

Chapter – II

REVIEWING THE FEDERAL EXPERIENCE IN INDIA PRIOR 1977

2. Introduction:

It has been observed that the feelings of regionalism have been utilized by the imperialist power prior independence to promote their policy of keeping the country divided. After independence, the federal set up was adopted to make room for accommodating different interests of all communities representing different regions of the country within a broad administrative frame. So from that perspective, the consensus on having a federal system proved to be not only relevant but also the only course. It is true that the nature, consolidation and manifestation of regional movements in India do not conform to any set pattern; their cumulative impact on the working of federal governance appears to be significant. Federalism is like a rainbow, where the different colors together make a harmonious pattern. It is a devolutionary strategy projected towards the country as a whole. Since independence the federal structure of Indian Constitution has maintained a controversial balance between the centre and its compound units. On the other hand gradually the regionalism is become a hard reality in plural India. It is stand for self-development of a particular region on the basis of self-identity.

Before going to the discussion about the impact of regional movements on the federal policy in India, a very important question come to our mind that as an instrument of accommodating regional diversities, in India how successful has been the adoption of federal system? Or was the internal federal structure made by our constitution makers, acted as an enzyme for manifestation of such kind of regional feelings? For this purpose we need to discuss the nature of Indian federal system since independence. The review of the major works on the nature and extent of federal governance in India will reveal that the working of India's federal system brings out some contradictory evaluations. Federal System in independent India was influenced by three major issues, like Government of India Act 1935; unitary pattern of functioning of governance in the country prior to independence; and an eventful experience of partition.

So far as the political process is concerned it is always greatly influenced by the circumstances of a particular country as well as the political system of a country of a particular time. So the Constitution as well as the political system of a country is the production of time. Like, federal system in U.S.A. there was an influence of American Civil

war, where more powers of the regional government were transferred to the general govt. Both the government of America vested with more or less same power in a system of federation which replaced the system of confederation. In a federation both the governments of U.S.A are derived their authority from the constitution as a Supreme law of land and there operation is oriented towards the people directly. (Wheare, 1963) It is observed that, the maker of Indian Constitution greatly influenced by the federal system of Canada. Both the countries had adopted Parliamentary Federalism. Moreover, the founding fathers are influenced by the ethno-cultural diversity as well as regionalism of Canada.

However before going a detailed discussion on the impact of regional movements and federal governance on the political process of India, we should go through the sources of federalism, the background regarding the adoption of federation, the Constituent assembly debates upon the structure of Indian federalism, as well as some major incidents took place in Indian political process since Independence which changed the entire federal context of the country.

2.1. The sources of Federation in India:

In India the federal political System derived its source specifically from the Government of India Act 1935. It was assumed that, the Indian Councils Act 1861, was the footstep towards the journey of federalism in colonial India which generating the concept of the formation of local Council as the way of democratic decentralization. However, the goal of a federal India was first mooted in the Montagu-Chelmsford Report published in 1918. The report defined the conception of the eventual future of India as "a sisterhood of States, self-governing in all matters of purely local or provincial interest" and "presenting the external semblance of some form of federation." (Jain, 1977) In course of circumstance the Montagu- Chelmsford Reforms conducting the government of India Act 1919. This eventually introduced the Diarchy at the provinces, as semi-federal System. "The Nehru Committee submitting its report in 1928, laid centralized structure for British India based on the devolution the lines of the 1919 Act" and "The Simon Commission Report published in 1930 took the federalism in India a little further. It declared that the ultimate frame work of the Indian Constitution cannot be unitary; it must be federal. The Government of India Act, 1935 definitely introduced the federal concept in India. It contemplated, on the one hand, federalizing British India and, on the other, bringing the native states into the Indian federation. The next stage in the evolution of Indian federalism is denoted by the announcement of the Cabinet Mission Plan on May 16, 1946. The mission sought to draw a

compromise between the Congress demand of a unified India and the Muslim League's demand of Pakistan comprising the six Muslim majority provinces and Assam”(Jain, 1977).

2.2 The back ground of Indian Federalism :

So far as the background of the federal structure of the Constitution of India is concerned, we can go with the view of Sri B.N. Rau, as who was the constitutional Advisor of Constituent Assembly of India. As we know that in accordance with the proposal of cabinet mission there was an establishment of Constituent Assembly to draft a Constitution for India. After the announcement of Cabinet mission, in 1946, to setting-up an interim government before the transfer of power, The Muslim league Claimed Pakistan, as an independent state with sovereign power which was already adopted by Muslim League in 1940, named as Pakistan resolution. The proposed areas of newly Independent states were the Punjab, the North- Western Frontier, Baluchistan, Bengal and Assam in North East. (Rau, 1960) But these projected areas were dismissed by the mission for the problem of an economic and administrative convenience. Congress suggestion was going for a provincial autonomy with minimal central interference. In this circumstances Cabinet Mission, recommended a confederal Constitution of India, where all the subjects except the union subjects and all the residuary powers were vested in the provinces, which stands for United States of India. There was some sort of uncertainty aroused regarding the participation of Muslim league in the working of Constituent Assembly under the leadership of Mr. Jinnah.

Henceforth, the process of making the Constitution of India was delayed and waiting for the consent of Muslim league. Congress was agreeing for mutual co- operation of all political parties including Muslim league for the achievement of freedom of India. They tried to prepare a path for the development of the Constituent Assembly of United India. Though, the interim government was set up in 1946, after a several discussions with Jinnah, the leader of Muslim league. But the matter of the functioning of Constituent Assembly was still in a dilemma which resulted in a declaration of non participation in the Constituent Assembly by the league and they have rigid in their earlier decision of Separation. Eventually the working Committees has started to make Constituent Assembly with a large member of representations of pan India. The constituent Assembly declared, India as Independent Sovereign Republic. “Objective” Resolutions adopted by the constituent Assembly in January 1947 was again challenged by the league, Eventually the British government has decided to transfer the power to India. This announcement encouraged the working of the constituent Assembly with an aspiration of formation of a new Independent India with its fall fledged

Constitution. On the other hand when “ the representations of the provinces of madras, Bombay, the United Provinces, Bihar, Center provinces and Bihar , Assam, Orissa, North-west frontier provinces, representatives of Delhi, Ajmer-merwara and Coorg have already made progress in the task of evolving a new constitution. On the hand Muslim league Party, including its majority representatives of Bengal, the Punjab and Sind, representative of British Baluchistan, has decided not to participate in the Constituent Assembly.” (Rau, 1960)

A Suggestion was came from British India, to acceptance of the demand of Partition as it was continuously hampered the functioning of Constituent Assembly and interfere in the making the Constitution of United India. The British make India Stands for divided but free from outsides interference. Though the Congress was worried about there internal solidarity. When Constituent Assembly described India, as a “United States of India”, the term was not preferred by Muslim league. As because there demand was remain for a complete Sovereign state. Though the stand point of Congress was quite clear in this particular case, they announced that the Congress did not pressurize any unit besides their unwillingness to join in a federation. But any kind of fissiparous tendency which hamper the Unity and integrity of the Country was not to be tolerated. To keeping the Country undivided the proposed territory of federation, dominated by the minority community[Group B; Frontier regions: existing British Indian provinces of the Punjab, The North-West frontier on the West Bengal, Assam, and the Andaman and Nicobar Islands on the east.] was vested with federation with weak centre. Though the Muslim league has demand full-fledged autonomy in defense and external affairs also. To Jinnah the particular areas, which the Muslim league are intended to include in Pakistan, the Six provinces like Baluchistan, Sind, Punjab in the North-West, The North-West frontier Province Bengal and Assam were regarded as a group of “ Independent States”. To him it was necessary to bifurcate the single federation of India in to two separate federations like Hindustan and Pakistan. (Rau, 1960). Though both the Congress and the League welcomed federal composition of colonial India, but when “League promoted Consociational features within the federation, on the other hand Congress demanded a more majoritarian and Centralize one.” (Ardency, 2010)

Henceforth, Cabinet Mission’s plane of Confederation was replaced by Federation with a strong centre after the partition. The maker of the Constitution of India has taken in to considerations that the dual polity of federalism at the national as well as state levels would be more suitable for the country. Even after the partition of British India, the issue of minority protection has its influence in constitutional debates. According to the Memorandum

on the Union Constitution prepared by B.N. Rau, before independence, “There Should be a Union of India embracing both British India and the States” was indicated in the next part of schedule- I, that the aim of the coming Constitution of India will giving full freedom of its reluctant parts of the country as they are not to be pushed. But the Constitution was decided to fix the consenting Point of the Country before the commencement of the constitution. As we know that equal representation in the upper house of a union legislature is a measure of a successful federal System. But the System of functional Representation was mentioned in the memorandum, in this regard. As because the British Indian Units which was eleven in number was submerged by the representatives of the Indian States which were Thirty five in number. (Rau, 1960)

It has been observed that, “Nehru played a solid and creative role involving the structure of the Indian federalism as it came to be incorporated in the Indian Constitution. He stood for a strong centre in a federal system in India, and he got the opportunity to achieve this goal after partition of India under the Mountbatten plan. In spite of his radical views regarding the princely states, he took a moderate stand to smoothen the process of their joining the Constituent Assembly. Without doubt, India's present-day federal system owes a great deal” (Jain, 1977) However the Indian Independence Act 1947, created, two independent dominions of India and Pakistan from 14th and 15th August 1947. The Constitution of India was finally enacted on 26th Jan 1950 after long constitutional debates.

