essentially tied in a loose and complex structure and they are not a trend. The difference is found, according to industry and region. Commonly used in industrial union organized at the enterprise level, while the service sector are organized at the industry level, such as the railways, insurance, or public service.
- Labour union leaders doubtlessly get a different attitude in factory and a high reputation in society. In addition, labour union positions in society and politics of public society is easily accessible. Due to this type of position of the privileges and power and rank them considerable stress to maintain its current position.
- August 5, 2003 by a directive of the Supreme Court has put a question mark on the role of trade unions. In the direction of the Supreme Court, Justice Shah and Justice Lakshmanan supporting the instructions provided in 1962 said strike by government employees to solve their problems neither their legal rights, neither the moral right nor a fundamental right.
- In India after independence, Farmers the trade union movement, and also used to launched many other movements. The Akali movement, movement in Assam, Gujarat movement, Gorkhaland movement, Uttarakhand movement, women and backward classes are these leading movements.

## 15.7 Keywords

- **Labour Union** – Labour party formed to meet the same objectives and interests.
- **AITUC** – Abbreviation of 'All India Trade Union Congress'.

## 15.8 Review Questions

1. Defining the labour union.
2. Examine labour unions in India before independence.
3. After independence elaborate on labour movements.
4. Please evaluate the nature of the labour movement in India.
5. In addition to the labour movement analyze other mass movements in India.

## **Answer: Self Assessment**

- |            |                     |                |
|------------|---------------------|----------------|
| 1. History | 2. Act              | 3. Flood       |
| 4. 1970    | 5. Order Satyagraha | 6. Reservation |

## 15.9 Further Readings



Books

1. *Bhartiya Loktantra – Rajesh Rawat, Satish Chaturvedi – Raj Publications.*
2. *Bharat Main Rajniti – Abhay Kumar Dubey – Vani Publication.*
3. *Bharat Main Pachayati Raj – George Matthews – Vani Publication.*
4. *Loktantra ka Naya Lok – Arvind Mohan – Vani Publication.*
5. *Bharat Main Vikas, Loktantra aur Vikandrikarann – Chandnsen Gupta – Routledge Publications.*
6. *Bharat Main Alagavad aur Dharama – Shamsul Islam – Vani Publication.*

## Unit-16: Inequality : Caste and Category

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- 16.1 Traditional Meaning and Form of Caste
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- 16.9 The Role of Caste : Blessing or a Curse
- 16.10 Summary
- 16.11 Keywords
- 16.12 Review Questions
- 16.13 Further Readings

### Objectives

After studying this unit, students should be able to:

- Get familiar with the meaning and form of caste.
- Understand the relations and interactions between caste and politics.
- Know the role of caste in Indian politics.

### Introduction

In traditional society of India, the establishment of modern political organizations is a unique characteristic of Indian politics. After the beginning of political modernization in India, the concept has developed that the Westernized political organizations and democratic values became prevalent, as a

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consequence of which will stop **Casteism**, but the influence of caste ceaselessly increased in the politics of independent India. Where the power of caste has decreased in social and religious fields, there the politicians, administrators and central and state governments have accepted its increased influence on politics and administration.

Some scholars believe that after the establishment of democratic and representative organizations, the caste system in India should be abolished. Some other scholars believed that caste system works in the form of traditional power and poses a hurdle in the path of political development and modernization. In this regard, the opinion of Rajni Kothari is that – **Firstly**, no social system can be completely abolished; hence, to question whether caste is being abolished in India, is pointless. **Secondly**, caste system does not hinder the modernization and social change; rather it plays an important role in developing them. In politics of local and state levels, the caste groups influences the community decisions in a similar way as the Pressure Groups has an influence in the Western countries. Our politicians are in a state of a unique dilemma. Where on one side they talk of removing caste differences, there on the other hand they want to have expertise in getting votes based on casteism.



*Did u know?* Caste system is found in any of the forms in every corner of the world.

## **16.1 Traditional Meaning and Form of Caste**

Caste system is like a serious abuse in the society, which is a characteristic of Hindu society. Incidentally, Islam and Christian societies also have not been unaffected by it. This system is an extremely ancient system. Its aim is to divide the society in many parts based on the occupation. Ordinarily, it is believed that the caste system was originated in the Vedic era. The Brahmins accomplished the religious and vedic tasks. The task of the Kshatriyas was to protect the country and manage the administration. Vaishyas looked after the agriculture and commerce and the Shudras had to work for these three categories. In the beginning, the bondage of the caste system were not harsh and they were not based on the birth, but was based on the tasks. Later the cruelty prevailed in the caste system, it was completely based on birth and the interactions between one caste to the other became impossible. The caste system was useful in its fundamental form. Because it was based on the principle of labour division, hence, it assimilated the expertise element in the economic field. The occupation of a caste is in the same caste. The son learns the patrimonial occupation from his father and usually, adopts it as a means of his livelihood. This system increased the feelings of brotherhood among the people of one of type of caste and community. People of one type of caste were well familiarized with each other and used to help each other through thick and thin.

**Prof. Ghurye** has told about six characteristics of caste system, which are as follows:

- (i) In India, caste is such a community, which has its own developed life and its membership is decided from birth time.
- (ii) Every individual of India is familiar with his social status and in the ladder of castes, Brahmins are believed to be on the top.
- (iii) Based on the castes, there are limitations on ways of eating and social exchange.
- (iv) Feeling of seclusion prevails in villages and cities based on the castes.
- (v) Some castes comprehend some particular type of occupations as their patrimonial rights.
- (vi) Only in the ambit of castes, matrimonial exchange takes place and castes are parted in many sub-castes. In sub-castes also there are marriage limitations.

## 16.2 Attachment of Caste with Politics

During the battle of independence, it seemed that the influence of casteism was less on population, but after the independence, casteism got steamed up and as a consequence of implementation of adult voting rights in the country, this has arisen in the form of a political power. Incidentally, the influence of casteism started in politics since the implementation of representative system, but this influence was only negligible. For this, the British rule, national movements and limited voting rights were responsible. The attainment of independence condemned the first two reasons and the adopting of adult voting rights in the new constitution, condemned the third reason. Consequently, there was an expected increase in the influential area of the castes. In the beginning, from the social and economic view points, the high and superior castes were influenced by the politics and the political benefits were only limited to them. With time, the middle and lower castes started to come forward and started to strive to increase their political influence. In the words of **Prof. Rudolph**, "In regard to political democracy of India, caste is that centre point, through which new values and ideas are being discovered. Practically, it has become such a medium through which the Indian population can be linked to the process of democratic politics."

## 16.3 Political Dimensions of Caste : Rajni Kothari's Approach

In his book '*Caste in Indian Politics*', Rajni Kothari has analyzed in detail the role of caste in Indian politics. According to him that frequently this question is being asked that is caste system in India being abolished? The concept behind this question is that as if caste and politics are mutually opposite organizations. The appropriate question will be what is the effect of politics on caste system and what form is politics taking in the society of castes? The people who complain about the casteism in politics, they have neither understood the constitutional structure of politics nor the structure of caste. The population of India is organized based on the castes. Hence, politics will have to use caste organization against its interests. Hence, the meaning of casteism in politics is the politicization of caste. Politics tries to use caste by dragging it into its boundary. On the other hand, through politics, the caste or community gets a chance to participate in the country's system. To obtain the authority, the political leaders use the caste organizations and they get a well-prepared organization in the form of castes, which is easy for political organization.

In regards to the interactions between caste system and politics, **Prof. Rajni Kothari** has presented three forms of caste system - (i) The secular aspect, (ii) The integration aspect and (iii) The aspect of consciousness.

(i) **The Secular Aspect of Caste System**—Rajni Kothari has attempted to broadly visualize the secular aspect of caste system. Everyone has noticed some things about the caste system, such as marriages in caste, the act of touching the untouchable and through customs and manners efforts to maintain the disparate unity of caste, but very few people have noticed this in castes mutual competition and cliquism is always maintained, every caste contends for its dignity and authority. For example, in Bihar, these days, a ceaseless struggle is ongoing between the higher and lower castes to obtain authority and this is the reason that during the public administration, both the chief ministers came from the scheduled castes. There were two forms of this secular aspect of caste system - one official form, that is, panchayat of village toward caste and presidentialism. The other form was political that is, internal cliquism of caste and tie-ups and conflicts among other castes. The impact of these organizations depended on the type of relations the local leaders had with the central authority. The status of these castes formed and disrupted based on the religion, occupation and province. Earlier the relations of these castes used to be with castes or panchayat of the village and either with the king or zameender. Now in place of local castes, we have legislative assemblies and Parliament and national landlords in place of the king. One of the viewpoints of Rajni Kothari is that no caste was able to have prominence in the politics of the country, because at some places there was domination of Brahmans and in some provinces, such as Jains and Vaishnav communities in Gujarat and Mewar had the economic power.

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(ii) **The Integral Aspect of Caste System**—Another form of caste is integration that is connecting individual with the society. The caste system fixes the place of an individual in the society during the time of his birth. Based on the caste, a person's occupation and economic status is decided. No matter how popular a person is, he has an attachment with his society, his loyalty starts to increase toward his caste. In future, this loyalty can be developed into bigger loyalties for democracy and political system. In this way, chains for connecting castes are formed. Within democracy, there are conflicts within various groups for power and in various castes there is an inclination for tie-ups between them by getting together, so that they are able to get profits of the authority.

(iii) **The Consciousness Aspect of Caste System**—The third aspect of caste system is intellectualism of consciousness. Some castes believe themselves to be superior and because of this they have a specific status in the society. Because of this some lower castes try to associate with them. The dignity that is associated with the Kshtriya caste, many castes have claimed to belong to this caste in various parts of the country. Similarly, some castes have also claimed to belong to Brahman category. As a consequence of change in the political, economical and social states, the states of the characteristic castes also changes. Because of impersonating different types of forms at different levels of social affairs, flexibility and convertibility comes within the caste system. For this, four channels are adopted. Firstly, technique of culturalization. In culturalization, to obtain the social status, the lower castes try to simulate the customs and manners of Brahmans. This is also called Brahmanization. Secondly, technique of globalization or non-Brahmanization. Generally, because of the public influence of economic growth, political unity and rationalism, non-Brahman castes stops to imitate the Brahman customs and tries to obtain the political and social rights by getting in touch with other non-Brahman castes. Thirdly, technique of getting associated with colossus. Sometimes, some castes try to associate with legendary people to prove their superiority. As in Patidar of Gurjat, Mahishya of West Bengal and Jat of Rajasthan, etc. Fourthly, technique of partnership in modern politics. Some castes directly started to participate in modern politics and in this way they received the higher status in the society. Andhra Pradesh and Bihar are its examples.

Describing the politicization of castes, **Prof. Rajni Kothari** has said that 'By this the ancient society has come close to the new political system.' He has divided this process in three phases as follows:

(i) **The competition between power and influence was limited to upper castes**—When the ancient society of India started to connect with the new system, then first the competition between power and influence was limited to the prestigious and stable castes of the society. The castes which tried to get modern through education, they came in front of the prestigious castes. These castes formed their political organization to obtain their rights and class, because of which the competition and conflicts increased among the two higher castes. Conflicts among Brahmans and non-Brahmans in Tamil Nadu and Maharashtra; Rajput-Jat in Rajasthan; Baniyas-Brahman-Patidar in Gujarat, Kamma-Reddy in Andhra Pradesh and Ijawa-Nair in Kerala are its examples.

(ii) **Internal competitive cliquism of castes**—In this phase, along with the competition among various castes, competitive coalitions are formed within a caste itself. Coalitions form at the back of competitive leaders. In these coalitions, there are people from various castes. To strengthen their coalition, support is also taken from those castes which have been outside the boundary till now. The competitive leaders try to strengthen their coalition by giving a small political designation and a portion of some benefit to prominent people of lower castes to get their support in elections. Where it has not been possible to get the support these castes by giving rewards and designations to the headmen like this, there efforts have been made to form an organization by creating competition between various castes and sub-castes and to make compromise between these organizations through negotiators or mediators. In this phase, instead of increase in leaders of old Brahmans and Kayasths, etc. administrative castes, there was an increase in leaders and workers of business and agricultural castes. These leaders were efficient in liquidation of bargaining, more pragmatists and were able to lead the people of their own castes and communities.



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By participating in modern politics, there was a change in viewpoints of people and they understood that in today's era things will not work only by caste and community.

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(iii) **The weakening of castes confinement and comprehensiveness of politics**— According to Rajni Kothari, in the third phase on one hand there was predomination of political values and less affection was found toward casteism, on other hand, a change came in society because of education, new crafts and urbanization. There was an emphasis on new concepts of materialistic progress. Old family bonds started to break up and people started to settle in cities for their livelihood. The notion of caste began to weaken and social affair was not limited to one's own caste. Comprehensiveness prevailed in politics. New inclinations started to spread, which originated from new education and new social affair. The framework of political organizations started to expand and a new form was taken for the notion of caste. The political inclination gave origin to new loyalties, which cancels the old loyalties. Now, caste is not only a base for political support or power, but it is being used at the most in politics.

According to **Prof. Rajni Kothari**, the caste-based conclusion in politics is as follows:

- (1) Because of participating in modern political system, first there was an influence of inclination of seclusion on caste system, then there was an adjustment of notion of caste and this provided help in political organization.
- (2) By participating in modern politics, there was a change in viewpoints of people and they understood that in today's era things will not work only by caste and community.
- (3) Where the caste is large, there also unity does not exist, it has differences among its sub-castes and small castes are not able to win elections on their own. If a candidate supports his own caste, then other castes oppose him and hence, in the politics of election, a collection of several castes needs to be formed.
- (4) Because of politics, the notion of caste weakens and many new sincerity are originated.
- (5) These days, the emphasis of castesim and sectarianism in politics is being complained. It is believed that because of education dissemination, expansion in cities and industrialization, the bonds between communities and castes were weakening, they are now strengthening up because of politics of election and because of this enmity will increase within the country, because of which the framework of secularist democracy will be in danger, but Prof. Kothari believes that in reality, some other conclusions are reached through a mixture of caste and politics. It is not Politics that gets caste ridden, it is caste that gets Politicization. Politics has deviated caste and has provided it with a new context, through which its old form is transforming.
- (6) Though the modernistic leaders show attitude toward casteism, through this political power reached in the hands of those categories or communities, those who were deprived of these.
- (7) Based on caste, groups and organizations are formed, such as Kayasth committee, Kashtriya group, etc. Overall, caste organizations have participated in Indian politics similarly as various welfare and community organizations have participated in Western countries.
- (8) As a consequence of castes and communities participating in politics, group or national spirit has originated and their seclusion has decreased with the increase in their political unity.

