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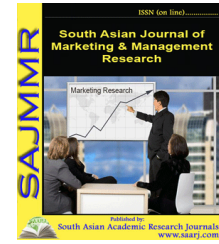
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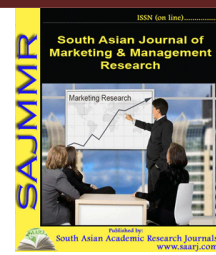
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# South Asian Journal of Marketing & Management Research (SAJMMR)

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## A STUDY ON MAIN FEATURES OF THE PREAMBLE

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### ABSTRACT:

*The Preamble of a constitution serves as an introductory statement that outlines the fundamental values, objectives, and aspirations of a nation. This chapter examines the significance and purpose of the Preamble in the Indian Constitution. It explores the historical context, drafting process, and the core principles enshrined in the Preamble. The chapter analyzes the role of the Preamble in guiding the interpretation of the Constitution, setting the tone for the constitutional framework, and reflecting the aspirations of the Indian people. By understanding the Preamble, we gain insights into the foundational principles and ideals that shape the Indian democratic system.*

**KEYWORDS:** *Congress, Democracy, Economy, Education, Foreign Policy, Government, Healthcare.*

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### INTRODUCTION

The Preamble provides information on the objectives and nature of the Indian state that will be adopted and put into effect by the future administration. This represents the people's sovereignty and is the exact day on which the Constitution-making Committee ultimately approved it. The following Four Heads provide a framework for examining the Preamble's qualities: The Preamble opens with the phrase we the People of India, making it clear that the nation's citizens masses and subjects are the ultimate source of power. The Preamble adopts the notion of the Sovereignty of the Masses for the first time at this point. The only source of the nation's power and authority is its People, Masses, and Subjects. The primary building blocks of our country are its people, and they alone have responsibility for upholding the sovereignty of the Constitution. Members of both houses desire the nation's people to hold the Constitution's origins, power, and sovereignty. This is stated in the Preamble. The Preamble of the Indian Constitution, in Dr. Ambedkar's opinion, is fairly similar to the Preambles of the American and United Nations Charters in this particular area [1], [2].

Two members of the Constitution-making Committee first objected to the words we the people of India being used. H. V. Kamath, who was among the group, chose to use the term In The Name of Lord, and a few other members shared his preference. However, after a lengthy debate and subsequent vote, this proposal was lost since it earned 41 votes in favor and 68 votes against it. Maulana Hazrat Mohani, another member, objected to these remarks, saying that since the Constitution-making Committee was picked by a small group of voters and that too utilizing a communal voting basis, it was not entirely representative of the people of the nation. Therefore, this committee is not permitted to use these expressions. The concluding sentence, we the people of India, which stresses the sovereignty of the masses, was added as a result of the Constitution

Committee rejecting both his plan and its own. After India became a Sovereign Democratic Republic on August 15, 1947, a statement like this was necessary[3], [4].

### **The Nation's State**

The Five Features of India as a Nation are listed in the Preamble. A democratic, sovereign, socialist, and secular republic is described as being present in India. Initially left out of the Preamble, socialist and secular phrases were later included by the 42nd Amendment of 1976. It is necessary to describe the five features of the Indian State as they have been expressed[5], [6]. India, a sovereign state In the preamble, India is referred to as a sovereign state. A declaration of this kind was required to bury the last nail in the British Empire. It also demonstrates that India is no longer a British Crown dependency or a territory that was once a part of its colonial empire. Technically, this served as more confirmation that India lost its status as a Dominion State on August 15, 1947, and afterwards, when the British Empire ceased to exist. The Dominion Status was terminated when the Constitution-making Committee approved it and India became a Sovereign State. It made clear that India has the freedom to determine its own internal and foreign affairs and is not required to consult its people. Additionally, it celebrated the independence movement's triumph[7], [8].