2.3 Some major debates regarding the structure of Indian federalism before the adoption of the Constitution:

It has been observed that there was a lot of discussions were take place in the platform of Constituent Assembly of India in regards of the nature of the federation of India. The debates on the favor of a Strong centre on the one hand and the debates against a weak States on the other were enhanced a democratic spirit of the Country.

It has been observed that when Dr Ambedkar presented the draft constitution to the constituent assembly where Firstly, he describes “the constitution proposed to be federal, even though the word union was used in article 1 and the word ‘federal’ was not mentioned in the preamble on any other provision” (CAD Vol VII); Secondly, Ambedkar point out that, by using the term “India that is Bharat shall be a union of states” “the drafting committee wanted to make it clear that though India was a federation the federalism was not the result of an agreement no States has the right to secede from it. The federation is a Union

because it is indestructible” (CAD Vol. VII); Following The second report of the Union Powers Committee, the debates reflected that “now that partition is a settled fact, we are unanimously of the view that it would be injurious to the interests of the country to provide for a weak central authority which would be incapable of ensuring peace, of coordinating vital matters of common concern and of speaking effectively for the whole country in the international sphere. We have accordingly come to the conclusion that the soundest framework for our Constitution is federalism with a strong centre” (CAD VOL.V); Following Ambedkar “the draft constitution is federal constitution as much as it established what may be called a dual polity .The dual polity under the proposed constitution will consist of the union at the centre and the states at the periphery each endowed with sovereign powers to be exercised in the field assigned to them respectively by the constitution” (CAD VOL VI); Following N. Gopal Swamy Ayyangar “we are confronted with problems which have not confronted other federations in history” (CAD VOL V); It has been observed that having experience from some of the best federations like United States, Canada, Switzerland the members of the Constituent Assembly has adopted “the policy of pick and choose to see what would suit them best, what would be the genius of the Nations best” (CAD VOL XI).

But on the other hand it was said that “The centre should be strong...but the strength of the centre does not consist in the number of subjects to be handled the centre, but more in the willing co operation and willing acquiescence of the provinces and States in what the centre is doing” (CAD VOL VI); it has been said that, “The draft constitution is partly federal and partly unitary and more unitary than federalism in character” (CAD VOL VIII) and “Federalism which is conservative in character is full of weakness” (CAD VOL VIII); Following Pandit kunzru, “if federation means anything’ “it means that there should be a transfer of wealth from the richer to the poorer provinces” (CAD VOL IX).

It has been noticed that again for the support of a unitary federation, Ambedkar declared that “all federal systems including the American are placed in a tight mould of federalism...the Indian federalism will not suffer from the faults of rigidity or legalism. Its distinguishing feature is that (India) is a flexible federation” (CAD VOL VII) and "Federation is not a definite concept it has not got any stable meaning. It is a concept the definition of which has been changing from time to time” (CAD VOL II).However after long debates, the Constitution of India exhibits its several ‘uni-federal’ features.

Therefore, it will not be an exaggeration to say, that the federal polity in India is emerged from the conscious will of the founding fathers. Indian federalism is an indigenous

in nature. It is not possible to make any comparison with the federal structure of any other Countries in the world. So, far as in federalism in India is Concerned, here lies its Uniqueness. It has its own features of unity in diversity. Its gradually enhance with the requirements of the time and purpose of the country exclusively. Therefore, it just serves the purpose of the country, which ornamented with a high degree of heterogeneity and diversity. It has been observed that the political system of India is a conjugation of parliamentary form of government as well as federalization of powers. Besides several federal as well as unitary constitutional provisions the Constitution of India has recognized the 'differences' through frame worked the several accommodative provisions which was discuss in the introductory part of the thesis in details.

In the platform of the Constitution Assembly debates, it has been said by Jawaharlal Nehru that "The glory of India has been the way it managed to keep two things going at the same time.....infinite variety and....unity in that variety" (CADVOLVII). It has been observed that the advisory Constitution on Fundamental Rights consisted of representative of all religious minorities; "The Hindus of Bengal, Punjab, NWFP, Baluchistan and Sind will have 7 representatives; The Muslims of the Seven provinces of UP, CP, Madras, Bombay, Assam, Orissa will have similarly 7 representatives; the Sikhs will have 6; the India Christians will have 4; Parsis will have 3; Anglo-Indians will have 3 and the tribal areas and the excluded areas will have 13" (Mahajan, 2014). Also after observing the several provisions of the Constitution it is assumed that the federal system of the country is asymmetrical in nature. However there was dilemmas' regarding the asymmetrical nature of Indian Federation in true sense.

2.4 Dilemmas regarding the asymmetrical as well as dominating nature of Indian federal system:

Following James Manor, "ethnic identities in India tend to be cross-cutting rather than compounding. One state was reorganized along linguistic lines their inhabitants discovered all the things that divided them" (Manor 2007). Stepan has examined the "three stages in the integration of Tamil Nadu into the federation. In the first stage, the Tamil speaking lower-caste Congress Party leader Kamaraj Nadar played an important role in reducing the potential tension between cultural and territorial nationalism. As a regional Chief Minister of Madras from 1954, he delivered votes and support to the policy-wide Congress Party, and because of his resources at the centre he could deliver on many of the demands of cultural nationalists at home. The second phase was linguistic reorganization which took the steam out of the

potential Dravidian secessionist movement across all southern states (Andhra Pradesh, Karnataka, Kerala and Tamil Nadu). The third phase followed reorganization and saw the formerly secessionist regional party the Dravida Munnetra Kazhagam(DMK), renouncing its separatist goals and winning control of state assembly in 1967 (Stepan, 2007). Following Stepan "that some states may have special prerogatives not available to all the states of the federation that are constitutionally embedded, and thus not subject to change by unilateral democratic majorities" (Stepan, 2007).

It has been observed that, the ethno regional conflict in 1950`s and 1960`s in India often motivated by the inter ethnic politico-economic asymmetry as well as the discriminatory politics adopted by the centre in general 'Such conflicts often became violent'. These power conflicts were prominent during the tenure of Indira Gandhi (1966-76; 1980-1984). The Union-State relations in India was going through a turmoil under her ministry which included "a decisive intervention in UP politics in September 1970, the delinking of parliamentary from legislative assembly elections in 1971, the establishment of a new pattern of selection of Chief Ministers for most of the Congress ruled States" along with the frequent impositions of president rule as well as the constitutional amendment in 1976 (Brass, 1991). Even the process of central interference in the State`s jurisdiction was followed by Janata Government later. Hence, the 'autonomy of state politics' was gradually lost in these centralized atmosphere. A serious discontent among the non-Congress belt of the country in 1974, have shown "the fall of a state government in Gujarat and the near collapse of the Bihar Government" on the contrary (Brass, 1991).

The intention of a powerful centre to grip the state politics by any means as clearly reflected in the state politics of Punjab since 1960s. The continuous political confrontation between the congress and the Akali Dal has aggravated the internal peace of Punjab since its formation in 1966. The strength of Akali Dal as the dominant party of Sikh dominated Punjab was affected by several attempts has been made by the State`s congress with the help of Central congress. As the Akali Dal with its alliance Jan Sangh/Bharatiya Janata Party has taken a crucial role in Punjab politics. At first the congress adopted the policy of internal dividation as well as faction in Akali- Jan-Sangh Coalition government through the politics of Hindu-Sikh confrontation. But the victory of Akali Dal on 1977 Parliamentary Election in Punjab has proved the failure of congress policy of incorporation of Punjab state politics. Eventually the next attempt of the congress party was to weaken the support base of Akali Dal like "rural Jat" community who were strongly attached with the gurudwaras the religious

organization of Punjab. In this context Sant Jarnail Singh Bhindranwale was used as a 'scapegoat' of congress for defeated the Akali Dal by any illegal means resulting congress electoral victory in 1980 elections. The arrest Warrant was issued against all the terrorist of Punjab including Bhindranwale. In 1981, Bhindranwale's arrest in Narain murder case by the Chief Minister order and his release by the order of Home Minister of India resulting a terrorist event of Hindu murdering in Punjab and Haryana. Henceforth the president rule was imposed in Punjab in 1983 to recover the clear political image of congress (later of Ranjit Singh Sandhu [A Sikh living in America], 25th April, 1985). The Akali's demand of Anandpur Sahib Resolution has been revived in the period between 1981-1984 in the context of excessive central dominance in states affairs. Though the demand was not accept by the centre on the ground of its 'secessionist' nature as it called for "the constitution of a single administrative unit where the interests of Sikhs and Sikhism are specially protected" which is inconsistent with the "concept of the unity and integrity of the nation". However as a part of the accord signed by Rajiv Gandhi and Longowal, leader of Akali Dal in 1985, the Anandpur Sahib resolution has been referred to the Sarkaria Commission. However the several negative consequences in Punjab state politics during Indira Gandhi's tenure has proved the failure of her series of indecisive strategies which responsible for the deterioration of the state of Punjab. This ineffective Central leadership has directed the regional politics on another direction where the people of a particular Region have imposed their faith on regional party like Akali Dal, which ultimately resolve the Punjab issue instead of a national party like congress (Brass,1991).