## 16.4 Caste and Politics : Conclusions of Anil Bhatt

Interest of castes in politics and to evaluate their awareness in political values, the study performed by **Anil Bhatt**, in the beginning of the decade of 1970, can be believed to be an objective base. Bhatt (1975) studied 1,713 people of upper, medium and lower castes (including Harijans) of four states of



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Uttar Pradesh, Gujarat, West Bengal and Andhra Pradesh. Among them, 300 people were from upper castes (Brahman and Rajput), 147 from other upper castes (Kayasth, Baniya, Kshtriya, Vaidya), 356 from upper medium castes, 270 lower medium castes, 253 from lower castes and 287 from Harijans. These people were associated with various backgrounds of income, education, occupation, dwellings (rural or urban). Bhatt's conclusions were as follows –

- (i) **Political Interest** – In comparison to the lower status castes, the upper status castes have much higher political interest. This has been obtained from the fact that in comparison to 6% medium castes and 6% lower castes, 10% upper castes have exhibited higher interests in political issues. On the other hand, in comparison to 36% lower castes and 44% medium castes, 55% upper castes have exhibited medium political interest. In the end, in comparison to 28% medium castes and 31% lower castes, 24% upper castes have demonstrated very low political interest. 11% upper castes, 22% medium castes and 27% lower castes have exhibited no interest in political issues.
- (ii) **Political Awareness** – In regard to awareness for country's main political issues and political changes, it has been found that people of lower castes have low level of awareness and upper caste has higher level of awareness. When in people of upper castes, the level of political information of 72% people was higher, 20% had medium level and 8% had lower level; the series of percentage of people in medium castes was 52%, 30% and 18% and in lower castes, it was 46%, 30% and 24%, respectively. This implies that only few members of lower castes had interest in politics.
- (iii) **Identification with Political Parties** – As far as identification is associated with political parties, there is no association between caste status and discrimination. The people of lower status castes also support political parties in the same way as people of upper status castes. It has been observed that in comparison to people from 58% of medium caste and 60% of lower castes, people from 63% of upper caste provided higher and powerful support to the political parties. On the contrary, in comparison to people from 13% of medium caste and 13% of lower castes, only 15% people from upper caste provided medium support to the political parties, whereas in comparison to people from 9% medium caste and 7% lower caste, people from 7% upper caste supported very low for political parties. In the end, people from 15% of upper caste, 20% medium caste and 20% lower castes did not support for political groups.

In this way, because a large number of people from upper, medium and lower castes were strong identifiers of political groups, it can be said that caste is a prominent influential factor for recognizing or identifying the political groups.

- (iv) **Political Influence** – At one point M. N. Srinivas said that in rural India, only dominant castes (whose cultural existence is higher, educational level is higher, large in number and because of land ownership and maximum income have significant influence from economic and political viewpoints) govern the economic, social and political powers, but Bhatt in his study found that it is not necessary that dominant castes in India are always of upper status castes. In some villages, medium and lower castes are also dominant. In reality, in many villages lower castes are only dominant in the same way as that of Brahmans, Rajputs and other upper castes. In this way, there is not a necessary base to emphasize the issues of the village on the upper castes.

Comment on the conclusions of Anil Bhatt on caste and politics.

## **16.5 Interactions between Caste and Politics: Theoretical Framework**

What is the relation between caste and politics in India? In this regards, four types of thoughts can be presented as follows:

**First of all**, it is said that the summation of Indian societal system is based on the framework of caste and politics is merely an embodiment of social relations. The social organization decides the structure of political system.

**Secondly**, as a consequence of the effect of politics, caste is transforming to a new form. Under the democratic politics, the process of politics uses the existing framework of caste in such a way that the associated aspect collects support for its own and is able to reinforce its status. The society in which the caste is considered as the most integral, it is extremely understandable that politics through the medium of this organization tries to consolidate itself. In this way, it can be said that what we call as casteism in politics is actually politicization of the caste.

**Thirdly**, politics revolves around 'castes'. Caste is predominantly a political group. If human wants to rise up in the world of politics, then along with him he has to take caste. In India, the politicians take caste communities in an organized way, so that by their support they are able to reach the authoritative parties.

**Fourthly**, the castes after getting unionized, takes active participation in politics and in this way, in the Indian casteism society; castes have only become 'political powers'.

## **16.6 Characteristics of Caste Politicization**

The emerging characteristics of the role of caste in Indian politics are as follows:

**First**, caste is a linkage to bind a person. Caste associations and caste panchayats have increased the casteism politics aspirations. The revolts to abolish the sub-divisions of castes have eventually become resonant in the form of new castes, such as Lingayats, KabirPanthis and Sikh movements themselves transform into new castes.

**Second**, castes did not abolished by education, urbanization, industrialization and modernization; on the other hand they got the strength for inclination to integrate and their role in politics progressed.

**Third**, the role of dominant caste in politics can be described. Dominant caste is not only is powerful from the political and economic view points, but is large in number in village or region. Based on its strength of number, dominant caste is active in village and regional local institutions, such as in politics of panchayat. If in any state, in particular, there is a predominance of any caste, then caste becomes an effective element in state politics. Dr. Subhash Kashyap has written about the politics in Haryana that "The emotions for caste and category in Haryana have comparatively been given much strength and in Haryana in public life, always 'caste' has been given much significance in comparison to political groups...An Ahir of regions of Gurgaon and Mahendragarh, will desire to give vote to an Ahir only and not anybody else...this fact applies to other groups of the caste in other parts of the state. During the time of elections, usually an all-out slogan is heard here - 'Daughter of Jat be given to Jat and vote of Jat be given to Jat'. It is strange to say that this contagion of caste is not limited to the Hindus, Muslims also have not been able to save themselves from this hold."

**Fourth**, in the latter half of the nineteenth century, caste communities inclined toward politics, while the British rule established a fundamentally strong administrative system in India. First of all, it paid attention toward population census office, where caste communities felt necessary to nominate their organizations with the aim to obtain social prestige. Later, to safeguard the well-being of people of their own caste, caste organizations approved the proposal and started to impress the administration for their demands. Hitherto, some castes demanded educational facilities, caste reservation in educational institutions and reservation in government jobs. The leader of Tamil Nadu's Venniyars caste Padayachi refused to join the cabinet of **C. Gopalachari**, because they did not accept his demands for caste. Later he joined the Kamaraj cabinet, because they accepted the demands of the Venniyars.

**Fifth**, during the days in elections, the caste communities approve of their proposal and announce their caste support by resonating their well-being to the political leaders and groups.

**Sixth**, the role of caste is not much in politics at national level, as much it is at local and state politics.

**Seventh**, the relations of caste and politics are not localized but are progressive.

## **16.7 Caste Politicization : An analysis**

One aspect of casteism is that if some castes or people of a caste perform a constructive work, such as opening a school or college; building a hospital, inns, temples, gurudawaras, etc.; giving economic help to beggarly, etc., then by this neither anyone will be surprised or have problems nor any feeling of hostility spreads, but when some castes or people of a caste disturbs or horrifies other castes, then the situation definitely becomes frightening. These days, usually this is only happening. Good versatile people are ignored only on this basis that they do not belong to any particular caste. There are very few organizations working in the name of castes, which are impartial, rest in all of them this poison is so dissolved that progress of good abilities stops. If casteism or the existence of castes in India is a social evil in reality, then why it has not been removed till now? If a law can be framed for abolishing untouchability, then why laws cannot be made for abolishing the caste practice? This simply has become a topic of concern. It seems that our politicians claims to breakup castes, organize confederations, but from interior they promote casteism. Because of casteism, many such associations have been formed in which people from much backward categories are involved. The underprivileged associations are an association of scheduled caste or scheduled tribes. Here, one name of 'Dalit Panthers' is also being heard. The meaning of Dalit is trodden, trampled or horrified, while Panther is an English word, which is used for Cheetah or Jaguar. This organization is an organization of terrorist scheduled castes and tribes, which is organized based on the roots of casteism. Also, Jats, Gujjars, Ahirs, Vaishyas, etc. have many organizations, whose main basis is caste. Brahmans have many categories - Kanyakubj, Gaur, Maithil, Dakshinatya, etc. They also have many councils and organizations, which are formed on Indian and provincial bases, such as Akhil Bhartiya Sri Kanyakubja Pratinidhi Sabha, Akhil Bhartiya Brahmin Mahasabha, etc. The main aim of these assemblies is to provoke caste feelings. Caste organizations and caste leaders are politicizing the castes by having collusion with political groups and politicians. In Bihar and Uttar Pradesh, almost every day, interworking is seen between caste and politics by caste conflicts, tensions and warfare.

## **16.8 Role of 'Caste' in Indian Politics**

Once, **Jayaprakash Narayan** said that 'Caste in India is a highly significant group.' In the words of **Harold Goldstein**, 'Despite being a base for politics, caste is an element that influences it.'

Caste system is a traditional aspect of Indian society. After attainment of independence, the modern interests from the formation of the Constitution and political organizations have gradually started to enter the Indian society. As a consequence of modern interests, on the basis of adult voting rights, elections started and caste organizations became significant all of a sudden, because they had maximum number of votes and in democracy for getting the authority, these votes were valuable. Those who had the desire for the authority, they required to have a liaison text to reach the common people. To get the side of the common people, it was also necessary to talk to them in their language which was understandable to them. Caste system displayed this thing. With this background, the role of caste became more and more significant in politics. In Indian politics, the role of 'caste' can be studied in the following titles:

(1) **Influential Role of Caste in Decision-making Process** – In India, after getting organized, the castes influences the process of political and administrative decision-making. For example, in constitution, provisions have been made for reservation for scheduled castes and tribes, because of which these castes organize to pressurize the government, so that these facilities should be extended till January 2010. Other castes want that the reservation should be abolished or its basis should be social-economic state or they should be involved in the reserved category so that they do not get deprived of the benefits of reservation.

(2) **Caste-oriented decisions at the level of Political Parties** – In India, all political parties while selecting their candidates take caste-oriented decisions. Every party, in any election area always necessarily

analyses the caste-based calculations while designating their candidates. In Gujarat elections in 1962, the secret to success of the independent party was hidden in the support of the Kashtriya caste. By the formation of a power group by Harijan-Muslim-Braham only, Congress won the elections of 1971. The reason for success of the Janata Party in 1977 was the support given to it by the upper castes of Muslims and Harijans.

The reason for winning the Seventh Lok Sabha elections of Congress (Indira) in January 1980 was that Shrimati Gandhi was successful in getting the caste support of Harijans, Brahmans and Muslims. In the Lok Sabha elections of November 1989 in Uttar Pradesh and Bihar, the reason for the remarkable victory of the Janta Dal was the Jat-Rajput support. The rise and success of the Bahujan Samaj Party in Uttar Pradesh is dependent on support of some dalit castes. Along with Congress, many coalitions are found in all the political parties based on castes in which the feeling of competition exists.

“The politicians observed the devotion toward the sub-division of castes by the people in the form of wholesale votes; with the aim to get the majority in the assemblies, the politicians based on the sub-division of castes of selecting the candidates and on getting the authority, provided them the cabinet-rank and other facilities.”

(3) **Caste-oriented Voting Behaviour** – Casteism is adopted as a means during election campaigning in India and usually, the feeling of casteism is agitated in that election area from where the candidate is contesting the elections so that the complete support of voters of the associated candidate of that caste is obtained. The success of Lak Dal in the elections of January 1980, in Uttar Pradesh and some parts of Bihar is a symbol of political aspirations. The success of Charan Singh in the elections in Uttar Pradesh was always dependent on the votes of the Jat caste. In the election in Kerala, the communist and Marxist groups also always took support of the caste for gathering votes.

“Because of the Mandal controversy in 1990-91, society was divided into two parts and caste war has started in villages and cities. The political parties have started talking about only one issue – backwardness versus forwardness.”

In reaction to the BJP’s Ayodhya case in India’s two biggest states Uttar Pradesh and Bihar where there are 139 seats of Lok Sabha, a unique social, political union originated whose progenitors were Mulayam Singh Yadav and Lalu Prasad Yadav. The ‘Mai’ union which was formed by the combination of Muslims and Yadavs, a big part of the voters of both the states got unionized.



*Did u know?* Like in Japan, voting is group determinant, in Britain it is category determinant, in America it is generic determinant, similarly in India it is caste determinant.

The castes which are at the lowest in caste ranking, for them the voting process could be a powerful process in many ways. The lower the social and economic levels of a caste, more is the value of their votes. It is found that after having deep studies in India by many scholars, such as Cohen, Mayor, Kothari, Verma and Bhambhari etc. that because of their voting powers, castes have been able to play an effective role in making an influence and power is beneficial in negotiating. These castes have been challenging the leadership of upper castes in political organizations; however, they are not always successful. **Rajni Kothari** also admits that castes maintain their identities and struggle for the power. Andre Beteille has said that in polling, caste loyalties are exploited. New alliances are established by breaking the castes. According to Rudolph opines that caste organizations have provided a new inspiration to the castes and in India, democracy has made the castes capable of playing an essential political role. Caste federations are not formed by one caste, but there formed by combining many castes. Sometimes their political aims are alike; for example, in the elections in 1989, Gujjars, Jats and Rajputs formed a similar caste federation.

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In 1967 in India, **D. L. Sheth** (Economic and Political Weekly, January 1970) studied heterogeneous electoral areas of 2,287 people to find the factors, which are responsible for influencing the voting. In his study he found that in 1.0% issues only the voting was influenced by the opinion of the leaders, in 26% issues the opinion of old-aged people in the family is given importance, in 20% issues family consultations and in 49% issues decision of self-voters were given importance. In 4% issues, the determinant factor was not specifically known. On the contrary, in the same year in Pune, it was found by the study of 1,000 people caste influenced 58% voting, in 42% issues wealth, in 36% issues party organizations, in 21% issues party ideology and in 21% issues the background of the candidate influenced voting. In 1969, Ramashray Roy studied the midterm elections in the four states of Bihar, Uttar Pradesh, Punjab and West Bengal. He found that in 14% issues under pressure of the group (caste and family) influenced the voting, whereas in 23% issues the reputation of the candidate, in 38% issues party's sincerity, in 9% issues various factors and in 15% issues the appropriate factor was unknown.