However, a few opponents of India's Commonwealth membership argue that because the British King or Queen acts as the organization's Head Designate, India's participation limits the country's scope of sovereignty. This claim, however, is untrue since the Commonwealth has developed since 1949 into a group of these autonomous states that cooperate to further their own national interests as a whole with the support of its members. India is the only country that may join the Commonwealth, and this is a gesture of goodwill. The British King or Queen is not recognized under the Indian Constitution just because they are the Commonwealth's Head of State. They don't relate in any way to India. Just as the Commonwealth is the Symbolic Head of the Group of Independent Nations, so too is the British King or Queen. Prof. Ramaswamy claims that India's Commonwealth membership is only a show of goodwill and has no constitutional importance[9], [10]. India is consequently acknowledged in the Preamble of the Constitution as a sovereign state. The Indian State is granted sovereignty both at home and internationally by the use of the word sovereign. It also affirms that the Indian State is free to act with regards to both internal and foreign affairs and is not subject to any outside forces.

## **DISCUSSION**

### **India is a Socialist State**

Even while socialism has always been present in India, it wasn't made a legal requirement until a constitutional amendment was ratified in 1976. The Indian Constitution currently values and promotes socialism extensively. This demonstrates the commitment of the Indian government to ensuring social, economic, and political justice for its people as well as the abolition of exploitation via the equitable distribution of income, wealth, and resources. But rather than using Marxist or radical strategies, we must instead embrace peaceful, constitutional, and democratic means of achieving socialism. In the context of India, the phrase Socialist Nation has a literary sense that refers to the nation as a democratic socialist state, underscoring its commitment to attaining social and economic justice for all people via democratic means. India is committed to advancing social, economic, and political equality as well as the growth and welfare of the country internationally. However, the State of India does not support using Red-Tapism to

accomplish this goal. India is open to political and economic liberalization in order to realize the aim of a socialist state. The feasibility of socialism in India, however, was questioned in the wake of the liberalization of 1991.

India is a secular country, and the 42nd constitutional amendment gives secularism its own section in the preamble. As a consequence of its inclusion, secularism is now given greater emphasis in the Indian Constitution. The country of India does not favor any one religion. By lacking an official or official state religion, it sets itself apart from states like the Islamic Republic of Pakistan and other Islamic countries. By providing all of its religions equal rights and status to practice their own beliefs, India has also embraced secularism. This is outlined in Articles 25 through 28 of the Constitution. It ensures everyone living there the right to equality without discrimination and supports the preservation of minority rights and existence. The government supports each individual's right to practice their religion freely and opposes any taxes, levies, or other measures imposed in the name of a certain religion. Alexandrowicks claims that India is a nation that does not favor any one religion and promotes religious freedom under its constitution. Secularism is a fundamental tenet of the Constitution, as stated in the Preamble.

India is a democratic state: A democratic process is outlined in the Preamble of the Indian Constitution, which declares India to be a democratic state. The state's power comes from the population's sovereignty. All persons have the same legal and political rights. Common Adult Voting Rights, the Right to Run for Office, the Right to Join Government Jobs, the Right to Establish Institutions, the Right to Criticize and Protest Government Policies, the Freedom of Expression and Speech, the Freedom of the Press, and the Right to Peaceful Association/Gathering have all been granted to all of its residents. On the basis of these political rights, people engage in Indian politics. Their own government is chosen by them. The people who control the government are responsible for all of its deeds. Elections provide the people the power to change the government. Governmental power is constrained. Because people are sovereign and have basic rights, it is only permitted to function within the constraints of the Constitution. The Supreme Court of India is in charge of the Public's Fundamental Rights. Elections take place on a predetermined schedule and are impartial, independent, and regulated. A Human Rights Commission was established, and the Human Rights Bill was passed by Parliament in 1993.

The constitution has established a parliamentary democracy in the vein of Great Britain. The Executive is responsible to the Government of Parliament for all of its actions, and the Executive and Parliament work closely together. Parliament has the power to remove the Executive by passing a resolution of no confidence. Prime Minister H.D. Devgowda was forced to retire in April 1997 after his administration lost a motion of no confidence. Following this, the subsequent Coalition Government under the leadership of Indra Kumar Gujral was able to secure a majority in the legislature and ruled until the elections in March 1998. The BJP established a coalition administration at the center after the 12th parliamentary elections, but it lost its majority in April 1999. After the 2004 elections, the UPA took office as the administration. The UPA, which was elected in 2009 and is now in its second term, functioned as the interim leadership until the 2013 legislative elections.