On the other hands imposed secular nationalism of India and inherent ethno-nationalism of Kashmir have been comforted with each other in the platform of Kashmir State Politics. Though Kashmir had chosen the secular India instead of theocratic Pakistan for their survival but they are unwilling to see 'Kashmiri Nationalism as a sub set of Indian Nationalism'. It has been observe that Kashmir is composed of three different religions like Hindu dominated Jammu, Muslim dominated Kashmir, and Tibetan-Buddhist dominated Ladakh. Now it has been argued that, if Kashmir is based on 'Kashmiriat, a separate Kashmir ethnicity 'then the Hindus of Jammu and Tibetan-Buddhist of Ladakh are not Kashmiriran. Moreover the Muslims of Jammu and the Muslims of Ladakh also are not Kashmirians. These led a crucial ethno-national contradiction. In this context the questions have been raised is the nature of Kashmir is religious in origin? The argument has decided that "Kashmiri Nationalism may emerge entirely because of Delhi's under interference in

Kashmir”. However in 1971 the political disaster of Pakistan has weekend the Kashmiri nationalists which has been reflected In the statement of Sheikh Abdulla a prominent political leader of Jammu & Kashmir in an interview to ‘The Times’, London, 10th March, 1972. He said that ‘Our dispute with the Government of India is not about accession, but it is about the quantum of autonomy’. However in 1972 Indira Gandhi, the then Prime Minister of India and Zulfikar Ali Bhutto the then Prime Minister of Pakistan has signed an accord, named ‘Simla Accord’, which resolved that, “in Jammu & Kashmir, the line of Control resulting from the cease-fire of 17th December, 1971 shall be respected by both side without prejudice to the recognized position of either side. Neither side shall seek to after it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat on the use of force in violation of this line”. (Ministry of External Affairs, Government of India, mea.gov.in)

Since 1975 after an agreement signed by Indira Gandhi and Sheikh Abdulla, Kashmir was treated as ‘a Constituent Unit of The Union of India’. The pact highlighted as,

- Jammu and Kashmir, which is a constituent unit of the Union of India, shall in its relations with the Union continue to be governed by Article 370 of the Indian Constitution.
- The residuary powers of legislation shall remain with the State; however, parliament will continue to have power to make laws relating to the prevention of activities against the sovereignty and territorial integrity of India.
- Any provision of the Indian Constitution which had been applied to the State with modifications will be altered or replaced by presidential order; but provisions already applied without modification are unalterable.
- The State will be free to have its own legislation on matters like welfare measures, cultural matters, personal law and procedural laws. The State government can review the laws made by parliament or extended to the State after 1953 on any matter relating to the concurrent list and may be decided which of them needs amendment or repeal. In future the State government shall be consulted regarding the application of any such law to the State.
- Any law made by the State legislature seeking to change any provision of the State Constitution relating to: a) the appointment, powers and immunities of the Governor; and b) the control of elections by the Indian Election Commission,

eligibility for inclusion in the electoral rolls without discrimination, adult suffrage and composition of the Legislative Council will need the President's assent.

- No agreement was possible on the question of nomenclature of the Governor and the Chief Minister. (Sheikh Abdullah wanted the titles to be (*Sadar-e-Riyasat*) head of State and Wazir-e-Azam (Prime Minister).

Source: (Indira Sheikh Pact 1975, jklaw.nic.in)

It has been observed that since 1983 the picture of the Jammu & Kashmir state politics was changed after the emergence of Farooq Abdullah an autonomous elected leader of National conference, Regional political party of Jammu & Kashmir. Consequently as a non-congress Chief Minister Farooq Abdullah got entangled with Mrs. Gandhi in a political confrontation. Mrs. Gandhi has decided to dismiss the non-congress government under Farooq Abdullah by exercising the 'Governatorial' power. However the strategically dismissal of Farooq government has shown a new phase of retaliation in the Jammu & Kashmir which was "minimized during the tenure of Rajiv Gandhi by an agreement in 1986 between Rajiv Gandhi and Farooq Abdullah and an alliance of National Conference and Congress (I) was prepared to face the Assembly Election of Jammu & Kashmir. But the partnership was not well accepted in the Kashmir valley resulting the emergence of two kind of militant groups in 1987 in the platform of Kashmir State politics named, 'The Hizbul Mujahideen' and Jammu & Kashmir Liberation Front. (Varshney, 2010). In 1996, the demand of State autonomy for protecting Kashmiri identity with due honor, was again culminated by National Conference. A durable ethno-political strategy to fulfill the aspirations of the Jammu & Kashmir was offered by the State Autonomy Committee. But their recommendation has been refused by the Government of India, 2000 to protect unity and integrity of the country. Again the Sagheer Ahmed Committee was recommended for the improvement of Centre-State relations as well as examining the autonomy demand in moderate way. Hence re institutionalization of power sharing has been focused in Kashmir political discourse gradually. (Bhat, 2010).

However, it has been observed that in the context of parliamentary federalism, the central state relations has been aggravated by the powerful central in the different phases of Indian politics process which led a serious federal crisis in a country in general. The examination regarding the ethno-regional crisis of Northeast India was fallen under the category of political deprivation more than political intervention of centre. The Northeast India comprising seven states have experienced a tremendous socio-political as well as

economic dissatisfaction in Indian federal political system. Moreover the ethnic fragmentation of this region has increased its vulnerability in the platform of the state politics. It has been observed that having huge cultural distinctiveness of this region in compare to the rest of country, the inattentive attitude shown to this region by the central government has undermine the spirit pluralism of a multicultural country. The constitutional arrangement regarding diversity management (Art 371) may show federal asymmetry which theoretically fitted in favour of ethno-federation. But the politics of segregation which applied to the northeast region has been shown another asymmetry within the applied theory of freedom asymmetry in particular. So far as the grievances of northeast is concerned “it is the poor performance of political institutions in India, particularly the violation of the federal principle by the central state, and the emergence of the patterns of ‘Cosmetic federalism’ – the national state’s centralizing tendencies and its overriding power to cut up sub national territories that explains why rebellions have occurred so frequently in the region” (Baruah,2010). It is the lack of institutional arrangement as well as political-economic development of the ethnically distinctive states like Assam, Manipur, Nagaland, Tripura resulting violent discontents in state as well as national level Politics. Hence due to massive ethnic war, the support base of state congress gradually weakens in different states of Northeast since their inception as full-fledged states. Hence, the graph of the electoral performance of different state parties is gradually increased in compare to all India powerful congress. The charts which are given below indicated this changing political atmosphere of northeast India:

It has been observed that, the ethno-regional groups of Northeast region are voiced for their ethnic enlargement through a political unification by their separate identity. Though the linguistic reorganization has been treated one of the crucial step of ethno-federation in India, but this federal Fragmentation hampered the idea of regional federation of the seven sister’s region northeast. The feeling of mutual distrust as well as relative deprivation has increased which suppressed the regional unity of this said Territory. The migration of several tribes in several periods in this region has made the region as a land of succession. It has been observed that, ‘The Khasi’s are ascribed to be the earliest immigrants whose speech is claimed to have affinities with the mon-khmer language of Austro-Asiatic family; the Bodo’s come in a subsequent wave of migration who linguistically are grouped with Tibeta-Burman; The Mech and the Rabha who inhabit Western Assam; Koch who stay on the north bank of Darrang district; Lalung residing in lower Assam; Hajong whose home is in southern

Meghalaya; Kachari who stay on the northern bank; Dimasa confined in North Cachar and Nagaland; Hojai who occupy Cachar and Nowgong; Deori placed in Lakhimpur; the Nagas have affinities with the Igorot of Philippines'. (Bhattacharjee, 1993).

2.5 Experiencing the working of Congress party:

However, the working of federal system in India was going through in different phases in the country with an experience of arena of different political parties. Federal India has been stated its journey in an environment of "one-Party dominance". After the enactment of the constitution of India 1950, the leaders of nation organized themselves under the Congress party with their centralized agenda. At this time Congress Working Committee was the highest administration body in all over the country. The period from 1950 to 1967 was noticed as period of Congress dynasty at the centre as well as in all most all states. Congress captured the power with an absolute majority in the first three general elections in India held during this period. Though the Prime Minister Jawaharlal Nehru was known as Centralizer but he did not favor the technique of Unitarianism. As a supporter of democratize federalism, Community development program was inaugurated by him. Which encouraged the development of "third-tier" of government which also indicate Nehru's interests on the process of decentralization. The Nehruvian era (1951-1963) was characterized by the politics of 'Convergence'. During this time states are enormously dependent of the centre grants in did, in an economic sphere. The state-leaders were influenced by the centre bossism. The internal structure arrangement of different states, the rising problems of intra-party rivalry, factionalism was act as an enzyme for central interference. Even, deterioration of autonomy of the leaders of provinces was also seen at that time which was judged by central election commission frequently. Though national Development council was formed during the period Jawaharlal Nehru but it was acted as a puppet of planning commission, discretionary in nature. Therefore it was said that, in Nehruvian India, the policy of centralization constitute the back bone of the party politics. (Mukhopadhyay, 1987)

The leaders of Indian National Congress, tried to make the regional leaders to habituated and adjust themselves with the national power structure for the purpose of serve the unity and integrity of the nation. As a believer of Institutionalism, Nehru was tried to establish a strong inter-governmental relationship in his time. On the other hand the Congress Working Committee continued its domination on the state governments indirectly by using some extra-constitutional device. This definitely led degradation in the constitutional methodology. However the governors during the Nehru regime declare them selves as an

agent of centre, which goes against the federal spirit (Austin 1999). As a powerful centralized party. Congress was formulating all the program and policies of government. The centre as well as state under the assistance of congress leads ministers. Nehru also announced that, "Congress is the Country and Country is the congress." In the pyramidal type of government, the states are enjoyed minimal Sovereignty. The Central government extended its interference in the several matters of the states in general and law and order in particular. Formation of planning commission is another trend of centralization in the sphere of financial assistance. Nevertheless the centre grasped the states power frequently. This resulted increasing grievances between the states, because the states received their authority directly from the Constitution. The states were started to feel that their autonomy is affected in the name of the interests of the country (Rai and Kumar, 2007).