For elections, the political parties usually pay much attention to caste structure of the electoral area to select a candidate. This fact has made many low-classed castes influential based on their number power from political view point.

The study performed on the accomplished elections in the decades of 1960 and 1970 shows that— (i) people of medium and lower caste were inclined toward Congress, (ii) people of upper castes were of the favour to give votes to opposition party and (iii) people of the scheduled castes favoured Congress. But during the end of the decade of 1980 and the beginning of the decade of 1990, the aforementioned principles of the elections proved to be worthless. Recently, Kothari has written that the importance of caste becomes less in national politics. Harold Goldstein (Economic and Political Weekly, August, 1977) opines that in India now the importance of caste as a political determinant is becoming less. But some scholars believe that in December 1994 the influence of votes in elections in 10 states was observed in two or three states. Today the substantive factor which influences the voters include some irrational and rational powers, out of which some are identified easily, whilst others are misleading, while they can be significant determinants in a similar way.

(4) **Caste Representation in the Ministry making**—In the political life, the principle of casteism is deep rooted so much that in the state cabinet there should be a minister for every dominant caste. This principle has been accepted from capitals of the states to the gram panchayats that at every level dominant caste should get a representative. Hitherto, in the central cabinet also Harijans, tribes, Sikhs, Muslims, Brahmans, Jats, Rajputs and Kayasths get a place necessarily in some or the other form. Recently, Ajit Singh has been taken in with the intension to well find the caste background in the central cabinet and caste assimilation in Uttar Pradesh's elections.

(5) **Caste as Pressure Groups**—According to Mayor – “Caste organization is like is inclined in the form of pressure group of political significance.” The way in which the caste pressure groups make efforts to influence the policy makers for their pledged self-interests and fulfillment of their benefits, it seems that they can be compared to voluntary groups found in Europe and America.

Many caste organizations and groups, such as Nadar caste organization in Tamil Nadu, Kshtriya Maha Sangh in Gurjarat, Kayasth Sabha in Bihar etc. start taking interest in political issues and based on own unionized strength also conducts political negotiations. However, all the dominant castes of the country have not been unionized in this way. But the castes that have not been unionized, they have not been successful in political negotiations and to raise their voices their members had to take support of outrage and sabotage.

(6) **Caste and Administration**—The caste reservation is famous for Lok Sabha and Legislative Assemblies, there is a provision of caste reservation for government jobs and promotions. Provisions are present for reservations of student admissions in medical and engineering colleges. Charan Singh government in a wee through means of an ordinance showed a desire to announce a reservation system to serve the central government for the backward classes and in this regard shelved the decision of the Supreme Court. If this ordinance would have been implemented then the medium castes; such as Ahirs, Kurmis etc. also would have obtained opportunities for reservation.



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The Rashtriya Morcha government in August 1990 made a provision for 27% reservation for the backward classes for jobs by implementing the Mandal report.

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It is also believed that in India the local level administrative officers get influenced by dominant and reputable leaders of organized castes while making or implementing their decisions.

(7) **Caste in State Politics**—According to Michael Brecher, 'In comparison to the all-India politics, casteism has maximum influence on state level politics.' However, politics of any state is not untouched by casteism influences, still the politics in states of Bihar, Kerala, Tamil Nadu, Andhra Pradesh, Maharashtra, Haryana, Rajasthan and Maharashtra cannot be studied without the analysis of casteism calculations. In Bihar politics, Rajput, Brahman, Kayasth and tribes are dominant competitive castes. As a matter of fact, the demand of a singular Jharkhand state has been the demand made by the caste. The mystery of success of the communists in Kerala is that they organized the 'Ezhava' caste behind them. The politics of Andhra Pradesh is a story of Kamma and Reddy castes. Kammas supported the Communist party while the Reddy caste supported the Congress party. In politics of Maharashtra, there has been a competition among Marathas, Brahmans and Mehers. In politics of Gujarat only two castes have been influential - Patidar and Kshtriya. The politics of Kerala has been revolving around its own three groups - Hindu, Christian and Muslim. In politics of Kerala, the latter two have been active in the form of dominant political powers. However, there are all types of political groups, but if seen meticulously it will be learnt that they all are caste organizations. Muslim League belongs to Muslims, the supernumerary members of both the Kerala Congress are Christians. In Congress (I) and both the communist parties, apart from the Ezhava caste, some dominant classes of Hindus can be seen. In the politics of Rajasthan, the competition of Jat-Rajput has been dominant. In brief, in politics of state, the influence of 'caste' appears to be too much that scholars like Tinker have designated 'politics of state' as 'politics of caste'.

The country's most populated states, in Uttar Pradesh and Bihar the politics of caste has much often been revealed. Under the leadership of Charan Singh in Uttar Pradesh and Karpooori Thakur in Bihar, the sub-division of castes has revealingly been promoted. Devi Lal also in Haryana made an effort to touch the crest of the authority on the crutches of caste. Under the leadership of Lalu Prasad Yadav in Bihar the roots of politics of caste were strengthened, in Uttar Pradesh of Mulayam Singh Yadav and representative Kanshiram, Mayawati propelled the state toward caste warfare based on self-caste vote banks. According to some learners of state politics, in India, following four various characteristics of castes in various states have been developed:

(i) The **first characteristic** of caste is found in South India, especially in Tamil Nadu where a serious struggle has prevailed between Brahmans and many lower castes. From the very beginning, in Tamil Nadu the Brahmans had the supermacy in politics and from many days agitation continued for this as a consequence of which Ramasami Naicker established a Dravid Kazhagam organization, which later progressed as Dravida Munnetra Kazhagam. This movement in Tamil Nadu was supposed to remove the Brahmans from higher designations. In 1914 this movement against the Brahmans started and in 1916 a singular political party 'Justice Party' was established, whose aim was to develop and secure the welfare of the non-Brahmans. The aim of this organization was to obtain the support of the government and protected the position for the non-Brahman castes in administrative and local corporate bodies as well as in educational institutions. In 1922, the government scheduled the quota by public facilities, which was approximately 42% for the non-Brahman castes and 16% for the Brahman caste. Through this it is indicated that during the British rule, the non-Brahman castes were much successful in movement against the Brahmans. In 1949, this movement under the leadership of C. N. Annadurai started governing under D. M. K. Keeping in view point the political significance of feelings against Brahmans,

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other political parties also have accompanied in caste war. Hitherto, to lessen the political influence of Rajagopalachari, the Congress party made effort to raise Kamaraj Nadar in politics. In brief, before independence and after independence, there has been an intense collision between Brahmans and lower castes and in this warfare the Brahmans had to lose.

(ii) The **second characteristic** of caste is found in Maharashtra. The politics in Maharashtra has been somewhat different from that in Tamil Nadu, however, here there has been a struggle between Marathas and Brahmans and in this struggle, the Marathas ended the dominance of Brahmans which prevailed since centuries. In the second quarter of the twentieth century in political parties also there was predominance of the Brahmans; for example, **Tilak, Gokhale, Golwalkar, S. N. Dange** etc. were Brahmans. After independence, Maratha caste suppressed the Brahmans and this movement reached its peak in 1960 when Maharashtra was established as a state and Maratha caste obtained the complete dominance in politics. The number of Maratha caste in this new state was 45%. In the words of A. J. Dastoor, "The day Maharashtra was formed, since that day in this state under the political exclusive category and political leadership the most significant and ethnic changes taken place... The authoritative influence and power reached the hands of Marathas from the hands of Brahmans."

(iii) Gujarat, Andhra and Karnataka present the third representative form of casteism characteristic. In these three states, three bourgeois castes are seen absorbed in the political struggle. In Andhra this collision is seen between Kamma and Reddy castes. In 1934 in Andhra, after the establishment of the communist party, its leadership remained in the hands of Kamma caste, whereas in Congress party, Reddy caste had supermacy. In Karnataka, this opposition is found between the Lingayat and Okalinga castes. In Gujarat, competition is found between Patidar and Kashtriya castes. In these three states (Andhra, Karnataka and Gujarat) these characteristics are found that in these states in the political field only two castes has upper hand, which are similar to each other from the view points of their practices, social status and social-economic means. In other words, in Tamil Nadu and Maharashtra, where collision is found in dissimilar castes, there in these states, this competition is found in approximately two similar castes.

(iv) The situation of Bihar is different from the above-mentioned states. Here upper castes - Brahmans, Kshtriya, Vaishya, and Kayasth are still the bearers of social and political powers and among them political competition is found. The lower castes are still in the backward condition. In Rajasthan and Madhya Pradesh also, the upper castes have their monopoly over politics and the backward castes are making efforts to emerge. Hence, in these states political competition is between the upper caste and not a single caste is in a state to establish its dominance.

(8) **Emergence of Elite on Caste Basis**—Individual-related characteristics, support of members of political parties, social situation and those social issues for which the leadership emerges to solve them, etc. with these factors caste is also important in our society in the decision for the "political elite". Sachidanand, Ahuja, Lal etc. like scholars have studied the political elites in India, in which all of them have shown that in the emergence of the elites, with upper castes, medium castes have received much and extraordinary benefits. Before independence, the Congress party, which was busy in the struggle for independence, had the central supremacy in politics for upper castes. But the independence of 1947 provided many opportunities to get political authority to people of medium and lower castes. People of lower castes emerged as leaders, particularly because of reservation policy, whereas the emergence of elite from upper castes was because of their improved educated and social economic status and because of the competition in politics after 1950. In this way caste system, which had only ritualistic and traditional tasks (including confirmation of occupational and social status), it adopted the new role of deciding the political behaviour of people in cities, towns and villages. This does not mean that the traditional tasks of caste have completely been terminated or sosmptions of revival have been abolished or because of the termination of the sosmptions of revival the castes are gradually being doomed. Though Brahman, Baniya or Kayasth do not perform traditional tasks and they might have adopted new occupation, Western life style, modern ethics and

faith, but where their individual and political life is related, they also comprise Brahmans, Baniya and Kayasth.

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The meaning of caste secularism is accommodation of traditional elements with modern democratic politics along with being undisturbed.

The division of economic benefits in rural areas depends on power framework of the panchayat raj and caste has become an important unit in authoritative framework emerging in villages. In cities if industrial empire maintains relations with any one caste, then the appointment of any person from another caste on the designation of senior executive or power will be uncommon and exceptional. In universities, offices, schools and secretariats discussions of Jain, Kayasth, Brahman, Lingayat, Reddy, Rajput, Jat lobby, etc. are being heard, however, discussions of any lobby category related to institution or association, such as bourgeoisie category, medium category or proletariat category are never being heard. It has been seen that if in any election committee an executive officer, expert as an institutional head or departmental head are of the same caste, then they can decide to select the candidate of their own caste and in this case they will not give importance on the capability of the candidate. If in social and occupational life, active workers start to work like racists, then how the same people in political life can think of working as non-racialists? The outcome is that though our political elites talk about secularism, caste abuse, racist and caste politics, but practically they work under the pressure of the caste, because in the form of a leader their own uprising is dependent on the background of the caste. Among the antagonist elites even during the struggle, the leaders of both the groups try to get the support of their castes and adopt traditional practices. It is important that no one experience this that practices of such type are undemocratic and unsecular.

### Self Assessment

Fill in the Blanks –

1. Feeling of ..... prevails in villages and cities based on the castes.
2. Because of politics, the notion of ..... weakens.
3. Caste-based Indian society castes ..... have been formed.
4. Relations of caste and politics are not localized but are .....
5. The first characteristic of casteism in South India is found in .....

### 16.9 The Role of Caste : Blessing or a Curse

It is a very difficult task to evaluate the role of caste in Indian politics. Some people believe caste as cancer for politics. Caste system is considered as a barrier in the course of national unity; because of this a feeling of seclusion arises in people. As compared to national benefits, they start giving much importance to their caste welfare. The creation of caste loyalty, this practice blocks the developmental path for democracy. According to D.R. Gadgil, the more dangerous thing as compared to regional pressures is that in present times, caste has been proved to be a barrier in binding people for unity. The famous socialist M. N. Srinivas has a clear opinion that traditional caste system has influenced the progressive and modern politics in such a way that these political organizations are not capable of working in their basic structure.



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On the other hand, the opinion of the American writer, **Rudolph and Rudolph** that by supporting the castes in their politicization, the caste system has worked as a framework for molding the traditional system to modernization. He writes that, 'In its transformed form, the caste system has made the representative democracy successful in agricultural society in India and reduced the mutual differences of Indians, has supported them in development by making them more similar.'

In brief, whether caste is not a barrier in the path of modernization, however, interference of caste in politics is unfavorable to the concept of democracy. Casteism is a barrier for the country, society and politics. Diversification has limitations. In this country so many castes, sub-castes have originated that they consider that remaining aloof from the others is to protect its existence. This view of seclusion is the most obstructive for national unity.

### 16.10 Summary

- Ordinarily, it is believed that the caste system was originated in the Vedic era. The Brahmans accomplished the religious and vedic tasks. The task of the Kshatriyas was to protect the country and manage the administration. Vaishyas looked after the agriculture and commerce and the Shudras had to work for these three categories. In the beginning, the bondage of the caste system were not harsh and they was not based on the birth, but was based on the tasks. Later the cruelty prevailed in the caste system; it was completely based on birth.
- During the battle of independence, it seemed that the influence of casteism was less on population, but after the independence, casteism got steamed up and as a consequence of implementation of adult voting rights in the country, this has arisen in the form of a political power.
- The caste system fixes the place of an individual in the society during the time of his birth. Based on the caste, a person's occupation and economic status is decided. No matter how popular a person is, he has an attachment with his society, his loyalty starts to increase toward his caste.
- When the ancient society of India started to connect with the new system, then first the competition between power and influence was limited to the prestigious and stable castes of the society. The castes which tried to get modern through education, they came in front of the prestigious castes. These castes formed their political organization to obtain their rights and class, because of which the competition and conflicts increased among the two higher castes.
- These days, the emphasis of casteism and sectarianism in politics is being complained. It is believed that because of education dissemination, expansion in cities and industrialization, the bonds between communities and castes were weakening, they are now strengthening up because of politics of election and because of this enmity will increase within the country.
- In India, all political parties while selecting their candidates take caste-oriented decisions. Every party, in any election area always necessarily analyses the caste-based calculations while designating their candidates.
- Casteism is adopted as a means during election campaigning in India and usually, the feeling of casteism is agitated in that election area from where the candidate is contesting the elections so that the complete support of voters of the associated candidate of that caste is obtained.
- The caste reservation is famous for Lok Sabha and Legislative Assemblies, there is a provision of caste reservation for government jobs and promotions. Provisions are present for reservations of student admissions in medical and engineering colleges.
- The country's most populated states, in Uttar Pradesh and Bihar the politics of caste has much often been revealed. Under the leadership of Charan Singh in Uttar Pradesh and Karpooori Thakur in Bihar, the sub-division of castes has revealingly been promoted. Devi Lal also in Haryana made an effort to touch the crest of the authority on the crutches of caste. Under the leadership of Lalu Prasad Yadav

in Bihar the roots of politics of caste were strengthened, in Uttar Pradesh representative of Mulayam Singh Yadav and Kanshiram, Mayawati propelled the state toward caste warfare based on self-caste vote banks.