It demonstrates that India is a country in which changing the administration is done democratically, peacefully, and professionally. The Indian Constitution's Preamble states that the country is a republic. India is not governed by a king or other recognized Personality. The Head



of the State is an Elected Head who performs their duties for a certain amount of time. India complies with the criteria, so it is a republic, according to James Madison's definition of a republic: It is a Government which derives its powers from the grand institution of people/masses/citizens directly or indirectly and is run by people who can continue to run until they are justifying it, as per the will of the masses. There won't be any other specific categories for leadership, and everyone will be eligible for every job, from the lowest to the highest, regardless of caste, creed, culture, religion, or faith, to use D.D. when he describes how the Constitution uses the term Republic in his speech. The Republican nature of Indian State does not at all conflict with its Commonwealth membership. The assertion that we can't have a Republic which is part of the Commonwealth and accepts the British throne as its leader stated by the former Australian prime minister Sir Robert Mezzz is false. In both theory and practice, India is a sovereign republic. It made a deliberate decision to join the Commonwealth. The Commonwealth is fundamentally similar to the United Nations and runs on the tenets of brotherhood and kindness, with the British Throne's sovereignty being just symbolic.

### **State Objectives**

The preamble of the constitution outlines four key objectives that all citizens must be able to access. According to the Indian Constitution, social, economic, and political justice should be available to all citizens. The main goal of the struggle for independence was to create a societal framework based on societal, Economical, and Political Justice. No group of people should get preferential treatment, and Indians shouldn't face discrimination because of their caste, faith, religion, location, or other traits, according to the idea of a social justice system. In India, social justice is acknowledged as a goal. In order to do this, the constitution ensures that everyone has the right to equality, prohibits untouchability, and offers a special safety net for the most defenseless elements of society.

According to the concept of economic justice, there shouldn't be any discrimination against a person based on their income, wealth, or economic standing. It will have an equitable distribution of wealth and a dedication to creating a welfare state by removing monopolistic control over money and resources and making sure that every one of its citizens has an equal opportunity to live. The Directive Principles' goal is to provide social and economic justice for all people in order to ensure a welfare state. To be committed to socialism, a system of social and economic fairness is required. A nation's citizens must all have equal access to the political system, regardless of caste, color, race, religion, location, or other considerations. In addition to guaranteeing political rights to the general public, the Indian Constitution also gives equal rights to all citizens to vote for representatives and to obtain government jobs. Therefore, promoting social, economic, and political fairness is one of the Constitution's main objectives. Political justice has been achieved thanks to the adoption of a liberal democratic government, but social and economic fairness have not yet been completely realized.

Liberty is listed as the second primary objective of the constitution in the Preamble. Individual rights, such as the right to freedom of speech, religious liberty, and the ability to practice one's faith in accordance with one's own views, must be protected by the State. It means the same to guarantee it as a fundamental right, enabling people to develop into free people, which is necessary for living a fulfilling life. Equality is the third primary purpose, according to the Preamble. The constitution guarantees that everyone in India has access to opportunities and upholds the right to equality regardless of caste, creed, religion, color, or place of belief, as stated

in articles 14 and 15 of its two parts. According to Article 16 of the constitution, every Indian has an equal opportunity. Additionally, it defends the most vulnerable members of society, including women and children.

The Preamble makes it clear that the State's duty is to promote a feeling of brotherhood and fraternity among its citizens in order to promote social cohesiveness on an emotional and psychological level. Along with national unity and integrity, respect for all people is listed as an aim. In our struggle for freedom, human dignity was placed very high on the agenda. The determination to end British racism and make sure that everyone is treated fairly served as the driving force behind our struggle for liberty. Therefore, it makes logical that the Preamble states that human dignity and national unity should be promoted in order to build greater brotherhood and fraternity. The Human Rights Declaration is also in accordance with this objective. In this way, brotherhood is given top emphasis by the Indian Constitution. Dates of adoption and enactment of the Constitution.