2.6 Major events regarding the changing nature of Indian Federalism:

However besides the constitutional provisions there are some major events took place in Independent India which have their deep impact on federal atmosphere of the country in general were need to examine. In this context one of the meaningful observations has been made by Babulal Fadia in his State Politics of India in 1984.

i. Demand for linguistic re-organization of states:

However, the centralized design of Indian constitution making for the purpose of accommodating countries diversity would not be successful to a long extent. A major demand came for the formation of provinces on linguistic basis, which stand India to face a challenge in the question of their unity and integrity which resulted from the threat of 'Balkanization' of the country after partition. (Brass, 1990)Therefore this is another phase of constitutional augmentation by the States' reorganization of 1956. On the one hand the creation of the States on the basis of language was gradually enhanced agony of national leaders in the ground of controlled the newly emerging State's, empowered by their linguistic Identity. On the other hand, the linguistic re-organization appeared as an attempt to prohibit the unitary structure of the constitution. The linguistic demands became irresistible and proclaim their victory over the concept of homogeneity, rooted in the very bases of the country. Eventually the demand was accepted in 1956 by the Congress Government. Before the commencement of constitution the land of India was divided between four kinds of States. The stats of Part-A, were West Bengal, Bihar, Orissa, Assam, Madhya Pradesh, Uttar Pradesh, Punjab, Bombay, Madras which was known as Governor- administered British provinces; Part B,

states were the princely states, the states were Mysore, Jammu and Kashmir, Hyderabad. Beside that 275 small princely States were included in five provinces, these were, Madhya Bharat, Sourashtra, Rajasthan and PEPSU (Princely States of East Punjab and Patiala). Former Chief Commissioner's provinces: Delhi, Ajmer, Himachal Pradesh, Bilaspur, Bhopal, Manipur, Tripura, Vindhya Pradesh, Kutch and Coorg were formed Part- C States. Part- D states were formed by Andaman and Nicobar Islands. But the structures were formed for the purpose of Administrative convenience of colonial India only. Naturally, the absence of any specific principle of demarcation of land made the founding fathers worried about the restructuring of boundaries on future either on the basis of language or culture. That's why they make some constitutional arrangements along with article 2 and 3 of the Constitution of India. (See Constitution of India)

Consequently the movement for linguistic reorganization of states was started from Southern part of India. In 1952, a demand was come from the Madras provinces, for the creation of a state of Andhra Pradesh on the basis of Telegu language. The death of Sriramulu, fueled this movement and transferred it, to a ferocious turmoil. The ethnic linguistic community of Madras and Hyderabad are intended to show their obligation to multiculturalism instead of Political authority through this agitation. Therefore the feeling of Sub-Nationalism has climbed over the Idea of nation- state. The movement colored itself as an ethno-regional in character, which brings all the Telegu speakers under one Umbrella. After considering the Situation the central government appointed a state re-organization commission in 1953. In 1955 the commission submitted its report to the central government on the basis of reorganization of states on linguistic line. It has been seen that, "the conclusion of report is containing the documents of 267 pages after the commissions members traveling over 98,420 square kilometers, interviewing some 9,000 persons and examining nearly 152,000 documents" (Fadia, 1984). After convincing by the necessity of linguistic heterogeneity of plural India the state Reorganization Act 1956 has classified India in to two categories, the states and the union Territories instead of previous four categories A,B,C & D. "The Act provided for the creation of 14 states and 6 Union Territorial" are as follows:

1. Andhra Pradesh
2. Assam
3. Bihar
4. Bombay

5. Kerala
6. Madhya Pradesh
7. Madras
8. Mysore
9. Orissa
10. Punjab
11. Rajasthan
12. Uttar Pradesh
13. West Bengal
14. Jammu & Kashmir.

The Centrally administrated Union- territories were:

1. Delhi
2. Himachal Pradesh
3. Manipur
4. Tripura
5. Andaman and Nicobar Island
6. Lakshadweep

However the second phase of re-organization were continued in other provinces on the basis of ethno-linguism as well as economic deprivation and in 1960, Bombay was divided In to Gujarat and Maharashtra on the basis of Marathi language. In 1963, the State of Nagaland was formed, after that in 1966 Punjab was divided between Punjab and Haryana, Chandigarh was placed in to the list of Union- territories. In 1969, the State of Meghalaya was created out of the State of Assam. In 1972, there was an establishment of the State's of Manipur, Meghalaya and Tripura. Mizoram and Arunachal Pradesh were given the status of full fledged State's in 1987. There was the third phase of federal reorganization was taking place by the creation of the state of Telengana in 2014 out of the State of Andhra Pradesh (www.historydiscussion.net).

Hence it has been observed that this process of reorganization of states has been continue on the basis of language as well as out of economic deprivation and the number of state increases from 14 in 1956 to 28 in 2020. However there are numbers of criticism was appeared in the content of linguistic reorganization. If we follow the books of 'State politics

in India' written by, Babulal Fadia, we can find out the several criticisms made against this particular event like,

1. The restricting the state of India on the basis of language has made the partitions among the state's which turned out on a new problems like Inter State disputes on several ground.
2. This process of reorganization has been creating an environment of parochialism instead of wide national integrity.
3. The local political culture has gradually weakened the national political culture after this cultural deviation of the states.
4. 'Congress has opened a Pandora's box' which worked as a divisive force in the country as a whole. (Fadia, 1984)

More over it has been observed that, "linguistic states sparked off new controversies. Every state began to quarrel with its neighboring states over contiguous areas where people of both linguistic groups were in almost equal numbers. Thus Maharashtra and Karnataka quarreled with each other for Belgaum; Chandigarh became a bone of contention between Punjab and Haryana; Orissa and Andhra hit against each other over Berhampur; Tirutani and Tirupathi areas provided enough rupture between Tamil Nadu and Andhra; Kasargode got Kerala and Karnataka into a tussle."(Fadia, 1984). "G.B.Pant wanted to give a 'decent burial' to linguism as an active political force. The country was now in the grip of the controversy over the Fazal Ali Report. And, as days passed, the controversy gathered momentum."(Fadia, 1984). "the Hindustan Times advised Nehru to 'debunk the one language, one state proposal.'"(Fadia, 1984). But on the other hand we should not ignore the miserable conditions of the regional govt's during Unitarian Congress regime where "the regional governments live in a perpetual condition of financial difficulties". In many cases the provincial governments have to stand like 'beggars' at the door of the centre" (Fadia, 1984). More over " the idea of linguistic states had a mass appeal" (Fadia, 1984) the unit was seen as a self conscious coherence as well as in a federal process the regional units have a legitimate share in administration as a part of whole, of India. In a federal political process like others federal country, all the state Governments' of India, appealed to have an identical status. It was said that, the event of lingers the re-division has been made the state politics of India more democrat and participatory in nature. The political process was seen to be more public oriented where the powers are not confined within the hand of central elite only it was open

for regional elites also. More over so the human nature is concerned the regional language is closer to the proper of region instead of a language. It was said that “Re-organization gave the states & political identity congruent with their culture and language.....” (Birch,1955). In reply of critics attack on linguistic re-organization over its practical nature, it is assumed that, if the overall political process and development oriented and federal in true sense then is there any differences between national and regional loyalty? Or whether the power devolution at the grass route level in a diversified plural country may make the federal structure stronger instead of weakening it? These are some matters which have discussed in the present study. Where also has been discussed that is the linguistic re-organization of states is being treated as one of the primary step of regionalization of politics in India which tried to make the country more federal and less unitary? Or is the event is responsible for qualitative transformation (democratization) of Indian political process in 1990’s and quantitative transformation of party system in India? (See Conclusion).

On another angle the creation of separate state on the basis of language was seen as the strategy of congress government to make equilibrium between the central and the state government, besides accommodating the ethnic identities which resulted as congress electoral victory in Andhra Pradesh in 1955 and in 1957. So this period was marked as a regional autonomization (Kohli, 2001) which made the support base of congress party strong enough. However the State Reorganization Act, 1956 have established the Zonal Council as an advisory body for providing an intimate cooperation in between five zones (Northern, Southern, Eastern, Western and Central) on the one hand and territories on the other hand of the country. The council have discussed about the method of Central policy making in different ground as well as several regional problems e.t.c. Eventually another problem solving method of Indian federalism was introduced named as River Board by the River Board Act 1956. This acted as a conflict resolution method of Inter State Water Dispute under Article 262 of the Constitution of India.(Basu, 1993).