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- In cities if industrial empire maintains relations with any one caste, then the appointment of any person from another caste on the designation of senior executive or power will be uncommon and exceptional.

### **16.11 Keywords**

- **Casteism** – System based on caste system.
- **Politicization of Caste** – The process of politics based on caste, interaction between caste and politics.

### **16.12 Review Questions**

1. Specify the traditional meaning and form of caste.
2. Analyze the view point of Rajni Kothari on the political form of caste.
3. Evaluate the conclusion of Anil Bhatt on relations between caste and politics.
4. Explain the interaction between caste and politics.
5. Describe the characteristics of politicization of caste.
6. Critically evaluate the role of caste in Indian politics.

### **Answer: Self Assessment**

1. Seclusion
2. Caste
3. Political powers
4. Progressive
5. Tamil Nadu

### **16.13 Further Readings**



*Books*

1. **Bharatiya Loktantra** – Rajesh Rawat, Satish Chaturvedi – Raj Publication.
2. **Bharat Mein Rjniti** – Abhay Kumar Dubey – Vani Prakashan.

## Module-17: Religious Politics

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### Objectives:

After studying this unit, students should be able to –

- Understand the perception of religious politics.
- Understand the Hindu and Islamic viewpoints.

### Introduction:

The concept of Religious Politics has great relevance in modern day India. Although religion and politics are two different conceptions, in traditional society they have a mutual coexistence and in modern day society they also influence each other. Both religion and politics have their unique but important influences in the functioning of modern day society. Not only during national revolutions, but also during short lived stints at attaining modernization, India has been a major instrument in mass movements and has always had a revolutionary influence on the masses.

India is always in an endeavor to build a democratic country in what has always been a religiously orthodox society. Frequently this strong link between religion and politics has created friction leading to rifts between various religious factions. The result of this is social incompatibility and absurdity, Religious organizations and political groups keep interacting and the political parties try to influence different religious groups and try to get them in their favour. Political ways of governance are often determined by the adherence of a particular religious group has been trying to increase own support.

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### **17.1 Meaning and Importance of Religious Politics:**

The significance of religious politics is usually multidimensional. The first situation is when religion itself is suggestive of politics and also defines political objectives. Religion can also be a synonym for politics, like the interpretation of nationalism and preparing the framework of governance policies based on the functioning of religious traditions can have varied outcomes. Second situation is where terms and conditions and down by various religious groups becomes the basis of the policies adopted by political parties in power.

The bases of most political appeals are religion-driven, steered by religious groups and festivals. For example, most of the ruling parties mobilize their functioning using punch lines based on visit to monumental places of worships or on specified days of religious importance. Although these are age old practices. But in modern times these religious places and occasions have a political edge added to them as well.

The context which drives the religious and political thought processes are different. What then should be the missing link between them? This points out to the specific problem. The question which needs to be raised here is, how do we look at the concept of secularism? If we accept it as a national revolution, then we should look at concrete ways to keep politics free from religious connotations. This will be a step towards the development of society at large. Perpetrators of secularism in India are faced with the similar challenges which American society, which has a majority of protestants face in dealing with other minority religious groups. Here our society dates back to an ancient and multi- religious state. So politics defines itself in myriad ways in different societies, at separate times and in multiple ways.



*Did u know?* In the first 30 years of independence, religion and politics had diverse relations.

Religion held multidimensional importance for politics but they were not related directly. There were marked changes in the middle of the 1980's decade, and the Hindu religion became an influential part of the political thought process. Therefore in terms on constitutional principles, the way at which the relation between politics and religion was looked upon, changed completely. The sense of reasoning which prevailed during the freedom struggle ensured that issues related to secularism, civilian rights, citizenship etc were not to be addressed by Hinduism. To ensure clarity we are pointing out the differences, and then we will throw some light on religious politics. The differences between religion and politics has become limited to nationalism and political appeals. Today, in our country the dominating factor in politics is religion.

### **Religious Politics in Different Religious Groups:**

As we have been seeing over the years that the agenda is decided by politics. Any religion or religious group cannot dictate the essence of politics. This can only appeal to people who are obsessed with religious communalism. We cannot term Hindu, Muslim or Christian politics as religious politics. Their relation is only between the followers of one or more religion and they enjoy it. This type of politics either tries to take sides with the Muslims, or they try to assist the Hindus to carve a niche for themselves, which obviously irks the sentiments of other religious groups. This issue also comes up when the issue of establishing oneself as a nationalist comes up. For example, Hindus proclaim themselves as "Culturally Advanced Nationalists" and religious politics becomes the unanimous choice of the masses. Communal Politics and Sectarianism is the brainchild of religious politics and this is an accepted fact in our country. Not only is it prevalent in India but in other parts of the subcontinent as well, for example, the Muttahida Quami Mahaj in Pakistan.

Before proceeding there is one necessary clarification that the tendency towards the adoption of religious politics does not necessarily come from a religion based cause. For example, any Hindu who adheres to the principles of Hinduism and accepts the interpretations is capable of assessing the substance of politics. We can take us examples from contemporary history as well. The likes of Gandhiji and Vir Savarkar have conformed the right to address the cause of religious politics. But their perception of being a Hindu was very different from what we see in present day politics. From here arose different drafts of political viewpoints. Gandhiji's spiritually guided thoughts have definitely influenced politics or else politics and politicians would have been rendered clueless. An intrinsic viewpoint of these two stalwarts have been adopted. Politics has inherited a lot of its virtues from Hinduism but the spiritual roots could not be severed. A primary source of deviant reverence came from Christianity and Islam. According to them the redeemer which comes as an alliance of beliefs is politics. So for political mobilization, no religious festivals or principles have been used, rather a glossary of terms has been compiled from various religious chants and hymns. In Savarkar's comparison, instead of basic principles, subspecies, family lineage, history, tradition and the holy places of pilgrimage form the basis of the Hindu's viewpoint. He was also of the firm opinion that this was acceptable to only those people who considered themselves to be Indians first and put this way before any other religious divide. He felt that Muslims and Christians could never put this before their faith. They could never proclaim India to be their Holy Land. This Hinduism propelled politics was named by Savarkar himself. All his saintly thoughts are compiled in his book. As an extreme case, exclusive politics is the chief example of religious politics as already hinted before.

## **17.2 Growth in Religious Politics**

Religious politics has a long history in India, although it is unique in nature, it is in the ranks of an accomplished pedigree. Many intelligent religious thinkers have major contributions in the buildup of religious politics, but in hierarchy they don't rank among the so called political followers. The compromise which led to the buildup of religious politics as a force is the century old history of religious renaissance. The resurgence of these feelings picked up speed in the last decade of the 19<sup>th</sup> century when Bengal and Maharashtra became the hub of social reforms. The spirit of the common man was conducive to the acceptance of these social revolutions. They raised their voices against many Hindu traditions like child marriage, the in acceptance of child widows in society, the lack of education among women. These reforms were aimed at the betterment of the destiny of women and making their lives more worthwhile. An example of the progress associated with the renaissance is the recognition giving to the National Social Congress started by Ranade, which propelled a nationwide sporadic upcoming of social reforms which brought the society under its protective umbrella. The aim of discussing these social reform movements is that there would be a coordinated effort towards providing encouragement. Their meetings were placed at par with the sessions held by the Indian National Congress. In 1885 at the Congress session held at Pune, Balgangadhar Tilak put restrictions on any violent activities by these reform groups at some stage even made an effort to make these organizations extinct. But seeing the public was receptive towards them he had to undergo a change in attitude. So his viewpoint was a point of accusation against him and he adopted a firm stand against these social reformers. A means of mass gathering was adopted in the form of Ganesh Puja, which he established much against colonialism.

The change in the spirit of the educated class was another example of the acceptance of religion. Although short lived there was a strong vocal campaign against the legal age for marriage, A simple proposal was to pass a law and raise the legal age of marriage for girls to 10 - 12 years. Today if anyone opposes this proposal with arguments it will leave us dumbfounded. But looking at this storm in retrospection exposes startling facts. The wave of protests was joined by distinguished personalities like Bankimchandra Chatterjee and Balgangadhar Tilak. The argument was that no foreign elements would have any say in the matters related to customs and traditions of Hinduism. The argument lacked clarity and it seemed a lie because it was difficult to judge whether contemporary Indian society granted

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permission for child marriage for girls just as an age old tradition or they actually projected it as a virtue. When the British introduced a proposal for the abolition of untouchability they looked at it from Gandhiji's viewpoint. In 1933 and 1935 along with British policies they also took this up unopposed. Gandhiji while addressing a few female members of the ruling Government and said " Even if all the Hindus are against the abolition of untouchability, this tendency will not be tolerated and a secular representative shall be chosen" In his view unnecessary and uncalled for intervention must not be tolerated at any cost. The same people asked for laws to prohibit cow sacrifice and raised their voice against the intervention of the British in religious matters. Systematic organization and uniformity of laws could not be made yardsticks for judgment considering the fact that the formal steps towards the enforcement of these measures would lie in the hands of the colonial rulers. Because the orthodox Hindus would only take care of their own sentiments.

Unexpected demonstrations got the support from renaissance movements. After his deliverance Swami Vivekananda became famous in the World Congress of Religions held at Chicago and carved a niche for himself. He presented an interesting argument of improvement versus development and service. His declaration stated that his faith lay in development and not in improvement. He said "I don't have the audacity to place myself at par with God and advise mankind and order them about what they should do and what they should refrain from." This peculiar national instrument has been running since times immemorial and is similar to a situation where a mighty river is flowing before us but no one dares to judge whether it is good or bad or define its course.(Stated by K P Karunakaran, Religious and Political Awakening in India, 1969 in the amended edition in the appendix in the article "Traditions And Social Reform") In his opinion aristocratic division of society was very much in synch with the social reform movement. Similar views were being expressed in other parts of the country as well. Bankim Chandra Chatterjee was an important voice not only for Bengal but for the country at large. The "Brahmavidya" revolution also attained a firm footing in various parts of the country. What is noteworthy here is that this movement had the support of all the important Indian nationalist forces and they tried to give the movement a new facelift.

The aim of bringing these facts is the basis of the rise of the various religious political forces was a strike to attain a state of homogeneity against all other types of politics and the first step towards this was taken by Raja Rammohan Roy. In order to understand this type of politics there was a lot of praise for these reformatory ideas and that the perpetrators themselves would incorporate these reforms in their personal lives and reform society as a whole and prevent ill forces from encroaching upon Hindu society. These orders and laws cannot be accepted without acceptance by society as a whole. Religious politics tried to make its presence felt by opposing the reformatory steps adopted by Raja Rammohan Roy. Their appeal is based on the fact that these were age old traditions that have been accepted in society since a long time.

### **17.3 Re-origination of Hindus**

There was no real issue in favour of Hindu re-enforcement. It depends on people and the region both. We shall focus on three regions where the reinforcement was pronounced. The Renaissance lasted for a long time in Bengal, Maharashtra and North India.

The movement was most widespread and comprehensive in Bengal but it was treated pretty ordinarily. "Intellectual Revival" emerged in the form of Sumit Government. This argument adopted a middle path between the medium and high level intellectuals. This was a topic of discussion among the educated class. Whenever these issues came up in newspapers it did not appeal much to the masses. Its three major sources of inspiration lay among the likes of Bankim Chandra Chatterjee.

There was an attempt to prove themselves superior to the western world, and also to emphasize on a few age old traditions of India. Although we must accept that we are weak as far as material things are considered. The question asked was also who were the "other" Indians? It wasn't necessary that every

person living in Bengal had to be a Bengali. In order to prove oneself as an Indian one had to imbibe a few basic qualities. That would be the first step towards the Cultural Revolution, when a person actually displays some definite cultural attributes, then he is accepted as an Indian. A lot of intellectual energy was spent in trying to show Lord Krishna superior to Jesus Christ. What took place in Bengal was very little but the sentiments were echoed all over the country in different forms, like some revolts or the singing of Vande Mataram was in terms of music rather than a test of patriotism.

Religious revival in Maharashtra was in a different form. Intellectual forces were very active here. A Brahman driven repetitive form was introduced cleverly. To explore this concept they tried to address the issues related to the rights and awareness among the various castes and the answers were given by Jyotiba Phule. Second was Bengal where the situation was different. In the general arena religious symbols and mass celebration of religious festivals was encouraged so that mass congregation of people became a symbol of nationalism. This trend became a source and spilled over to other parts of the country as well. This was the method adopted by the Sangh Parivaar due to communal pressure. The officials of the Sangh Parivaar projected the worship of Lord Ganesh for success in any endeavor and invoked his blessings to be successful in this political movement all over the country. This was a common mode of mass gathering. The third was popularizing the worship of Lord Krishna. The followers of Shivaji Maharaj were less religious in their beliefs and projected him as a historical character. They emphasized the fact that he was an ideal Hindu warrior who fought bravely for his motherland against British forces. Undoubtedly Shivaji was a famous contemporary legend whose name would be remembered for long but the communal revolution projected him more as a Hindu saint than a warrior. The religious reform turned sides and had a different outlook in Maharashtra than its birthplace Bengal.