The historic last paragraph of the Preamble states that the Constitution was passed on November 26, 1949. On that day, it was signed by the head of the constitution-writing committee and declared to be in force. The Indian Constitution was completely original. It was created, accepted, and put into effect by representatives selected by the Indian people. Some critics, however, assert that since there was never a vote, this is not a choice that is widely accepted. Some constitutional experts, however, dispute this assertion, asserting that the Constitution-making committee took the opinions and viewpoints of the country's citizens very seriously and that the creation, adoption, and enactment of the Constitution inevitably implied that the Constitution had the support of the entire Indian electorate and masses. The Indian Constitution was wholly created, ratified, and put into effect by the Indian people, unlike the American Constitution, which was never put to a vote.

### **The Value of The Preamble**

It is straightforward to understand the Preamble's significance if you are aware of its features. It states the objectives of the Constitution and explores the philosophical underpinnings of it. Chief Justice Subbarao said that Whatever objectives have been estimated and fixed in the Constitution, can be easily understood with its Preamble, and he was right. It is clear in how it conveys its principles and goals. According to Chief Justice Hidayatullah, the Preamble is analogous to the Declaration of American Independence, but it goes well beyond that. The fundamental ideas of our constitution serve to establish our political structure as a Sovereign Democratic Republic and to sum it up. Only a revolution will be able to change it since it is so firmly established. The Preamble of the Constitution holds the key to understanding its details. It examines the guiding philosophy of the Constitution as well as its guiding concepts, goals, and values. It is an important part of the fundamental constitutional framework. Based only on its Preamble, the Indian Constitution declares its commitment to a Social Revolution. The Indian Constitution's preamble lays forth the principles and goals it seeks to protect.

### **Is the Preamble to the Constitution a part of it?**

In response to the President's request regarding the transfer of the Berubari union and other issues, the Supreme Court stated: The Preamble is a key to the thinking process of its framers, but it is not a component of the Constitution. However, later, in *Keshavanand v. Government of India*, it declared that the Preamble is a component of the Constitution even if it is not in force. In fact, it is

a basic, essential component of the Constitution.

### **Highlights of the Indian Constitution**

The Indian Constitution is a remarkable invention that has been operating well since 1950 because of its combination of vast size, unity, federal structure, rigidity and flexibility, and with its mixing of measures for battling unforeseen scenarios. In order to enable the state achieve national unity, integrity, and development as well as to serve as a foundation for nation-building and social and economic reconstruction, the constitution's authors made an effort to create a more practical constitution. In order to accomplish these aims in accordance with Indian viewpoint and national requirements, they attempted to embrace those traits of other Constitutions, and they were extremely successful in doing so. In my opinion, this constitution is very practical, flexible, and it is very strong to keep our Country United both in times of peace and war, Dr. Ambedkar said during a speech to the Constitution-making Committee. I can firmly assert that any flaws in our Constitution will not stem from its flaws but rather from human blunders. These key elements of the constitution may be explained.

**Comprehensive and written constitution:** Jennings refers to the Indian Constitution as the world's largest written Constitution because it has 444 articles, 444 of which are divided into 22 sections, and 103 amendments. It has more articles than the constitutions of Japan and France, which have 103 and 92, as well as the United States, which has 7 articles and 27 amendments. The Constitution became exceedingly long and detailed as a result of the addition of particular and distinctive elements including Directive principles, provisions for contingency scenarios, linguistic provisions, provisions for SC/ST and other backward groups, provisions for the Election Commission, and provisions for the Constitutional Court as the drafters did not wish to omit any considerations as they were fully aware of the numerous Social, Economical, and Political difficulties that would arise in Independent India. However, as was previously stated, its bulk was a result of its intention to cover every topic and provide a remedy for numerous unforeseen circumstances. Except for certain sections, like the right to property, it does not seem that the size of the constitution has been a hindrance in the government.