The journey of Indian federal experience to make a unified nation state with safeguarding the interests of different ethnic communities often arrived in a situation of quandaries. So it was one of the artfulness of congress government to bifurcate the existing unit of federation in to a new once, for the purpose of resolution of ethnic conflict. Henceforth India entered in to a phase of different ethno-regional accords. Though this language Politics has started from strategically but gradually it has distorted the India Constitutional arrangements. Consequently the question of parity has emerged between the

sub-units of federation. Perhaps the first reorganization had made both the federation and its unit strong enough, but it creates a farther challenge to maintaining the allegiance of federal units. (Chadda, 2010) There was another important issue evolved in Nehruvian era that was the “Three-language formula”. All these were an indication of regionalization of Indian politics. It has been observed that, when the cultural distinctiveness of a plural country is motivated by the power of strong centralization the wages of autonomy may arise in a federal democracy. In this context the ideology of regionalism may enhance the idea of strong state as a separate federal entity.

ii. Influence of Planning Commission and National Development Council as a unitary body:

However the congress dictation in Indian Union from 1952 to 1967 has created a monolithic environment. The emergence of planning commission has brought another challenge for the state authority as it emphasized on uniform policy making for the country as a whole. It has been seen as an anti-federal because it curtailed the freedom of the different states regarding policy making in their different economic situations. It has been observed there was no remarkable difference between the central govt. and its brain child, planning commission Regarding the necessity planning commission it was said by Jawaharlal Nehru in Lok Sabha in Dec 1963 that the planning commission “has performed an essential task; without it we’ could not have progressed..., we arc a federal structure and it has served to bring the various states together and have an integrated planning. If it had not been there, the Central Government could not have done their job because immediately difficulties would have arisen that the Central Government was encroaching on the rights of the States.” (Fadia, 1984). On the other hand, its anti federal character was shown, when K. Santhanam argued that “Planning for purpose of economic development practically superseded the federal constitution so far as states were concerned but this supersession was not legal or constitutional but was by agreement and consent”. (Santhanam 1963). More over in 1967, the Administrative Reforms commissions reproduced “Unfortunately over the past seventeen years, the Planning Commission has, in some measure, earned the reputation of being a parallel cabinet and sometimes a Super Cabinet”. (Munshi, 1959). It has been observed that so far as the uniform policy was concerned through the planning commission, the centre encroach upon the enclosing areas of state’s purview like “land ceilings, co-operative farming, agriculture, education, including primary education, health and cottage industry” (Fadia, 1984). Consequently it has been seen that, the constitutional grants made by the

finance commission under article 275 constituted only 49%, whereas the discretionary grants made by the planning commission constituted 13% of total revenues. Naturally the upwards federal was noticed at the sector of discretionary grants, while the downwards trend was noticed at the sector of constitutional grants (Fadia, 1984). It has been argued that “in a federation, as far as possible states should be financially self-sufficient so that these enjoy maximum autonomy. But in India the States depend on the Centre for all development. They have much less sources of income but many more need of expenditure. This financial dependency has very much hindered the growth of States on federal lines.” (Fadia, 1984). (See **Appendix D**)

The powerful congress dynasty has worsened the conditions of the state governments by making the states politically subordinate to the union. Even the centre’s enrichment in state’s sphere has been increased which replaced the accommodative federalism in to a unitary one. It has been observed that, “the decision to the surrender by the states taxes on textiles, sugar and tobacco was taken in the meetings of the NDC. Normally this would be a major constitutional issue because they were taxes which have been assigned to the states”. According to K. Santhanam: “I believe the decision to surrender these taxes and substitute them by additional excise duties was taken at a single sitting (of the National Development Council) at which many of the Chief Ministers had not even fully consulted their own cabinets.” (Santhanam, 1963). Again, it has been observed that, “When the Central Government employees went on a strike in September 1968, the Union Government, without informing or seeking consent of the Kerala Chief Minister, moved the Central Reserve Police (CRP) in the state. As maintenance of law and order is the obligation of the States, this step was considered, a serious violation of the constitutional provisions.” (Fadia, 1984).

iii. The usage of article 356 as an autocratic instrument:

However it is true that the movement of federal system of a country is depend not in the constitution only but with the party system also. Especially in a plural country like India, where parliamentary democracy works, that party structure has definitely played a dominant role for shaping the federal polity in general. As we have seen before 1967, the Indian political process was going through the unitary stresses, under the umbrella of congress hierarchy. The congress working committee (CWC) as a highest executive body and the congress parliamentary Board (CPB) as a highest legislative body were spreaded their control all over the country. These worked like unparallel machineries in the India political system which controlled the centre – state relations unanimously. As K. Santhanam said that, the

effect of the Congress Organization on the Union State relations has been emphasis the strength of the central government. (Santhanam, 1963). The imposition of article 356 was used by the congress high command as a technique of transfer of power in particular. It has been observed that, “President’s rule has so far been imposed about more than sixty six times till March 1982 in the states varied from 17 days”. In Neheru tenure the “President Rule was imposed seven times in six states”. (Fadia, 1984). This have been shown the centre’s strength in the ‘uni-federal’ India in particular where the primary federal essence was hampered frequently by the misuse of political power in the name of constitution. It was seen that the imposition of article 356 in Kerala and the dismissal of the ministry led by E.M.S Nambudripad on 1959 was led to a country wide discontent amongst non-congress circles. It raises several questions: “Is it permissible for the central government to dismiss a ministry which enjoys the confidence of the legislative? Does constitutional propriety permit the Governor on the president to dissolve a legislative duty elected by the proper of the state without any constitutional crisis in the state?”(Fadia, 1984). M.V. Pylee argued that, “the Kerala instance would provide a valuable lesson for future and the proclamation of an emergency under similar conditions would not be repeated”. (Pylee,1960) .In these backgrounds the demand was raised for “amended the constitution by adding another provision to Article 356 in order to delimit the exercise this power by the centre”. Within the continuation of those demands another demand was made regarding the office of the Governance, “may be made elective instead of nominative as all proclamations of article 356 have been issued on the repower of the Governors”. (Fadia, 1984).

iv. The role of Governors’ as an agent of the Centre:

Gradually the State autonomy was curtailed by the centre’s interfere during congress domination by different ways. Even it was seen that, the head of the states, the Governors also known as a ‘party man’ in congress rule. It was said that “the office of the Governor was degraded by the centre by making it a patronage and largesse”. (Fadia, 1984). It has been observed that, “A.P.Jain as a Governor of Kerala, took active part in the election of Indira Gandhi as Prime Minister of India”. (Fadia, 1984). More over the congress high command has decided the name of the Governor ignoring the consent of the chief minister of a particular state. It has been noticed that, the Governor of Haryana was selected by ignoring the consent of Rao Birendra Singh, the then chief minister of Haryana. In the appointment of the Governor of Madras Sir Prakasa as well as the Governor of Orissa Kumaraswami Raja the chief Minister were not consulted at all Even the name of the Governor of Uttar Pradesh

B. Gopala Reddy was declared before the formation of the new Government, (Fadia, 1984). It was seen that the Governors after involved in factional politics in different state to help the congress party in general because in the time of one- party dominance the appointment of Governors was totally depend in the hand of congress high command in the name of president. Through this states executive arms the centre extended its control over the states in particular. Even it was seen that, the M.A. Ayyanger the previous Governor of Bihar was not get the extension and replaced by Nityananda Kanungo as Ayyanger was 'not acted in order to the 'line of centre' (Fadia, 1984). It has been noticed that the relationship between the state of West Bengal was not very well during the period 1950 – 1964,. Marcus F. Franda argued that, the central Government has "not been as strong or as forceful in its relations with West Bengal as the trust of the constitution and the dependence of the states on the centre would seen to make possible". (Franda,, 1968)

More over there was a serious language conflict between Hindi and non-Hindi regions also. Moreover the English being a foreign language has received an equal linguistic status was burden on both the region. There was a divided opinion regarding the implementation of Hindi as an official language and English as an associate official language in 1960..Eventually the official language Act, 1963 was passed which declared, "..... the English language shall be used for purpose of communication between the Union and a state which has not adopted Hindi as its official language." [The official Languages Act, 1963 (as Amended, 1967) rajbhashagov. in].