North India however provided a speculative situation. Intellectual discussions were the popular topics of mass discussion and struggle related stories were popular. Various adaptations were common in North India. First in the Indo Gangetic plain and North West India, then went on to Punjab, Haryana and west Uttar Pradesh. Hindu revival in the Indo Gangetic plain was based on local issues like cow sacrifice and popularization of the Devnagri script. Gyan Pandey showed in his works "Mobilizing the Hindu Community" and "Hindi, Hindu, Hindustan" (Parts of his work "Construction of Communalism in Colonia North India, 1990, Sections 5 and 6) spoke about the slaughter of cows by Muslims in their day to day life and especially on the occasion of Bakri-eid, was an attempt to outrage the Hindus and the Muslims have made a huge issue trying to thwart the efforts made by Hindus to prevent cow slaughter.

The Hindu Muslim debate was open to the public and became an issue where objections were raised in the Arabic script for the Urdu language. This type of issues was being raised in north western India. This gave rise to Dayanand Swami and his Arya Samaj revolution. They opposed every defamatory practice and raised objections against any such practice which was not depicted in the Vedas. They were successful in raising their voice against a lot of voices in Hindu society like idol worship, caste system based on birth and he also made an attempt to legalize intercaste and widow remarriages. In his work "Satyarth Prakash" Dayanand Swami created sections in which he attacked all non-vedic religions like Islam, Christianity, Sikhism and other prophets. These non-vedic religious groups started seeking shelter elsewhere. This revolution spread fast to Punjab especially among the Kshatriyas. Kenneth Jones in his book "Arya Dharm" wrote about this. The famous Nationalist leader Lala Lajpat Rai, Lala Hansraj (who later became Swami Shradhanand) and other converted leaders were also a part of this. Anglo Vedic schools were opened and a "purification" campaign were the focal points. Many converts reconverted to Hinduism. The communal atmosphere was spoiled by the two sections in Muslims called Tameez and Tavleeg.

### **Increase in Political Disenchantment**

Respected and rational thinkers like Swami Vivekanand and Shri Aurobindo were successful in gaining intellectual strength and ethical legalization based on religious reforms and cultural nationalism. His activities composed large canvas and wide only. India had a message for the whole world. Both of them

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were of the view that India's hospitability was indeed praiseworthy, India's philosophy and religion was memorable, and the superiority of the Vedanta, and Indians tolerance made them an important force. For the present moment these virtues were enough. In comparison the Muslim prophets were responsible for causing more harm than good to the world. The fact that Hindus were more tolerant than Muslims was also brought up and parallels were drawn as to how Muslims slaughtered cows worldwide. According to Aurobindo Sanatam religion is comparable to Indian nationalism. All the unfair treatment meted to Muslim was exposed and it was nothing compared to what the Indians had to go through. Amidst interventions and reactions a new tradition and modernization set in even among the orthodox Muslim community. They both felt the need to separate religion from politics for the betterment of the country. They were successful in their intervention to separate the Muslims from mainstream India.

### **17.4 View of Islam**

In the first half of the 19<sup>th</sup> Century the intervention among Muslims was non uniform. Accepting opportunities was mainly depicted in ancient orthodox society. Most of the religious leaders focused on practiced rituals like worship of saints, common rituals handed down by Hindus, ways of greeting, and joining the celebration of each other's festivals. These Muslims wanted to establish the identity of their religion and free it from the clutches of Hindu influences.

The second half of the 19<sup>th</sup> century saw a different form of intervention. The highest representative of this viewpoint was Sir Ahmed Khan. Sir Sayyed, a representative of the Muslim community was of the opinion that Prophet Mohammed and his associates had defined through the ages, what was the actual essence of Islam.

It is not difficult to address differences when there is necessity, meaning and internal pressure and these interventions also show us some clear results. The most important signs are the dependability on the protective court of Islam or its diplomacy. Instead of following them blindly there was a possibility of addressing the issues in a regulated manner for example how blind faith on religion became the point of discord between Aurangzeb and Dara Shikoh. Some forces also tried to create a divide between the Muslim higher and lower classes. Some people also tried to remove literate people from a position where they could argue for the Muslims and gave them more general portfolios. Thirdly Islam was given a reconstructural facelift and gave it a "healthier version" wherein the Muslims could get a better identity for themselves. These interventions could rightly be classified as either "traditional" or "modern". The Muslims with modern views were kept away from the freedom struggle while the traditional ones took active part in it.

The outcome of this entire dispute was that the Muslim community was becoming more and more distant from other communities and were brought to the forefront as an active participant. And in doing so they were continuously dissociating themselves from Muslims. Politics was not reason enough for partition but it did become a factor.

### **17.5 Inspection of Religious Politics**

To address religious politics among the Hindus post partition, the point to be noted was that there were 83% Hindus and 11% Muslims, still inter communal disturbances were given less importance than the clashes among Hindus themselves. To understand modern day politics, it is necessary to infer the ethnic results of the above cited incidents. The foremost duty of Hindu society is to give its integrity. Every leader except Gandhiji considered the Hindus to be weak as a community and considered this drawback to be responsible for invasion by Muslims and colonialization by the British. It was therefore necessary to empower India so that it would not fall prey to more foreign powers. This viewpoint was popularized by Bankim Chandra Chatterjee, Swami Vivekananda and Dayan and Swami. To empower



India its people need to be united. People must think alike if they want to relive the golden era. A change in strategy was thus very necessary at this point.

Other thinkers like Tagore and Gandhi were of the view that the beauty and strength of Hinduism lay in this renaissance revolution. Its had capability of to create legally enforcement and diversity. Other religions were weakening in nature and there should be a fair fight to decide who is superior. People living abroad didn't give them enough recognition, Christians and Muslims didn't consider this to be their sacred land. Therefore the faithfulness of Indian Muslims was questionable. We must try to become a better Hindu than any Muslim or Christian.

The first identity of Hindus was the unfavorable homogeneity among the Hindu minority groups. Hinduism was in a struggle for existence. To assess its capabilities it should help others. The culmination of religious politics renaissance resides in Hinduism.

This was still in the mind and in the planning stages. Who would actually go ahead and execute in today's politics? The founder of RSS (Rashtriya Swayamsevak Sangh) was published two weeks after Hindutva by Hedgewar D V K Sawarkar. Many attempts were made to construct this coalition right from the beginning of this century. It began with the coming up of the Arya Samaj 1875, followed by the Hindu Sabha in the 20<sup>th</sup> century and the Hindu Mahasabha in 1915 which however did not meet with much success.

The headquarters of the RSS was restricted to a provincial town in Maharashtra. They were made to exercise with sticks, given a slogan (RSS) and a uniform (short pants and shirt) and were encouraged to behave like warriors.

This should be a part of ones regular lifestyle. It's a magnificent thought. A soldier and a common man should always work for the good of the country. They are disciplined like army men. The RSS coined a political party called Jansangh. Let it took the form of the Bharatiya Janata Party which was part of the ruling Indian Democratic Alliance.

## Self Assessment

State whether the following statements are true or false—

1. Religious politics has a prolonged history in India.
2. Indian society is basically secular.
3. The compromising situation of religious politics is the history of religious revival.
4. A huge role in religious revival was played by Assam.
5. Religious tolerance was of utmost essential to regain the golden era.

## 17.6 Summary

- In the last decade of the 19th century politics had a new background. It started with social reforms and different experts had different ways of dealing with it.
- To gain motivation National leaders took the help of idol worship and other Vedic rituals. The difference in opinion created a great divide. To come to a conclusion Muslims took refuge in ancient history. The difference in opinion became a huge dispute.
- Religious reforms had a different façade in Maharashtra .There was more intellectual factor there. There was Brahmin intervention in a very shrewd manner. The problems of the masses were addressed.
- The first identity of Hindus was the unfavorable homogeneity among the Hindu minority groups. Hinduism was in a struggle for existence. To assess its capabilities it should help others. The culmination of religious renaissance resides in hinduism.

Notes

**17.7 Keywords:**

- Religious Politics : Politics moving around religion.
- Re-enforcement: the process of encouraging or establishing a belief or pattern of behaviour.

**17.8 Review Questions**

1. How is religious politics different from religion and politics?
2. Explain the main dictates of religious politics?
3. Explain the progress of religious politics.
4. What was Hindu Re-enforcement?
5. Discuss the Islamic viewpoint on religious politics.

**Answer Self Assessment**

1. True
2. False
3. True
4. False
5. True

**17.9 Further Readings**



*Books*

1. Indian Democracy—*Rajesh Rawat, Shatish Chaturvedi – Raj Publication.*
2. Politics in India—*Abhay Kumar Dubey – Vaani Prakashan.*
3. Panchayati Raj in India—*George Mathew – Vaani Prakashan.*
4. New world of Democracy—*Arvind mohan – Vaani Prakashan.*
5. Development, Democracy and Decentralization in India—*Chandansen Gupta – Rootlej Publication.*
6. Detachment in India and Religion—*Shamsool Islam – Vaani Prakashan.*

## **Unit-18: Ethnicity and Nation-State**

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### **Objective**

After studying this unit, students should be able to –

- Will be familiar with conceptions of Ethnicity and nation-state.
- Understand the racial disclosure and feedback.

### **Introduction**

According to the present time to establish the democratic political system overall development of society is the only way to achieve the goal in the country and Principles of democratic political systems secularism, freedom, equality and should be based on the principles of socialism which is shown in the country's Constitution. After India gained the independence like other countries, in nation building was conceived. The State for the realization of these principles Nehruvian and Mahale Naubis model Placed in front.

In the words of one scholar caste, beyond religious and tribal groups India's diversity of culture, language and region was expressed. Nationalism of the various religious, ethnic groups, the history of the country at different levels of development and construction of the nation has come up with more challenge. The task of nation and as more challenging northeast, Tamil Nadu, Punjab and Jammu & Kashmir on the international borders has made the strategic situation. After the Partition of the country's top priority communal leaders with fresh memories of the Holocaust, the goal was to nation

**Notes**

building after independence was achieved. According to that time after the establishment of democratic political system racial or variety of nation-building is any problem and the entire development will not occur in India.

Ethnicity, nation-building process will be pushed back.

It was originally based on as efforts to establish the state on modernization or developmental model nation of India, since 1980, the BJP and the Hindu right wing to power a nation - state or engaged in the effort to build upon principles of cultural nationalism as Hindu state. Many critics and other people who think they want to remove Nehruvian or developmental model treats disorders of the policies of the State. Their eating habits, in respect of religious preferences their effort to make legislation, we can assume the indicating the priority of cultural, faith Hinduism. Religions, this attitude of faith in the nation, the state has to acknowledge a Hindu nation state. For this nation - state has two challenges - first , it does not get recognized by the existence of other faiths who disagree with it, reflecting the validity of the social hierarchy Hindu character - is based on the arrangement, the second , the breed group's organization is based on religious and ethnic considerations. Dravidian movement response was generated against Hindu nationalism. It is considered to be sponsored by Dravidian parties.

### **18.1 Ethnicity and Nation-State**

Culture, language, religion and history etc. all the properties of the group of people of organization is called breed and these people are different from those of other groups. This organization may be solitary or more properties. For example, the ethnic Lambandi language of Lambandi can considered on the basis of religion and tribe. One other example, race Lambandi and communal Lambandi of Pal.R.Brass alteration to experiment. Distinguish between the race and formal explained by Dipankar Gupta. In the nation of state the true follower of faith of breeds itself and Tries to establish a state and his doubt on the sincerity of the other groups. The nation - state can also be direct like this. There is no mentioned mass mobilization as the nation-state or sovereignty. We cannot say to breed organization. Communalism in breed and Change country's Creed breed is used in the context of the changing times.

Any nation-state can be a sovereignty held geographic entity mainly: history, culture, language, religion or civilization is based on a community basis. India is a nation - state is not considered by some scholars. According to them solitary nation or nationality is the foundation of basic of nation- state, which is the one only universal language, culture and religion are adopted by society. India is a multinational state because there are so many types of nationality in India which contains isolated innate qualities, culture, history, religion & language. The term like nation-state, nation or multinational state in Indian context are used to change interchangeably.

### **18.2 Approaches to the Study of Ethnicity**

Those people are staying out of the various regions and who live in a particular area boundaries, adopted the culture, language, properties of religions that are different from such groups, how do they make? Here are explained the answers of three aspects. Primitive, mechanistic and the mixture of both. Racism between people 'Pradapt' by primitive perception, they get them from birth. As breed conflict these distinctions between the groups is caused by the same. Racism is not 'Pradapt' it is believed the mechanistic notion politician, teachers and religious leaders are generated by this elite. To achieve the goal of social cracks or the trick of distinguish the work done by the latter.

On culminated in particular contexts this apartheid, race conflicts, as autonomous movement or uprising is arrives. Breed groups is not necessarily going to change the basic social fissures that are always true. Banton is used to build something. As a result of third perception both primitive and mechanistic aspects, both breeds cannot expressed. According to these here the theme is divided in to

“bi - polarity”. A glimpse of combination is shown in these two concepts. With play the all cognition be mixed group of breeds of people under primitive perception is unclear. Bhand class people who embrace the call to answer mechanistic properties of spontaneous perception are not clear.

### 18.3 Expression of Ethnicity

As a results of proceed the manufacturing process of nation-state looking at its development breed will hide. Lots of opinions are come on this point. Dubious argument was before the results of model based on that promises; small-small nationalism was neglected in this type of model. Nation- building of this model is not good for their goodwill. Resistance-performance was performed by the aspects of this favors against the nationalism. This opposition starting for Nagas in north-east to Tamil Nadu in south has spread up to Punjab, Jammu & Kashmir in north. In the almost all parts of the country in the breed challenging of nation-building process's chine caste, religion, and language and run on the name of tribe.

The most obvious sign is the only breed to be recognized by the innate qualities, it provided the basis for one or more combination. It was a challenge to the Hindu right-wing force. Some critics are of the opinion that India is not a nation. Calculation of India is a multinational state. According to the logic of pall .R. Brass followers of Mahalanobis model on the basis of national level of Indian policy, according to the country policies his dogmatic, pluralistic characteristics different languages, religious and other minorities' should be accepted. This type of nationalism is adopted by the policies of national level.

A Discriminatory and swangikarak policy is often adopted by the state government for minorities. Removing the pluralism of the country and existence of diversity can be shown that India is a nation-state. The form of Ethnicity challenging for nation-building are the following-

1. Autonomy Movement.
2. The demand for a separate nation .
3. Rebellion .
4. On the basis of Brand identity - race, language, religion, conflict and violence.