**Self-Made and Enacted Constitution:** The Indian Constitution was drafted by the members of the people's elected Constitution-making Committee, which was established by Cabinet Mission in December 1946. The First Convention met on December 9, 1946, and on January 22, 1947, it approved its proposed Objective. Then, it got to work organizing and enacting the Constitution. Since India is a sovereign, socialist, secular, and democratic republic, it ensures that the general public has access to justice, freedom, and equality, and it promotes and upholds human dignity, fraternity, and national integrity and unity. It also claims that it is dedicated to achieving these things. The Preamble to the Constitution is a beautifully written statement that outlines the goals and principles of the Constitution. India is a sovereign, socialist, secular, and democratic republic. As mentioned in the Preamble, these qualities reflect five fundamental features of the Indian State. In order to remove the formal effects of the Dominion Status granted on August 15, 1947, it was crucial that India won independence and separated from the British Empire.

Once the Constitution was accepted by the Constitution-making committee, this status vanished and India became a fully independent nation. India announced the success of its liberation struggle and reaffirmed that it is a sovereign state in the Preamble of the Indian Constitution. The 42nd Amendment of 1976 made it official that India is a socialist state, demonstrating how

dedicated India is to ending exploitation, achieving social, economic, and political justice for its citizens, and distributing wealth and resources in a fair and equitable manner. However, it must be done so peacefully, democratically, and in accordance with the law, not in a Marxist or revolutionary manner. It does not provide any particular position to any faith as a State. There isn't a recognized or supported religion by the state. The Islamic State of Pakistan and other Islamic States are so excluded from it. A plus is that India has a secular state. The 42nd Amendment to the Preamble introduced the term secularism as well as other specific wording.

## CONCLUSION

In conclusion, the preamble of a constitution or other legal instrument is very important. The foundation for the legal framework is set out in the document's introduction, purpose statement, and presentation of the fundamental principles and concepts. The prologue establishes a sense of national identity, provides historical context, and stresses the declaration's validity and power once again. By encapsulating the intents and purposes of the authors and directing the interpretation and understanding of the subsequent laws, it guarantees coherence and unity in the legal system. The preamble is a testament to the people's or country's shared vision and uniting will and serves as a baseline for justice, equality, and growth.

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## FOUNDATIONS OF INDIA'S DEMOCRATIC GOVERNANCE SYSTEM

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### ABSTRACT:

*The Democratic State of India stands as one of the world's largest and most diverse democracies, characterized by its commitment to the principles of political equality, freedom of expression, and the protection of individual rights. This chapter provides an overview of the democratic framework in India, highlighting its historical background, key features, challenges, and prospects. It examines the role of political parties, the judiciary, and civil society in shaping India's democratic landscape. Furthermore, it explores the significant socio-political and economic transformations that have occurred within the Indian democracy. Despite facing formidable challenges, India's democratic state continues to evolve, adapt, and strive towards a more inclusive and prosperous society.*

**KEYWORDS:** *Constitution, Elections, Freedom, Governance, Human Rights, Judiciary, Legislature.*

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### INTRODUCTION

The preamble states that India is a democracy. In the democratic system that the Indian Constitution created, the people's sovereignty serves as the basis for governmental authority. People have equal political rights, including the freedom to seek for office, to work for the government, to establish institutions, to protest and demonstrate against governmental policies, to vote as an adult, and to run for office. These rights serve as the foundation for people's political participation[1], [2]. Elections to choose their own government are performed according to a predetermined schedule and when necessary. The government is open and honest about all of its activities, and these elections are free, impartial, and independent. Elections provide the people the power to change the government. The Devegowda administration was forced to resign in April 1997 as a consequence of failing to win a vote of confidence in parliament. leading the nation in April 1998 was Shri Atal Bihari Vajpayee. In April 1999, the coalition government led by the B.J.P. was able to fulfill its obligations due to the absence of one vote; nonetheless, the voters was once again given the chance to choose their own government. The National Democratic Alliance took power on October 13 and ruled until April 2004 after winning the elections in September and October 1999. The UPA then formed the government in May 2004 based on the outcomes of the 14th Lok Sabha elections. It won the 2009 elections once again, installed the government, and is now in power.