It has been observed that, "the relatively poor performance of the congress in the Hindi states in 1967 increased the number of Non-Hindi congress chief Ministers."(Fadia, 1984). The bi-lingual state of Bombay when split into Gujarat and Maharashtra in 1960, the Punjab was divided between Punjab (Punjabi Speaking) and Haryana (Hindi Speaking) states in 1966. (Fadia, 1984).Hence the federal political system of the country is going onward to an ethno-federal model when the political parties were intended to federalize the in own character. Eventually since IV general election of commanding political process of congress government was transferred in to a bargaining political system in non-congress as well as regional rule. In this content the system of political coalition may highlighted by the state politics in India. It has been observed "there have been in all a total of 27 coalition governments in eight states between March 1967 and August 1971". (Fadia, 1984). More over the political of coalition encouraged the inter-party conjugations which affect the Union state relations in particular. It has been observed that, when a dominant party at the centre is a

constitute unit of the coalition govt. of the state, it should be more sympathetic to the particular state. Hence for the centre state relation is more conjugative or bound to be conjugative under coalition compulsion.

v. Administrative Reform Commission:

However for the purpose of examining the relationship between centre and state, an Administrative Reform Commission was set up by the Government of India in 1966, which submitted its report on 1969. The report give emphasize on the improvement of the Centre-State relation on the basis of efficiency of Public Administration in particular. Consequently the Rajamannar committee was established by the Government of Tamil Nadu in 1969, which strongly advocated for the establishment of Inter-State Council in favor of greater state autonomy and submitted its report on 1971.

vi. States' coalition era 1967:

It has been observed that the period of divergence was started from the year of 1963 to 1967. Sub-regional leadership started demanding their identification in the government of state level. There was a claim of greater autonomy for the states. There was an emergence of reciprocal relationship between union and state governments Instead of unitary centralization. In the year of 1966, after holding the offices of Prime Minister Mrs. Gandhi chooses a path of confrontation rather a path of bargaining. In 1967, congress hegemony had received a jolt. It failed to gain majority in various States. The Seven States like, Gujarat, Madras, Orissa, Rajasthan, West Bengal, Kerala, and Delhi which eventually led a split in congress party leadership. The congress party did not play the role of an ideal opposition, in these States virtually. The era of one- party dominance the country had experienced seemed over. The President of India said in his address to Parliament that year, "For the first time since independence, governments of political complexions different from that of the Government at the Centre have been formed in several States. In a federal democratic polity this is to be expected. Our Constitution has provisions defining and regulating the relationship between the Union and the States and their mutual obligations (Noorani, 1975). The general election 1962 have started to shown, the weakened position of Indian National Congress in Indian political passage. It has been observed that the assessment of a federal political system is depending on the political development of the constituent units of a federation which share a common national environment. In this context inter- regional discontent may fuel the ethno-regional conflict on the federal matrix which affects the national politics on the other.

Especially the issue of economic development may appear as the precondition of distorting loyalties towards a modern nation state. The event of linguistic reorganization often considered one of the example of bold state's initiative regarding their own development on the one hand and the indication of reducing faith over national authority on the other which gradually established the powerful regional attachment of the people throughout the country in an autocratic national environment. Where the states were started to concentrated their own socio-political development as well as their 'internal political crises by their own initiative. Hence, the period of congress over centralization has made the states politically more conscious. Even after the general election 1967 the position of congress party in the state level politics was too weak due to intra-party factionalism. It has been observed that, "the political participation as well as the political demand for social justice and increasing 'equity'" (Weiner,1968) has been noticed during one party dominance in the periphery of state politics which on contrary has invited the central intervention.

Some major issues on the development of state level politics in 1960s have been well discussed by Prof. Myron Weiner in the following way. In Punjab, besides the regional differences, the Hindu- Sikh religions contradiction has influenced the Punjab state politics in long run. In Uttar Pradesh besides the low level of party loyalty due to functionalism, there was a wide range of parochialism have been seen on the basis of the regional sentiment as a Hindu state, according to Brass, this is 'supra-regional' in nature which engaged in linguistic conflict with the southern states. On the other hand the rising rural power of Andhra Pradesh has played a dominant role in the state politics along with the factional contradictions between Kammas and Reddis. In Kashmir, the key factors which involved in the political developments of the state are 'the historical tradition, cultural heritage' as well as the 'sense of political individuality'. These developed a growing sense of regionalism in the state. In Maharashtra inter regional differences of the leadership between the three regions named Western Maharashtra, Marathwada and Vidarbha were prominent in the state level politics. The main crisis of Rajasthan politics is the 'problem of institution building' regarding the domination of urban leadership in predominantly rural state. The phenomena of cultural consciousness have had the deep impact of Madhya Pradesh state politics which resulted in the problem of integration. The West Bengal state politics is affected by 'unbalanced modernization' in particular. More over "a split in the Congress party in the states has led to its defeat in 1967" (Weiner, 1968). Hence, most of the states of India were experienced by the sub regional conflicts along with caste conflicts. These linguistic, religions, tribal

conflicts increased within Congress organization and the strength and stability of state's Congress become weak.

However the instant of decreasing power of the Indian National Congress has been shown by the following table on the performances of the different political parties in the General Election, 1967:

Table 2.1

PERFORMANCE OF NATIONAL POLITICAL PARTIES VIA-A-VIS THE OTHER POLITICAL PARTIES: GENERAL ELECTION, 1967

Party	Candidates Contested	Won	FD	% Won	FD	Valid Votes	Votes %
BJS	249	35	112	14.06	44.98	13580935	9.31
CPI	109	23	41	21.10	37.61	7458396	5.11
CPM	59	19	13	32.20	22.03	6246522	4.28
INC	516	283	7	54.84	1.36	59490701	40.78
PSP	109	13	75	11.93	68.81	4456487	3.06
SSP	122	23	55	18.85	45.08	7171627	4.92
SWA	178	44	87	24.72	48.88	12646847	8.67
National Parties:	1342	440	390	32.79	29.06	111051515	76.13
State Parties:	148	43	58	29.05	39.19	14136357	9.69
Registered (unrecognized) Parties:	13	2	8	15.38	61.54	572587	0.39
Independents:	866	35	747	4.04	86.26	20106051	13.78
Total:	2369	520	1203	21.95	50.78	145866510	

Source: Election Commission of India – General Election, 1967(4thLok Sabha) eci.gov.in

It has been observed that, the unitarian pattern of constitution as well as the unitary leadership could not able to suppressed the regional spirit in a long run of a heterogenic country like India. which primarily built upon an expanded diversity. The events of linguistic reorganization as well as the IV general election 1967 have increased the regional intensity of federal India. Even the forces of regionalism may acted as a crucial determinate of the changing political environment since 1967; In Andhra Pradesh the confrontation between Kammas and Reddy's from which Telengana agitation was formed; In Karnataka the war between Lingayats and Okkligas; In 1970, the demand of DMK for more state autonomy; Akali's demand for separate sikhistan; Akali's demand of more autonomy more power for the state of Punjab later on; the role of Gujarat kshatriya sabha as of interest group in Gujarata politics; the creation of Meghalaya state as well as the regional assertions of MIzo's

(1971), Naga's (1975); 'Sons of the soil' movement by Shiv Sena in Maharashtra, Lanchitsena in Assam. All were the regional manifestation of the state politics that shaped the new ethno federal India which started its journey since 1967. There was a serious language conflict between Hindi and non-Hindi regions also.

It has been argued that, "the breakdown of congress system may mean the breakdown of the political system itself". (Jones, 1966). After the IV general elections the congress single dominance was largely entered in to the coalition circle. In this context often a question arises that, "Is political instability a necessary concomitant of the politics of political coalitions?" (Narain, 1967). However the regional needs were getting the priority which was utterly neglected during the period of congress domination. The environment of plurality may flourish in Indian political system with the ending of one-party domination. It is assumed that due to the massive centralizing nature, the congress party may never been attached with the spirit of plural India. According to Morris Jones, "a dominant party was not at all necessarily a majority party, though it would be larger than any other; it was a party whose influence dominated the political atmosphere It was explicitly said not to be a 'self-contained type of party development' but rather one mode that can be assumed by the other types, such as alternation." (Jones, 1966). Hence the growing burden of centralization as well as factional politics during congress regime give birth the politics of coalition. The general election 1967 can be treated as an indicator in this process which gradually prepares the ground for opposition political parties. So it may be said that the politics of coalition is emanate from the politics of retaliation shaped by the non-congress regime of Indian political process.

vii. The era of factional politics in Congress system:

It has been seen that there are some factional politics was continued in state's political process during congress domination. If will follow the panorama of state's politics edited by Iqbal Narain, we can seen that in Andhrapradesh this contained regarding the formation of Telengana as a separate entity in 1971 the influence of B.V Subba Reddy, the then deputy chief minister in Andhra Pradesh in 1972 regarding the separatism issue as well as the consequent emergence of Brahmanada Raddy had continued the trend of factional politics in the state in 1974. It has been observed that a major challenge to the congress in Assam come from the hostile forces of Naga, Mizo, khesi and Garo's as well as form the Congress Siprang party as an opposition by the end of 1974. In Bihar the intra party factionalism also seen between the then chief minister and Vidyakar Kavipcc chief in the state in 1972. The emergence of 'Sita Ram Kesari (of L.N.Misra's faction) as BPC (Bihar Pradesh Congress

Committee) president had also encouraged the intra-party factionalism in Bihar. The confrontation between Vallabhbhai Patel as the district panchayat president and the then state minister Ratubhai Adani has revealed the picture of congress factions in Gujrat in 1972. Also the year 1973 and 1974 were marked as the year of political anxiety in Gujrat which accompanied the state's congress to take an initiative for rehabilitate the party structure before 1969. The 'political defections' has been colored the state politics of Haryana also through the state was treated as a 'bastion of Congress'. In Himachal Pradesh the congress also failed to control the party factionalism after 1971. It has been observed that, In 1972 after decreasing the power of plebiscite Front, the political confrontation was continued between Sheikh Abdullah and his deputy Mirza Afpl Beg in Jammu and Kashmir as another exempt of intra party factionalism. The political factionalism in Karnataka was continued when the political disarray of Devraj Urs (Congress O) the then chief minister in Karnataka and the previous Harijan Minister Hanumanthaiya was took place in 1973. The intra party factionalism also seen in Madhya Pradesh in 1971 along with the confrontation between S.C.Shukla the then chief minister and Gangwal the PCC (Pradesh Congress Committee) chief. The political factionalism in Maharashtra was led by V.P.Naik and S.B.Chavan in 1972. Since 1969 the congress factionalism was acute in Orissa led by Nilamani Routray as well as Biju Patnaik. It has been observed that, from 1969 the congress pay in Punjab have faced a challenge by the SantAkali group. In 1973 the congress factionalism had received another Jolt from the Akali Dal-Jana Sangha combining force. In Rajasthan the state's congress was contradicted by some anti congress feudal forces in 1972. The factionalism was seen between Ramniwas Mirdha and Harideo Joshi in Rajasthan State politics. There was a serious opposition between Congress and Congress (O) in Tamil Nadu in 1971. In 1972 when the state Uttar Pradesh was facing the acute economic crisis, the intra party factionalism was prominent there. The Bharatiya Kranti Dal (BKD) was emerged as a second largest party in VP. But the emergence of H.N.Bahuguner as chief Minister of congress has restored the political states of congress in the state. Though he later joined Bharatiya Lok Dal (BLD) and worked with Charan Singh. It has been observed that, after the dissolution of PDA (Progressive Democratic Alliance) congress and CPI alliance where was formed in 1972, the factional politics are prominent in West Bengal. One of the large scale factions in West Bengal state polities led by Lakshmi Kant Bose (Narain, 1976).