Notes

Breed identified by the most obvious sign is the only natural properties; it provided the basis for one or more combination

The first three aspects of Self - Determination Movement breed disclosure. The three forms of disclosure cannot be adopted by a similar development. It is different in different circumstances can take many different forms. Conflict country complies is very famous in different areas. The first two decades “Most frightening for decades” linguistically labeled or in the context of communal conflicts are given by **salig. S. Harison** after independence. The roots of the conflict in local conditions are present.

Some of the linguistic reorganization of states recognized by the state created on the basis of linguistic characteristics. But a series of conflicts, religion, and origin - Overseas Disharvan, depending on the language continues in many parts of the country. Sovereign states demand different parts of the country started to autonomy within the state. These changes went into violence. The main goal of the autonomy movement protagonist, rebellion and secessionist movements, particularly in the case of the central government, state agencies are recognizing the name. Breed conflict or violence between different communities is found in the region. Among the various groups, language, religion, caste, tribal identity is conflict. And in favor of one sect against other state agencies can be considered the same. According to scholars vidhamanata secessionist tendencies of India is with sentiment of nationalist.

Notes

### **18.4 Reaction of the State**

On the context of political condition is dependence of the response of the state. The state's response to the insertion of general forms disclosure breed in India- coercion, harmony, fighting in breed movement, a class-specific movement under the leadership of atiprusht and its protection, etc. In 1960 & 1950, The Central Government struggling to breed and was following the written rules of **Pal R. Brass** argues-not to consider the demand for political recognition of religious formality; demand on defined groups language, region or other culturally non-concession and do not support them until the concrete cultural groups in the struggle is not a homestead. For example, until the support of demand on way out of Punjabi for Hindi speaking area got by the leaders of the Haryana-Punjab State was not created by Punjabi Governors.

### **18.5 Cases of Ethnicity in India**

There are many examples of disclosure breed in different regions of India. Key examples are discussed key –

#### **North - East India**

The problem of breed specific histories, geographical location and ethnicity mix with the North - East is spread in almost all states of India. Rebellion, breed conflict, riots, and the autonomy movement in all the free time from time to time is seen with decreasing and increasing brutality. Taken by them violence. All states are scattered elements of the insurgency; Mizoram and Nagaland get into the most terrible forms of rebellion. Many - many powers in northern India, claims not to have Indian states; in India have been inserted without asking him. They like to take own sovereign nation – states. For example, Schedule - VI by rebel groups in Nagaland Hence for the North East was not accepted; in 1952 the first elections in the country were turned down; and the totalitarian state Federal Republic of Nagaland, was announced in exile. New rebel group last two decades were shown in all states. Sovereignty of the state and the nation - the Indians doubt that the concept of state. In 1960, Movement for an autonomous state of Assam Khasi, Jaintia and Garo was seen in areas inhabited. This movement of the building was completed in the State of Meghalaya in 1972. Bodoland and Karbi Angllong etc. are agitating for the creation of the State of Assam. On the autonomy of the state police, army and other institutions do not doubt, their attack is directed against state agencies. Officer's rebellion and autonomous movement include in riot, these riots mostly tribal and non - or between tribes were among the other tribes. Eventually all developments in politics north - eastern region are linked to the work of.

In the context of Northeast India Ethnicity and nation building analyze the subject. There are mainly two aspects. The first is the modernization - Development - "nation - state building". The second is the "union building" factor. The following are the results of the preceding aspects- between the process of nation building the modern and traditional systems of conflict and the inability to fulfill the aspirations of the new generation. S.K Chobe, VP Singh, BG Wargis, Mayrn Wiener etc. using this factor is one of the scholars. Review of previous is the second aspect. This aspect is emerging from the north - eastern areas are available in the scholarly articles. Sanjay Barua, Sajal Nag, Ughan Sharma, Hiren Guhen etc. are the main representatives of this factor. According to Urmila Fadsin the perception of the views of the dominant groups was adopted in South Asia and the minority constituents is being neglected. Instead of "Nation - state-building" perception "making real State of the Union" led to the mainstream of the country in favor of the other party to recover from this situation.

#### **Tamil Nadu**

Against the will of India as nation -state had happened long before from the most colonial rule to Independence of India in south India. Dravidihyn movement became the representative for this effect

in TamilNadu. For the will of the nation and state nationalism Justice Party, DK and DMK Dravidihyn on the basis of self-esteem movement asked three questions - religion, language and race. According to **EV Ramaswamy** strong nationalism was expressed by Congress and their basis was mainly Hinduism or Brahmanism, Hindi language and Brahmanism. The basis was Dravidihyn Tamil and lower castes and the grounds were against nationalism. The identity & protection of nationalism of dravidihyn was necessary from dominance of the high class nationalism establishment in north India. These two forms of nationalism could not kept together. The demand for isolating the instances of race purports, Hindu protest movement & demand for greater autonomy were there in south India. **CM. Annadurai** and **Karunanidhi** was further enhanced this legacy inherited by perriyar. **Annadurai** was not with the consent of Yeriyr. According to **Periyar** Brahmanism is responsible for the suffering of the lower castes. According to him such colonial policies are the reason for the dominion of north India & congress over Dravidians. **Annadurai** said, to separate from India and to build a separate dravidnadu, colonialism and north Indian brahmans and tailor were released from Dravidians. According to him, the state would need to support the break-up. Dravidihyn parties were ahead Challenging the hegemony of the Indian National Congress in a state. Dravidihyn breed violent assertion was lower than other separatist movements. It was an ideological movement. D. M. K. And A. I. D. M. K has the power with the help of allies.

Like separation of Jammu & Kashmir, Nagaland this demand cannot gather support when raised. It was not adopted that the level of violence. Dravidihyn party abandoned the demand for further separation. Then it dominated with distinct sense of Tamil identity. For the autonomy of the state in 1960 was led by differentiating trends. Dravidihyn who seeking autonomy to the TamilNadu became an important ally to that power.

The enlargement of breed attack on culture of Dravids and stopped the Hindu community. The Hindu community challenge is theory based in Tamilnadu & other states.

## Punjab

Regional, religious and economic based species importantly autonomy movement & as an alternative appeared in Punjab. Communal clash between the Hindus and Sikhs had been taken. Autonomy Movement in Punjab originated in between the 1950s and 1960. It was led by Akali party. Punjabi language and Sikh religion abiding people and those living in Punjab has given its autonomous province. **Baldev Raj Nair** said the tri-phalak Akali leadership strategy was designed to garner support - Vadnik, infiltration and Andolnatmk. Memo, rallies, marches, etc. Vadnik methods were included in the first strategy in favor of Punjabi Suba allow them to influence decisions was provided in the second strategy; Third - the pilgrimage to the desert, the use of force, threat etc. The movement strategy instigated violence. The two groups were within the Akali Dal - **Sant fatahSingh** representing explaining the economic, and the second Tara Singh representing the Sikhs religious condition an autonomous province for which they had to ask justified them.

New autonomous movement began the Punjab in 1980. Based on the establishment of the followers of Sikhism from the insurrection movement was different from previous challenges & had emerged from Indian sovereignty. For this sectarian division occurred between Hindus and Sikhs in Punjab. The results of large-scale violence numerous deaths and massive property damage occurred in Punjab. The movement defied the Indian nation state buildings. Akali movement affair was entirely different from the 1950s and 1960s context. After Trends in politics, the decline of Akali Dal and Congress in Punjab in 1960 a significant have changed in the rise of power. In the 1970s mobilization of Sikh votes for Indira Gandhi, the use of Sikh symbols challenge given by the Akali Dal in Punjab provoked dominance of Congress. A Sikh religious leader took help from **Sant general Bhindra** to get support of Sikhs before Punjab Assembly elections in 1980. Under a result, it encouraged religious leaders to work independent. A Sikh youth with the support of foreign powers could muster the crowd and found the demand for Khalistan. Khalistan movement went under massive scale violence. It took the death of Indira Gandhi. Second, the use of Sikh religion between Hindus and Sikhs and Sikh Conduct of Code to impose on

**Notes**

Hindus provoked a communal divide. This culminates in communal disturbances and conflicts showed up.

“Punjab Crisis” was given its name primarily from the Punjab problem. Social, economic and political development in Punjab during the 1970s and 1980s. The problem of Punjab is evident from the two types. First economist and by Marxist scholars. Its main representative - Suchchasing Gill, KC singhal and Harish Kumar Puri. According to him the problem of the people of Punjab is primarily social and economic. Political scholar **Paul R brass** says it inadequate and minimalist and condemned it. According to the second argument of the Punjab problem is the problem the result of religion by politicians. Brass said that changing the state center relationship curiosity born in Punjab was by cunning act of Indira Gandhi’s service to Bhindrawala.

### **Jammu & Kashmir**

Jammu - Kashmir people nation - state government’s efforts failed to connect emotionally and rely on armies made the problem even more serious.

J & K geographical, historical and religious factors have been pursued by the movement of autonomy in Jammu and Kashmir. The issue of split prior to accession in state is related to the political leadership nation-state. The king Hari Singh was in the mood to maintain it as a free state, he did not want to handover the Jammu & Kashmir to India while popular leader Sheikh Abdullah wanted to handover it. After Sheikh Abdullah became the prime minister of kingdom, it was handover to India then he began to hurl the issue of hand over the Jammu Kashmir to India. To make his ‘plebiscite’ he was barred from office by the central government and he was imprisoned from 1953 to 1964. Relations of Centre - State intently Jammu - Kashmir has joined other states for regional autonomy. Here’s rebellion in the 1980s, resulting in violence in the state and community division. Pakistan’s involvement in the rebellion came and challenged the Indian nation-state. Bal raj Puri says that the reason for the rebellion in Jammu and Kashmir - type of work of Central Government , people’s problems and changing unemployment, according to their 1947 war between Pakistan and India were only here because of the war. Both Abdullah and the Government stalled by opposition in the state; democracy was slaughtered in the name of nationalism on track; Non - theoretical approach of state government and the central government to intervene in state affairs. These factors were helpless situation in Jammu and Kashmir. And at the same time it is to deny the autonomy of regional divisions to be created.

### **Self Assessment**

State whether the following statements are true / false

1. The sovereignty concluded geographic entity can be any nation.
2. In prevalence of India Secessionist trends nationalist with emotions.
3. Most terrible of racial resentment getting in Maharashtra.
4. Efforts of government to connect emotionally nation-states have been highly successful to people of Jammu - Kashmir.

### **18.6 Summary**

- Ethnicity is a challenge in Indian nation - state. As the movement, it is the violence of the autonomy movement, separatist movements, protests, and conflict.
- Results for the overall development of the country bred in challenging in captivity. It’s been neglected the Mahalanobis model and Neherubin by this. The language of the country came deeper into



communal violence in last few years. The number of Breed conflicts is constantly increasing in the country.

Notes

- Explanation of primarily: Be a greater challenge than race and nation- state against three things - primitive, Yantravadi and a combination of primitive and Yantravadi.
- Mechanistic explanations are considered strong. According to some scholars try to lead the nation to prevail in the country - the State is under construction at model. Away from "Nation - state building" "The Real State of the Union" building turned to us will recover from this situation.

## 18.7 Keywords

- **Alienation based on Ethnicity** – Color, Caste, Religion etc.
- **Dravidians** – South Indians who consider Themselves Anary.

## 18.8 Review Questions

1. Breed and for its study on the approaches to deliberation.
2. Identify the forms of Breed. Compare the challenge of racial in Punjab and Jammu - Kashmir in Nation-State.
3. Explain the race in the context of North-east India.
4. Write a note on of racial challenge by giving the examples of Nation-States of Tamil Nadu.

## **Answer: Self Assessment**

1. True
2. True
3. False
4. False

## 18.9 Further Readings



Books

1. Bhartiya Loktantra – *Rajesh Rawat, Satish Chaturvedi – Secrets Publications.*
2. Bharat Main Rajniti – *Abhay Kumar Dubey – Vani publication.*
3. Bharat Main Pachayati Raj – *George Matthews – Vani publication.*
4. Loktantra ka Naya Lok – *Arvind Mohan – Vani Prakashan.*
5. Bharat Main Vikas, Loktantra aur Vikandrikarann – *Chandnsen Gupta – Routledge Publications.*
6. Bharat Main Algavad aur Dharama – *Samsul in India Islam – Vani publication.*

Notes

## Unit 19: Democracy and Development in India: An Assessment

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### **Objectives**

After studying this unit, students should be able to –

- Know the constraints in the National Integration
- Identify the hurdles in the path of integration
- Familiar with the meetings of the National Integration Council

### **Introduction**

Historians say that, in the past, there was a huge lack of integration in our country and due to this lack of national integration we had to face defeats several times from the foreigners. India remained divided among smaller states and these states often kept fighting among themselves. This kept on the downfall of our country. Nevertheless the cultural and emotional integration of Indian remained intact. In the vedic times there existed a strong sense of nationality and patriotism. Despite of having diversities the ancient Indian culture kept the feeling of geographical integration and its combination unchanged.

**Dr Vasudevsharan Agrawal** has written that there was a deep observance for the Indian geographical integration among several Indian masses. Our culture accepts diversities but achieving union is its own speciality. During the British rule our national integration was wounded deeply. Due to the “Divide and Rule” policy our national unity was dissolved. The nation was divided due to the partiality and encouragement of the British officials, a new detached state was created after the amputation of India

and an independent state Pakistan was established. Even after the division India is still a large country. India is the largest nation in the world (excluding china) in terms of both area and population. People still speak various languages here and follow different religions and their traditions and customs are different too. It is an important issue, to tightly tie a nation having such diversities, into a thread of unity. **Rajani Kothari** writes “The basic issue of the political development is its integration which means the establishment and steadfastness of a new political central point, their multifaceted diffuseness, the scion of various institutions, the collection of diversities into a single thread for creation of a nation which meant the development of the ability of integration”. This issue has been the biggest issue for the creators of our nation. As Nehru had said “The unification of India is the main work of my life”.

Nehru’s statement didn’t mean that India always has been having lack of integration. Our freedom movement cultivated the seedling of nationality into a grown-up one, the constitutional assembly established a political central point and this thought got importance “we are Indians, we have same constitution for everyone, one national flag and one national symbol”. During the 1962 Chinese attack, during the Pakistani attacks in 1965 and 1971, and the Kargil struggle in 1999, there was rise of national unity from the national diversities which became a surprise not only to the foreigners but to us. Despite this we cannot reject the truth that there existed an unprecedented integration before independence and the reason behind this integration was – the disinterest in the foreign rule. With the funeral of foreign rule this integration disappeared and disruptive activities started occurring in different parts of nation.



*Did u know?* Casteism encourages the feeling that other castes are of lower standard and so they should be neglected.

## 19.1 Constraint of National Integration

Professor M. N. Shrinivas writes “Divisional activities are still in existence and will stay for many years in future”. For the majority of the country’s people “India is a new imagination and this will still take some time for such imagination to turn into a reality”. The major constraints in the path of India’s national integration are as follows –

1. **Caste-according to prof. Shrinivas** – “Any person may live anywhere in India will still live in the world of castes”. The castes even dissect the religious divisions of our country. Not only Hindus are divided among various castes but jains, Muslims, Sikhs and Christians too are divided into many castes. Higher castes have not left their feelings of superiority. Majority of the power is getting into the hands of influential castes and these people are opposing the efforts of downtrodden castes to rise up. As a result of this, there is a rise in the inter-caste stress. There are often fights among the influential castes and the downtrodden castes. The harijans till today are considered untouchables in our rural areas. The political parties have started using the organizations of castes for the elections. There is a great inter-conflict seen in the elections of Bihar and the elections would revolve around the Rajputs, bhumihaar, kaayashtha and backward castes. The struggle of Brahmanism and non-Brahmanism in Tamilnadu, reddy and kamma in Andhra, Lingaayat and Wokkalinga in Mysore, has spread everywhere.

Casteism provided novelty to the feeling that other castes are of lower level and should be neglected. In election the caste malice and unpleasantness has increased and the environment has become polluted. Every village seems divided due to the caste spirit. On the issue of mandal report in the nineties decade, there occurred dangerous caste conflicts in which many students immolated themselves. The caste discrimination increases the hostility among the ideals of democracy, opposes the integration

**Notes**

and likeness, and increases malice and unpleasantness amongst us. The caste differences are an indicator of promiscuity; caucsdom increases due to caste differences, the feeling of partiality increases and sometimes movements also take place. In Tamilnadu, the non-Brahmans have made movements several times against the higher castes in an organised way.

2. **Communalism** – Communalism is distributively a very low grade trend. This has largely harmed our nation. The nation was divided only due to the communalism. Later we adopted the principle of secularism and the approach that all the religions in India have equal rights to thrive and flourish. Even today there are several communities which reside in India – Hindus, Muslims, Sikhs, Christians etc. Sometimes even a minor incident leads to communal riots. The Hindu-Muslim rancor flares up due to local disputes. In 1967, several disputes occurred among the Hindus and Muslims of small towns of Uttar Pradesh. In 1979, there were even more serious riots which occurred in Ahmedabad of Gujarat, where hundreds of people were killed, depredated and arson occurred. In 1978-79 there were riots in Aligarh and Jamshedpur and people were killed in large numbers. In 1985 riots occurred in Ahmedabad. A very dangerous communal riot flared up in Meerut from 17<sup>th</sup> to 23<sup>rd</sup> May 1987 and several people were killed. On 29<sup>th</sup> September 1989, due to the opposition to Urdu language and its resistance a communal violence flared up in the Bandayu. The Ram birthplace-Babri mosque issue acted as a fuel to the fire for spreading communal violence at several places. In February-March 2002, there occurred communal violence on a large scale. This violence occurred due to the incident of Godhra massacre on 27<sup>th</sup> February 2002 in which 58 people were burnt alive. There is an information record of total 612 people killed in Gujarat. Our political groups try to avoid opposing the communalism due to the fear of losing votes of other communities and they start creating communal hype over local disputes. Communalism is a stigma on democracy and causes harm to the national integration.
3. **The question of minorities** – Today the problem of the minorities is also an important one. There are people living in different states as language-wise minority and minority community. There is rise in dissatisfaction in cities like Mumbai, Kolkata, Chennai, Delhi, etc due to people coming from other states in administration and trade-industry section and they are considered exploiters. People from Gujarat were opposed in Maharashtra; Marwari's were opposed in west Bengal and Tamilnadu. By creating furious organizations like Shiva sena in Maharashtra and Lachhit sena in Assam provocative actions were taken against outsiders. Generating such sense of promiscuity is dangerous. In India people have the freedom to roam-wander-reside anywhere and do business hence isn't it an anti-national action to spread such provincial sense of promiscuity?



*Notes* In India everyone has the freedom to roam-wander-reside anywhere and do business.

4. **Demand of smaller states** – There are certain demands that are constantly strengthening among the states that larger ones should be divided into smaller units. Smaller states are administratively good and their development also occurs faster. In Andhra Pradesh, telangana was demanded and a demand for smaller states within Madhya Pradesh also arose. Due to this, number of states would increase, there would be an occurrence of new regional and provincial parties and the national integration would be deeply harmed. The smaller states does not remain apt financially and there is more political selfishness in such demands. According to national security too there is no justification for the demand of smaller states.
5. **Provincialism** – The rising emotion of provincialism too is an element of obstruction to the national integration. As per the political point of view the main obstacle of provincialism is unionism. The people on side of provincialism not only demand for every type of inclusive decentralisation and

complete self government but some of the extreme aggressive speakers of the provincialism want to get separated from the union too. They want that there should be no control of central government over them and no responsibilities towards the central government. The natural result of this situation leads them to demands "We should get separated from the nation", "The sovereignty should come into our hands", "Our detached nation should get created". With the strengthening of the sense of provincialism the ill-effect not only shows on the relations between union and states but the mutual relations of states too get worse, questions related to the languages and borders of the neighbouring states also begin to show up and the gap between public of different states gets widened.

Tamilnadu's DMK group initially started demanding the establishment of Dravidsthan. Later this group started demanding the "Autonomy of states". In September 1970 there was a conference organised in the D.M.K's aegis where, after passing a resolution, they demanded self-government for states. The isolatory movement was executed under the leadership of D.M.K. Even today there are sustained border problems between Maharashtra and Nagaland and Assam, and U.P and Bihar. The Maharashtra is only for the Maharashtrians and Bengal is only for the Bengalis, these kind of slogans are clear indicators of the extreme feelings of provincialism. The meaning of the slogans seems to be that those who are from external parts of Maharashtra in the governmental or non-governmental jobs or involved in any kind of trade-business should leave the state and go out. In this manner the non-Bengalis should not be appointed for any jobs neither should they be allowed to do shop business. There is still dissatisfaction among some states like in the north-eastern Mizo caste and autonomous movement of Adivasis in Gujarat and oddisha. Due to these feelings there appears a sense of promiscuity and shabbiness. Due to the exaggerated territorial claims the increase in the issues of divide and rule policy the national integration comes under serious danger and due to the affection and devotion towards provincialism the basic national integration is forgotten. Here it can be said that unfortunately the unstrained competition, full of unpleasantness and strife, democratic politics and the uncontrolled horse-race of leadership of local or provincial has, by misrepresenting such issues, provided their contribution in increasing such issues.

Notes



*Did u know?* The aggressive claims of provincialism weakens the senses of national integration and it becomes dangerous for democracy and freedom.

- 6. Extreme financial inequality** – Financial inequality too creates an opposing environment for the national integration. Those who are very poor and scarcity affected, who did not get enough food for the belly even after working harder, if keep a feeling of jealousy for the people living in the buildings and enjoying all the available luxurious items with them, cannot be said as an unnatural thing. Not only amongst the poor people and labourers but in the middle class too the feeling of revolt against exploitation is generated. In our country, some states are financially rich and some are lagging behind. In states there are some regions which were given enough attention for development while some regions were completely neglected financially. Even at present, several conflicts arise at the question of distribution of employment opportunities and national property. If there is any question of establishment of a public corporation then the support of provincial and political pressures is taken due to financial reasons. When in a country or society, there will be generation of feeling of enmity and opposition for people of one class to another, among people of one state for the people of other state then the national integration can never remain intact. The financial inequality has given birth to the principle of class struggle which creates conflicts and disturbances in the society.
- 7. Linguistic Diversity** – The problem of language in India is wonderful. The problem of language is undoubtedly a test or challenge for Indian integration. During the freedom struggle Congress had accepted the principle of creation of provinces based on language. After attaining freedom, the people

**Notes**

of Andhra demanded that Madras of British times should be divided among two detached provinces speaking Tamil and Telugu. The granddaughter of a respectable Andhra leader Shriramulu undertook a fast unto death and ejected her life for this question and when there occurred widespread riots and robbery, the government accepted the demand of Andhra Pradesh. Later on the reorganization of provinces was made based on language but the reorganization of provinces based on language was just an aspect of the problem. What was more important was the question that which language should be used for the contact and communication purposes in our country? To accept English was averse to the national emotion. The other option for national language could only be Hindi but neither the government nor the non-government institutions could complete the work of publicity of Hindi language in non-Hindi regions during the allotted 15 years duration given by the constitution to continue Hindi language. It was said in the constitution that the language of union will be the Hindi language but till 1965 A.D all the work would be continued to be through English and later on we would give a thought over this situation. However as the pre-decided time given by the constitution came nearer the differences too kept on increasing. Up till now the provincial emotions had increased greatly. The strong supporters of Hindi, through their passion, displeased the people speaking other languages and the thought that Hindi is just like many other languages of our country, was rooted in the hearts of people. When the time came, 26th January 1966, to work in Hindi language then there arose feeling of dissatisfaction among the non-Hindi regions and movements took place. In Madras, two D.M.K leaders self-immolated themselves, movements and robbery took place.

Due to the linguistic demands Andhra Pradesh was created; Maharashtra was created and Punjab too got divided. N.C Rai has correctly written that "The order of dialecticism has started, it is the lion which has come into our path. Either it should be killed or it will kill the Indian nation".

8. **Political opportunism** – The political opportunism harms the national integration the most. The political groups of this nation does not want to miss a single chance to win elections by the force of caste, religion, language, etc. The political groups spread the emotions of promiscuity of provincialism and regionalism and they do not hesitate to join hands to intriguante with the disruptive elements. There is occasionally a big role of local politicians in spreading communalism in our country and the political groups have played a major role in forming aggressive nature to the detachment movements too.
9. **Violent activities** – In our country, there occurred many violent movements, unconstitutional instruments are openly used and damages are done to the public properties. Sometime ago, the naxalites openly used violence to spread anarchy in this country. Some political groups and teams started large movements in states of Gujarat and Bihar to dissolve the elected legislative assemblies. The broadcast of environment of violence and anarchy are highly painful for the national integration.
10. **Social Diversification** – The people of backward classes are experiencing disappointments in the social sections. There is increase in the bitterness in their minds due to the kind of behaviour adopted by higher castes towards them for eating, marriages and social contacts. They know that the majority, politically and financially enabled influential castes are against their rising up.



Task

Make a list of states created on the basis of language.

11. **Corruption** – Corruption is also a very dangerous thing for national integration. It works as a red rag and makes the rule and society time worn from inside. Nepotism, bribery etc shake the belief of people and the democracy weakens instead of becoming stronger.

**Conclusion:** Multiformity is a characteristic of Indian life. A unique effort is made by the constitution for attainment of "Unity in diversity" but after the enforcement of constitution these diversities have become a danger to the national integration and provincialism, dialecticism, communalism, casteism, financial inequality, untouchability have become major problem of the nation.

## Self Assessment

## Notes

Fill in the blanks –

1. Anyone living anywhere in India lives in the world of .....
2. Communalism is a ..... on democracy.
3. The sense of provincialism is a ..... element in the path of development of India.
4. The issue of language is a ..... for the integration of India.

## 19.2 Solution to the Constraint of National Integration

The basic premise of national integration is loyalty and it has a strong relation with the problem of national integration. The meaning of a nation is—a historical thought, a cultural consciousness, a bounded unit, a feeling of onwress. In the same way, equality in the gesture of well being, equality in the experience of happiness and sorrow and emotional devotion towards the thought of national community is also included in the imagination of a nation. The creators of Indian constitution had established a potential central rule after looking at the disruptive trends so that the nation could remain bounded by the thread of integration and organization but due to the creation of states based on languages the provincial inequalities came up and they started requesting for the rethinking of their relations of union with the central government. Sometimes it came to such an extent of need of creation of provincial armies for the provincial purposes and the danger of disintegration was increasing. Even today there are many obstacles in the path of national integration. **Prof B.K.R.V Rao writes** “In India we are having the problem of national and emotional integration and which has been accepted by most of the people but what should be its prevention is not clear. What should be done to achieve national and emotional integration in India? Who should do it and how? These are such questions which have been discussed a lot earlier but till now we haven’t got a perfect answer nor an extensive, creative strategy been created which can be implemented”. Certainly our situation is that of a bewildered one but then also following efforts can be made in this direction so as to remove the pests in the path of Indian nationalism-

1. **The entry of ruling system in all the classes of society – According to Professor Rajani Kothari** “For a huge country like India, where people of different varieties live , the national integration can only be established if we allow all the elements to participate in the political rule and rights and everyone should be included in the journey. Hence the entry of political organization in all the classes of society is necessary. It is due to such creative role of political trends that strengthens integration”. If there would be monopoly and possession of a single class or few classes only in the rule and politics then surely there would be rise in feelings of disappointments and detachment among the other classes. All the different classes of society will have to be attracted to the political activities and political institutions will have to spread among the public.
2. **Creation of cooperative unionism** – The politics of states should be carefully taken care in political system of India and for the creation of a potential nation; the powers and light of these provincial units should be used creatively.

Indeed we should end the emotion of provincial struggle and competitiveness and build the grand building of cooperativeness and companionship of unionism. The eradication of interpersonal conflicts among cooperative unionism and differences should be resolved in a peaceful environment. In order to resolve the distribution of river water among states, financial instruments and national property one cannot adopt extreme form of movement.

3. **Revolution in the world of education** – Proper education system is necessary for national integration. The curriculum should be such that the child should get immersed in India’s cultural and ancient heritage. The structure of curriculum should be very carefully designed and fractions which smell of rift, communalism and regionalism should be removed from every stages of curriculum. A deep

Notes

connection should be made at university level through various regional languages, byres of various students and professors, seminars so that *detachment activates* would be lessened and the path to attainment of integration would be strengthened.

4. **Eradication of financial inequalities**—In order to remove financial inequalities from our nation immediate efforts should be made. There should be an end to the classes possessing special rights. The dissatisfaction and financial inequalities should be removed by filling up the valley between rich and poor. Proper attention should be given to backward states for financial development.