Hence forth the intra party factionalism in state's congress gradually weakens the grip of congress high command to all over the country gradually. Hence forth beside

centralization another resume of decreasing the one-party domination in India political system is factionalism within the congress party are so great that “the state government is in a state of paralysis since almost any governmental action is likely to disturb the balance of power among the party factions”. (Weiner, 1967). It has been observed that “In UP, no faction has been able to really win and consolidate its power”. (Weiner,1967) It has been observed that “factional leaders tried to manipulate the grant of Congress ticket in a way so that their faction could dominate the newly elected legislature and they could on that basis claim the chief minister ship.” (Narain,1967) These types of manipulative congress factions may state politics in India may lead serious discontents in different states. More over it has been observed that, the distinctiveness state politics which was quite forced during one- party dominance due to factional politics were focused after IV general election. Even the states have been playing a determining role of Indian politics through the politics of coalition. Hence this changing political environment has been witnessed of “The people’s anti – congress verdict”(Statesman, April 19, 1967) (Narain, 1967).

It has been observed that, due to the omnipotent character of the Congress party in Indian federal system have loosing its control over its constitutional units and they are gradually becomes autonomous. It has been assumed that, the strong and restructured state governments have created instability in the central authority in India since 1967. Therefore, the institutional dilemma has been started between the centralized centre and the decentralized sub-units of federal system. The political problems are associated with cultural problem also which has been created the ‘problems of Integration’. Consequently the accomodationist strategy of linguistic states reorganization paved the way for inter-state ‘problems of adjustment’ (Weiner, 1968) as well as it fuelled the sense of relative deprivation which encouraged the continuous cultural fragmentations in the country.

viii. The impact of IV general election 1967:

The coalition governments were formed in Kerala, West Bengal, Orissa, Bihar and Punjab after the general election 1967 and due to political defeatism in congress, U.P, Haryana and Madhya Pradesh had also formed the coalition governments latter on in India,(Fadia, 1984). A sharp Ideological distinction was notice in the political platform since 1967. When on the one hand the ruling party at the centre (Cong/Janata) had support the concept of “strong centre”, the concept of “strong state” was supported by the state parties like DMK, ADMK, CPI(M), on the other. Consequently after the IV general election, the concept of ‘radical changes’ was win over the concept of “maintaining statuesque”.(Ray,

1966). Hence it is noticed that, “the growing self – consciousness and self assertiveness of the regional governments, strengthened by the reorganization of the states on an uni-lingual basis, act in India as an important decentralization force”.(Fadia, 1984). According to Rajni Kothari, India “has been for some time now moving from a dominant party system to a system of competitive dominance”. (Kolhari,, 1970). He further states, “One dimension of the system is articulated along the federal axis, between the congress dominant centre and the multi-party states with different parties and coalitions welding governmental power in different states; it is the dimension of non-aggregation. A second dimension is found at the state level where either the congress is still the dominant”. (Kolhari,1970).

However we can go with the argument of Morris Jones at The Sunday Times of March 19, 1967 cited in ‘State Politics of India’ edited by Iqbal Narain regarding the overall impact of IV general election 1967 on Indian political system, “Perhaps the biggest achievements of the last few weeks are two which are not immediately obvious. One is that at last, after the twenty-year magic spell, Indian political life now has to face the realities of the country’s social complexities. The inertia which kept in existence the appearance of centralized modernity has come to an end; India comes of age as a federal State in the full sense of that term and with all the difficulties that it entails. As the U.S. has learnt many times over, this makes for problems but it also marks a further step towards a pattern of politics that really fits her diversity. Tradition and modernity have been steadily intermingling all along, producing something new in the world; now this process becomes more open and evens the intelligentsia, prone to live in an unreal text-book Britain will now have to come to terms with reality.”

“Immediately even more important, the elections should replace smugness by alertness on all sides. Above all, they re-establish the legitimacy of the system of parliamentary democracy in the eyes of the political public. Unease at the supposed incapacity of government had led, unreasonably, to a questioning of the whole system. The shock to Congress paradoxically restores the respectability of what remains a Congress party system. Indian politics is rehabilitated in the eyes of its own people and is ready for further development.”(Narain, 1967).

However, the restructured congress party’s popular support began to grow from 1971. In 1971, the mid-term parliamentary elections, congress party won a great victory under the leadership of Indira Gandhi. Hence again the rules of congress was comeback from both at the centre and in the states, in 1972. Somehow the elitist concept of the ‘Iron law of

oligarchy’ was worked under which the masses of the states were willing to control by the central guidance again. The victory of the congress in general election 1971 is as follows:

Table 2.2

Election Commission of India – General Election, 1971 (5th LOK SABHA)

PERFORMANCE OF NATIONAL PARTIES VIA-A-VIS OTHERS

PARTY	CANDIDATES			%		VALID	
	CONTESTED	WON	FD	WON	FD	VOTES	VOTES %
1.BJS	157	22	45	14.01%	28.66%	10777119	7.35%
2.CPI	87	23	33	26.44%	37.93%	6933627	4.73%
3.CPM	85	25	31	29.41%	36.47%	7510089	5.12%
4.INC	441	352	4	79.82%	0.91%	64033274	43.68%
5.NCO	238	16	114	6.72%	47.90%	15285851	10.43%
6.PSP	63	2	52	3.17%	82.54%	1526076	1.04%
7.SSP	93	3	62	3.23%	66.67%	3555639	2.43%
8.SWA	59	8	18	13.56%	30.51%	4497988	3.07%
NATIONAL PARTIES:	1223	451	359	36.88	29.35%	114119663	77.84%
SATE PARTIES:	224	40	126	17.86%	56.25%	14902219	10.17%
REGISTERED (Unrecognized) PARTIES:	203	13	156	6.40%	76.85%	5300765	3.62%
INDEPENDENTS:	1134	14	1066	1.23%	94.00%	12279629	8.38%
TOTAL:	2784	518	1707	18.61%	61.31%	146602276	

Source: eci.gov.in

But it has been observed that, from 1975 Indira Gnadhi’s government taking a more authoritarian role. The centralizing tendency was re-back in a more expressive way. Even on 12 June 1975, the High court of Allahabad declared election to the Lok Sabha, void on the grounds of electoral malpractice. (The Emergency and India Democracy” sscnet. ucla. edu. UCCLA Division of social science. Retrieved 25 June 2014) naturally the discontent arises among the oppositions and the popularity of the congress party again began to fall.

ix. Kesavananda Bharati vs. State of Kerala: a crucial verdict

Eventually at that particular point of time a landmark decision was taken by Supreme Court in India in the case of Kesavananda Bharati vs State of Kerala and Anr (1973), regarding the doctrine of Basic structure of the Constitution of India. The Court was considered, “the validity of the 24th, 25th, 26th and 29th amendments”.

It was declared by the Supreme Court that, “every provision of the Constitution is essential; otherwise it would not have been put in the Constitution. This is true. But this does not place every provision of the Constitution in the same position. The true position is that every provision of the Constitution can be amended provided in the result the basic foundation and structure of the Constitution remains the same”. The basic structure may be said to consist of the following features:

- (1) Supremacy of the Constitution;
- (2) Republican and Democratic form of Government.
- (3) Secular character of the Constitution;
- (4) Separation of powers between the Legislature, the executive and the judiciary;
- (5) Federal character of the Constitution

The Court held that “the basic structure of the Constitution could not be abrogated even by a Constitutional amendment.”(AIR 1973 SC 1461)

However, immediate after the verdict given by the Supreme Court the rapid changes were brought in the constitution of India through the 42nd constitutional Amendment Act in 1976, which known as mini-constitution, under the guidance of Indira Gandhi was another milestone of Indian federal structure. As it was said, Centre-State relations was monitoring by Mrs. Gandhi and her parliament, worked under the complete subordination of her. (Austin, 1999).In this phase of personalistic federation, the parliament of India was authorized to re-structured any provision of the Constitution by amending it.

x. 42nd Constitutional Amendment 1976:

The modification of different provisions of the constitution of India was made through the 42nd Constitutional Amendment act virtually eroded the federal spirit of Indian political system. In the first place, the 38th amendment made all executive "satisfactions" (e. g , with regard to promulgation of ordinances and proclamation of emergency) beyond judicial

review. Such 'executives' in the Constitution of India are the President, the Governors and the Administrators of Union territories.(Articles 123, 213, 239B, 352 and 360.) “Their 'satisfaction' reduces the federal autonomy. In the exercise of the executive powers, the President has no discretion; he is always governed by the advice of the Union cabinet. This has been made sure by the 42nd amendment to the constitution. Therefore, even the cases when executive steps are taken on the Satisfaction' of the President, the satisfaction is that of the cabinet”. (Chaube,1978)This Constitutional amendment Act was changed the Indian Constitution hugely, which was highly controversial in nature. The changing constitution was also referred as ‘Constitution of Indira’. The major changes are brought about by the 42nd constitutional Amendment Act 1976, which badly affected the federal structure of Indian constitution by showing of its indication to centralization. By this Constitutional amendment, the Directive principle of State policy has given precedence over fundamental rights of citizen of India. Parliament has given the power of enactment and enforcement of law against any matter hampering the national interest. Which was not being voiced even in the ground of inconsistency with the article 14 (Right to equality); article 19 (Right to freedom); article 31 (Right to Property) also. The changes regarding the Judicial matter was significant which reduced the power of Supreme Court and High Court. The judicial authority of the courts was limited in, an interpreting the constitutional amendment on procedural ground only and not to examining the constitutional validity of the amendment act. Besides that the extension of the term of presidential rule up to three years, was going under the preview of Parliament’s Considerations.

In this apparent fluid political environment, congress was surrounded by many small political parties, which was involved in a power configuration as a part of coalition and as an opposition they were marginal in character. These parties were predominantly concerned with their regional Identities, Social base etc rather their duties of an active opposition. This phase was affected by anti-incumbency factor which started from Tamilnadu and North Indian states. The Congress party lost their majority in Lok Shaba. Indira Gandhi’s prejudiced nature also helped to aggravate the socio-political atmosphere of the Country. A huge number of protests came from the different sections of the Society in general, Judiciary in Particular. All the other parties were intended to constitute an alternative government on the basis of democratic populism against Mrs. Gandhi’s policy of authoritarian populism. Consequently there was an appearance of Janata party coalition government, as a representative of the first non-congress govt. at the Centre in 1977 (Singh & Heckoh, 2010).

In these circumstances, the government of West Bengal led by leftist parties was demanded for re- constitution of Centre- State relations of India in all spheres like legislative, executive and financial Sector. This was the first time in the Country, the problems of Centre- State relations was emerged out, which resulted as urgent need for an administrative reform as well as an advocacy for the power extension of the States. The West Bengal memorandum was recommended for replacement of the word federal in the place of Union in an article 1 of the Constitution of India. As a purpose to safeguard the State autonomy it recommend to revise the article 248 in regards to the law making power of State legislature and to abolish article 249 of the Constitution in regards to contained the law making power of Parliament in the subjects of the states lists as well as revamp the lists elaborated in the seventh Schedule. It voiced against CRPF interruption on State's law and order which exclusively included in the sphere of State only. This also recommended the State's autonomy in the sphere of the management of its civil Service. The recommendations also gave emphasis on the matter of distribution of revenue to the States, from the Centre to large extent, for protecting a State from its moribund Situation. To protect the Supremacy of the States in its own sphere the memorandum was demanded for the deletion of article 352,356, and 360 which imposed Presidential rules as well as article 200 and 201, which made the government as an agent of the central government. It also recommended for the amendment of article 3 of the Constitution to curtail the power of parliament to alter the name and area of a State as well as the amendment of the article 368, where the two-third of the members present and voting in each house of parliament should be mandatory. (Maheswari, 2009)The central theme which highlighted in this memorandum was devolution of power in the diversified country like India and the concept of strong state was not to be antithetical to the concept of strong centre.

Eventually the demand was raised against the excessive centralization from various parts of the country. The voice rises for establishment of a true federal system by re-examining the fiscal relations between two levels of government in a federation. There was an urge for an establishment of an Inter- State council influenced by the Administrative Reform Commission. After the split in Congress party leadership in 1969, the personalistic institutionalization of federal policy was gradually decreased by the formation of non-congress government at the centre in 1977. Though the pressure of centralization pave the way for political decentralization, but parallel, It was said that the strategy of the formation of linguistic States was partially responsible for the changing pattern of Indian Political System from single party federation to multiparty federation. It was enhances the participation of

regional political parties in power configuration as well as the dependency of national parties on regional support.

The nature of Indian federal process in general and the Centre-State relations in particular is a dynamic one. Though Indian Constitution represents some major federal features, but there were some exclusive features of federal process of India make it quite different from others typical federation in the world. Federal system of USA was formed by the process of integration. Where a number of Independent and sovereign States voluntarily come together to form a strong federal union. On the other hand the federal system of Canada was appeared by the process of disintegration, where a big union was transformed into a small federal provinces on the basis of regional interests. So far as the formation of the federal system of India is concerned, it was simply a continuation of the federal system, introduced by the Government of India Act 1935 by combining the autonomous units into a federation. As it was said that, the way of formation as well as the centralizing tendency of Indian federation resembles the features of Canadian federation. Central domination was pervasive in the arena of centre-State relations. The history of centre-States relation since 1950 was experienced by a series of conflict. It was seen that the executive, legislative and financial arrangement of the constitution appeared as a production of centrist culture of colonial India. (Maheshwari, 2009)

So far as the political process of India is concerned it was noticed that, political system of India since Independence was characterized by democratic authoritarianism. But, it moved like a pendulum between two contradictory character of decentralization and centralization. In Nehruvian India the strong centre was co-existed with a strong state. Henceforth the notion of Centralization as well as Congress domination was not challenged in the contemporary political system. A politics of bargaining between the Congresses high commanded and powerful Chief Minister of the states was occupied the central role in the Indian political system in Nehruvian era. So it may be said that, before 1967, the centralized form of governance was carried on in a form of decentralization. . Even, by adopting Panchayati Raj system for the purpose of democratic decentralization at the village level in 1957, Nehru government had fulfilled the demands of the States.

The Indian political system in the period of Indira regime shifted its roots from democratic authoritarianism to autocratic authoritarianism. The Centre-State relationship was meted out by the politics of compulsion in places of the politics of bargaining. The States were made as complete dependency machinery. By imposing Presidential emergency in

several States, as well as minimizing the power of Judiciary Mrs. Gandhi was reconstitute the Indian Political system by her politics of personalization. Besides these, one general trend was noticed from Nehru to Indira that was the role of governor as an agent of Centre, appointed by the President, worked under the guidance of Prime Minister, which shows the centralizing trend of Indian political system in place of federalizing tendency. Especially from 1967 to 1980, the role of the governor was treated in a very much centric way in state politics. The congress also changed its character from mass based party and become a Cadre based party in that particular point of time under the guidance of a powerful dominant leader. Eventually for the establishment of the demand for state autonomy was raised from the different parts of the country. Consequently the anti-congress powers become strong as an antidote of over Centralization of Indian Nation Congress, in states as well as in a Centre. Henceforth there was the beginning of politics of regionalism. Regional identity has started to play a crucial role in Indian politics from that time.

During these period, Different States like Kashmir, Punjab, Northeastern part of the country has raised their voice for regional autonomy which sometime colored by secessionist tendency. In Punjab, the religious issue was getting more priority than the linguistic issues. There major demand was the separateness of the Sikhs from Hindus. Central government's policy in regards to the State politics of Punjab was always contradictory in nature. Where in Kashmir, the main problem based on regional conflict within the States of Jammu and Kashmir and the relationship between the state governments and the Central government. Though in Nehruvian period, there was a close alliance between the State and the Centre leadership. But the central government was taken an interventionism policy to the State in the arena of Mrs. Gandhi. On the other hand in the Northeast, the problem revolves around on ethnic rivalries between different tribal groups. The demand was the secession of Assam from India. This was finely rejected by the central government of India. There was a confrontation between the migrants and non- migrants in Assam. Though the problems of those states are quite different in particular but in general the roots of all these problems are lying in the central interventionist role in the matter of State Politics. The arrangement of Separation between Centre and state politics has the Urgent needs of the time during this period. (Brass, 1990)

According to the report of the State Reorganization Commission, the States were the organ of the union and it must be strong and healthy, to build the body of the union as strong as possible. On the other hand the issue of national integration always received a prime

attention of the founding fathers since Independence, for the purpose of governability as well as harmonizations of a multicultural, multilingual nation like India which is heterogeneous in nature. Henceforth, the synchronous development of centralization on the one hand and decentralization on the other had left its deep impact on the working of federal political process in India. (Shastri, 1990). Eventually it has been observed that, Indian political process become more centralized and less federal at the time of Congress dynasty. But gradually it had become less centralized and more federal with the evolution of multiparty coalition based state politics.

Conclusion:

Hence it has been observed that, since the time of independence carrying out the curse of partition the founding fathers of India are trying to reconcile the country's tradition of unity and diversity through the controlled federalism and we cannot ignore the capability aspect of India to tackling the enormous diversity in general. But at first, the 'consociational' arrangement of linguistic re organization gradually which move towards the ethnic isolation has pave the way for politics of segregation and secondly, the transformation of democratic federalism in to an authoritarian federalism consequently give birth the politics of regionalization in the form of coalition in particular. Gradually in Indian political system, the process of regionalization is being seen as an extended form of federalism.