Notes

We should learn this lesson from the movement of Telangana that even inside a state there should be no region which is completely neglected otherwise there would be birth of detachment activities among its people.

5. **Restriction on disruptive elements**—Even today there are organizations which create disruptive activities, take the help of violent movements to spread anarchy in the nation. There should be restriction over the anarchist violent elements. There should be no place and importance given to anarchy and violence in democratic politics. In the same way, the use of communalism, casteism and fanaticism should be forbidden in politics.
6. **Creation of strong public opinion**—The disruptive elements should be exposed through radio, television, newspapers, films and demonstrate magazines. Also India's national integration should be publicized. If there will be a quick proliferation of national integration in the hearts of common people then there would be a flow of such a river of patriotism that it would abandon the narrowed mentalities and would strengthen the path of national and emotional integration.
7. **Tolerance towards the issues of language and religion**—Professor M.N Shrinivas writes "If a determined effort is being made for the accelerated financial development in entire India and all regions, a tolerance in true sense towards the issues of language and religion, to end the caste system then India would again stand up as potential and organised nation". Indeed there have been disputes and tensions only due to language and religion. At the end there should be an effort for sustained integration in language-wise and religion-wise. It is a negative work of state to stop the communalistic violence in order to resolve the problem of communalism. In Indian there should be an effort to create a secular state which may be emotionally integrated in such a manner that a person's awareness regarding his caste and community may become a part of its emotional feeling of being an Indian citizen.
8. **Cultural Interchange**—There should be maximum cultural interchange among various regions and linguistic states. Programs should be organised so that people can know about various cultures of India.
9. **Role of political parties**—Our political parties too can play an important role in this direction. If all the political parties rise above promiscuity and stop instigating the public on the basis of religion, caste, language or region then it will be a great help in establishment of national integration. In past years whatever circumstances that took place are a product of politics only. The political parties and leaders in such states will have to rise above the promiscuity of regional mentality and concentrate for the perspective of national mainstream.

### 19.3 Economic Development and Integration

Indeed the limited financial development that has been made in the many years, has also helped in satisfying the Indian integration. The raw material available in one part of nation fulfils the necessity of mills of other states. The importance of Punjab's wheat and paddy for keral is same as Kerala's coffee



and cashew nut for Punjab. The dependence on the demand of Gujarat's cloth in West Bengal is same as the Gujarat's necessity of things that are made in West Bengal. All the states depend on each other on the issues of electricity, irrigation and heavy industry too. Inside India the process of evacuation has given to the towns an all India form in place of provincialism.

The Indian Administrative Services (I.A.S) and the Indian Police Services (I.P.S) have also helped in germinating the viewpoint of all India. They have avoided clashes between centre and state and among states through their personal contacts. In a country the principle of social, political and financial equality have always proved to strengthen the relations of people of different parts and their contacts but as of now politics has not let it happen.



*Task* Write a comment on the relations between financial development and integration.

## 19.4 Efforts in the Direction of National Integration

**Dr. Laxmimal Singhavi** writes "Nationalism is not just a political orthodox ideology. We will have to give it a justified social and financial form on the comprehensive quote land of democracy on which a grand building of national integration can be made". In India there are a number of governmental and non-governmental efforts been made to build the grand building of India's national integration which are given below –

1. **University Seminar Grant Commission 1958** – In 1958 the University Grant Commission conducted a seminar in relation to national integration. In this seminar three points were considered – **First**, social and financial production for national integration; **Second**, The contribution of educational institutions for national integration; **Third**, the use of literatures and other cultural mediums for the consummation of national integration. In this seminar, progress of all national languages, encouragement of study of other provincial languages in a given province. In the educational institutions, the eradication of discrimination of language, community and caste system etc were more pressed upon.
2. **Laws created by government** – In 1961, the Indian parliament passed two laws. Through this laws any kind of publicity was made punishable which could create enmity or hatred between religion, language or caste. In elections it has become punishable offence to instigate the feelings of religion, community, language and caste. In the same way, government got the power to control the isolator elements by the 16th Amendment act of constitution.
3. **Chief Minister Conference 1961**- In the August chief minister conference it was accepted that minorities of all states should get proper protection. Even this was accepted during the conference that accepting the importance of a universal script Devanagari script should be accepted as a universal script.
4. **Report of home ministry, 1969-70** – The government did implementation of recommendations of council from time to time. The home ministry has said in its report of 1969-70 that all the various recommendations of the council have been implemented. In this relation the amendment act of criminal and election fund is important. The central and state government has secured the right for prevention of publication of such material which may increase communal enmity or hatred.
5. **Human fraternity** – In August 1960, a non-government organization "Human fraternity" was created. Jayprakash narayan was made the head of this organization. The fundamental basis of this organization was to develop the feeling of tolerance, brotherhood and mutual fellowship. Its aim was to start a holy war against communal and disruptive elements but this organization could not do any significant work.

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6. **All India communalism opposition committee** – Under the leadership of Shrimati Subhadra Joshi, All India communalism opposition committee was created in December 1970. By passing several resolutions, this committee gave many suggestions to the government. In the 6th conference of this committee, it was suggested that there should be lawful restrictions imposed on communal organizations. According to the committee, the Rashtriya Swayamsevak Sangh, Shiva Sena, Anand Marg and Jamat-e-Islami should be compulsorily restricted.
7. **The recommendations of national integration related task force 1976** – In order to deeply study the national integration related issues, two working groups were appointed in the latter 1976. Brahmanand Reddy, the then home minister was made the leader of one working group. Following subjects were allotted to this group –
  - (i) The end of communal and other kinds of violence
  - (ii) The minorities and their employment problems.
  - (iii) The problem of discrimination against Adivasis and Harijans and the inhuman behaviour with them.
  - (iv) To create regional goodwill. The former education minister professor Nural Hasan was made the leader of second working group. This group was allotted the work of studying problems related to the students, youth, education and mass media.
8. **Organizing of “We are one” exhibition 1979** – On 2nd October 1979, “We are one” exhibition was organised in the Directorate of Advertising and Visual Publicity. In this exhibition, how the good citizens, innocent men and women and children have to suffer from communal riots.

**National Integration Council**

In 1969, following the principle of “Unity in diversity”, the decision of creating the National Integration Council was taken. The council was instructed to test the matters related to national integration and also to provide necessary suggestions to tackle them. In 1968, 1980, 1986, 1990, 2005 and 2010 the National Integration Council was reorganised. There have been total 114 meetings conducted till now.

**Self Assessment**

State whether the following statements are True/False –

1. Proper education system is necessary for national integration.
2. Along with nation’s development, the financial inequality has reduced.
3. The Prime minister is the head of National Integration Council.
4. The non-government organization “Insani Biradri” was created in 2010.

**19.5 Meetings of National Integration Council**

Meeting number	Scheduled time	Meeting number	Scheduled time
1st Meeting	2-3 June 1962	8th Meeting	22 September 1990
2nd Meeting	20-22 June 1968	9th Meeting	2 November 1991
3rd Meeting	12 November 1980	10th Meeting	31 December 1991
4th Meeting	21 January 1984	11th Meeting	18 July 1992
5th Meeting	7 April 1986	12th Meeting	23 November 1992
6th Meeting	11 April 1990	13th Meeting	31 August 2005
7th Meeting	22 September 1990	14th Meeting	13 October 2008

In the reorganised National Integration Council 147 people were included from different political parties and various regions of society. As per the list issued on 12 April 2010, in the council headed by prime minister Manmohan Singh, along with 14 central ministers senior most BJP leader Advani, former prime ministers I.K Gujaral and H.D devgoda, karna Singh and Shabana Azmi have also been made the members of it.

Apart from this, the opposition leaders of Lok sabha and Rajya sabha, chief ministers of all states, representatives of national parties have been given a place in this council. From the field of media, Shravan Garg, the group editor of Dainik bhaskar, has also been included.

All these members give their advice to the government on the issues of national integration, terrorism, naxalism and internal security. A council usually exists till the government's tenure. Under the Home ministry list the Congress leader Sonia Gandhi, BJP leader Nitin Gadkari, General Secretary of MKP Prakash karat, General Secretary of BKP A.B Vardhan, NCP leader Sharad Pawar and BSP supremo Mayawati are included. Considering the vital role of media in creating national opinion, 20 representatives from various newspaper mediums have been included as members. Amongst them, N Ravi of "The Hindu", Shekhar Gupta of Indian Express, M.K. Rajdan of PTI, Shobhana bhartiya of Hindustan Times, Alok Mehta of Nayi Duniya, Dilip Padgavankar of Times of India, Barakha Dutt of NDTV, Rajdeep Sardesai of CNN-IBN are included.

**A separate division for promotion of national integration**—In Home ministry, a separate division looks after the work of protection and promotion of national integration. With the aim of following these principles, the separate division does a multidimensional work of national integration and communal camaraderie which includes policy planning, administration, lawful and promotion efforts.

**Ban on Deendar Anjuman and SIMI**—During the year 2001-02 the central government, keeping in mind the anti-national activities, has declared these two organizations as against mode.



*Did u know?*

As per the provisions of the Unlawful activities (prevention) act in 1967, two radical organizations, 'Deendar Anjuman' and 'Students Islamic Movement of India (SIMI)', were declared as unlawful organizations.

**Resolution day and community unity week**—All the states and union territories have been instructed to celebrate 31<sup>st</sup> October as Resolution Day and "the Community unity week" should be celebrated.

**Kabir Award**—The national award named Kabir award was established in 1990 to show recognition to the exhibition of physical and moral bravery for the humanity shown by a person while protecting life and property of another community during the communal riots or caste and septal conflict.

**Communal Wellbeing Award**—'Communal Wellbeing award', one is awarded to a person who has made noteworthy contribution of at least 10 years in the field on communal wellbeing and national integration and the second award is for the organization which has done noteworthy work in the same field for 5 years, was founded at national level in the year 1997. This award is decided by a jury which is headed by the vice president of India. In this award, a commendation letter and 1 lakh rupees is given to the individual and 2 lakh rupees is given to an organization.

**Conclusion**—Concluding India cannot divide. The disruptive elements come up among the Indians in the simple times. Whenever there is a danger to the nation the whole nation gets united. The early efforts for the national integration were more of a show and weren't strong enough. Through governmental and individual efforts we will have to win over the disruptive and Inhibitory factors. We will have to remove the financial inequalities, increase job opportunities, and create code of conduct for political parties. We will have to put strong restriction on communal groups and children will have to be provided the knowledge of as many provincial languages from the schools. The national integration can be achieved in full except only providing a strong message of national integration to the future

**Notes**

generation. The senior most journalist and thought trover Nikhil chakravarty correctly writes "If we do not get conscious about our national integration then despite the proposals passed by the National integration Council, the national integration can get wounded. The aim of national integration cannot be achieved through the proposals passed in the meetings of the 200 elected people; but for this we will have to arouse the movement of lakhs of determined people ; the same movement which was done for national freedom.

## **19.5 Summary**

- India is the biggest nation (excluding china) in the world from the point of area and population. Here people still speak different languages, follow different religions and their traditions and customs are also different. It is a very important issue for a nation with such varieties to it in the thread of integration.
- There has been increase in the inter-caste stress in different parts of nation. There are constant disputes among influential castes and dalits in villages. Harijans are still considered untouchables in our rural areas. The political parties have started using the caste organizations for elections.
- The growing emotion of provincialism is also a hurdle in the development of integration. The main opposition to provincialism is unionism. The biased people for provincialism not only demand for all types of inclusive decentralisation and complete self-governance but some speakers of extreme aggressive provincialism want to get separated from the union. They want that central government should have no control over them and they should have no responsibilities towards the central government.
- The problem of language is a wonderful one in India. The problem of language is undoubtedly a test or challenge for the Indian integration. The congress had already accepted the principle of creation of provinces based on language.
- Corruption is also a very big danger for the national integration. It works like a red rag and makes the governance and society time worn from inside. Nepotism, bribery, etc shakes the confidence of public and democracy weakens instead of becoming stronger.
- The makers of constitution, considering the disruptive activities, had established a powerful central government so that the nation remains tied to the thread of integration and organization but due to the creation of states on basis of language, provincial inequalities came up and they started appealing the central government for the reconsideration of their relation with the union.
- In the political system of India, attention should be paid to the politics of states too for construction of a powerful nation; the powers and vigour of these provincial units should be used creatively. Indeed we should end the emotion of provincial struggle and competitiveness and build the grand building of cooperativeness and companionship of unionism.
- In 1961, the Indian parliament passed two laws. Through these laws any kind of publicity which could create enmity or hatred between religion, language or caste was made punishable. In elections it has become punishable offence to instigate the feelings of religion, community, language and caste.
- The early efforts for the national integration were more of a show and weren't strong enough. Through governmental and individual efforts we will have to win over the disruptive and Inhibitory factors. We will have to remove the financial inequalities, increase job opportunities, and create code of conduct for political parties. We will have to put strong restriction on communal groups and children will have to be provided the knowledge of as many provincial languages from the schools.

## 19.6 Keywords

- **Dissolution** – Disintegration, breaking up, destructive.
- **Communalism** – Based on religion, cheap and inferior activity of division.

## 19.7 Review Questions

1. Explain the meaning of national integration and describe the solutions to the obstacles in its path.
2. Which solutions should be adopted to remove the obstacles in the path of national integration?
3. Evaluate various efforts done in the direction of national integration.
4. By introducing the national integration council, give brief information about the different meetings.
5. Write comments about the following –
  - (a) Communalism
  - (b) Provincialism
  - (c) Opportunism
  - (d) National integration

## **Answer: Self Assessment**

- |          |           |                   |          |
|----------|-----------|-------------------|----------|
| 1. Caste | 2. Stigma | 3. Obstructionist | 4. Test  |
| 5. Truth | 6. False  | 7. Truth          | 8. False |

## 19.8 Further Readings



Books

1. *Bhartiya Loktantra* – Rajesh Rawat, Satish Chaturvedi – Secrets Publications.
2. *Bharat Main Rajniti* – Abhay Kumar Dubey – Vani publication.
3. *Bharat Main Pachayati Raj* – George Matthews – Vani publication.
4. *Loktantra ka Naya Lok* – Arvind Mohan – Vani Prakashan.
5. *Bharat Main Vikas, Loktantra aur Vikandrikarann* – Chandnsen Gupta – Routledge Publications.
6. *Bharat Main Algavad aur Dharama* – Samsul in India Islam – Vani publication.



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