As a result, India has a vibrant democracy that enables a smooth and orderly transfer of power. The government reflects the will of the people and is answerable to them for all of its deeds. Our Constitution is accountable for the growth of the Indian democracy, which has the distinction of being the largest democracy in the world[3], [4].It is stated in the Preamble that India is a



Republic. There is no King or other predetermined ruler in command. The President of India is elected by members of the Vidhan Sabha from the Centre and the States, and he holds office for a period of five years. Being a Republic and a member of the Commonwealth do not contradict[5], [6]. The Indian Union of States: The Constitution's Article 1 declares India to be a confederation of States. The state's status as a federal or unitary state is not mentioned. It emphasizes two important points: first, that unlike the USA, India is not a state that was founded with the consent of several sovereign regions; second, that none of India's regional sections have the power to secede from the Indian State. The 29 areas of India are listed in the Constitution, commencing with A, B, C, and D. Following its reformation in 1956, India was divided into 16 States and 3 Union Territories. The number of States has been steadily changing as a result of several changes including Sikkim's admission to the Indian Union. India currently has 28 States and 7 Union Territories[7], [8].

**A Federal Structure with a Unitary Spirit:** In the Indian Constitution, a federal system is combined with a spirit of unity. Academics have referred to India as a quasi-federation, a federation with a base in unity, or a federal unitary system. The supremacy of the constitution, an independent judicial system with the capacity to resolve conflicts between the center and the states, a dual-housed parliament, and a written, strong balance of power between the center and the states are all guarantees provided by India's constitution as a federal state. The maintenance of the unitary spirit is, however, clearly ensured by a strong central government, a common constitution, a single citizenship, provisions for unexpected events, a common election commission, and consistent public services throughout India. The federal and unitary systems were united while keeping in mind the national interest and integrity due to the diversity of the nation's geography and geographic regions. It became imperative to protect the Unitary Spirit after being forced to accept a federal structure first. As a result, the Indian Constitution is a hybrid of the two, being equal parts federal and unitary. Unitarianism and federalism are equally prevalent[9], [10].

**Flexibility and Rigidity in Combination:** The Indian Constitution cannot be modified in certain areas because it is too rigid. While some things may be easily changed, others need lengthy and difficult exercises. In certain situations, such as when a new state is created, an existing State's territory is increased or decreased, citizenship laws are changed, or the Legislative Council of a State is established or dissolved, parliament may alter a specific clause in the constitution by simply adopting a bill. By a simple majority of 2/3rds in the Rajya Sabha, any State Subject may be put under the jurisdiction of the Center, and the Center may pass laws or bills on its behalf for a year, in accordance with Article 248. Similar to that, Article 312 permits the beginning or ending of any National Level Service. This particular aspect of the Constitution emphasizes how flexible it is. Under Article 368, there are rules for amending difficult or complex parts of the Constitution.

A majority of the members of both houses of parliament and 2/3 of the existing members may usually amend a proposal once it has been approved by both chambers. When altering is necessary, there is a very stringent protocol that must be followed. In certain cases, a bill in the parliament has to be approved by both houses with a 2/3rds majority of the members who are currently in office and a majority of all members. It must then be examined by at least half of the group after that. The Constitution's great degree of flexibility is shown by the fact that it was altered 92 times between 1950 and 2005. The political climate in Congress has led to several changes to the Constitution. Additionally, it has undergone a number of revisions as a consequence of pressing circumstances like the Center Rule's extension into Punjab and JandK.

During its first year in power, the 1989 Coalition Government too had to put four modifications into effect. 103 Amendments have already been made, and 86 more are on the way.

**Fundamental Rights:** The Indian Constitution's Part III, Article 12-35, outlines some of the basic liberties that its citizens are entitled to. Originally, there were seven fundamental rights, but since the right to property was taken away, there are now just six. Each right entails a vast variety of liberties and powers. The following are the six fundamental rights: It has been emphasized that no citizen may ever be the target of discrimination and that everyone has a legal right to equality. The abolition of untouchability, the outlawing of knighthoods, and the renunciation of titles are all part of it.

**Right to Freedom:** Article 19 enumerates six fundamental rights, including the freedom of expression, the right to form organizations or bodies, the right to assemble peacefully without resorting to violence, the freedom to move to and reside in any location within the country, and the freedom to pursue any career, business, or occupation. In accordance with Articles 20 and 21, no one may be denied the right to life or the right to liberty without a proper legal process. These articles also protect everyone's liberty and the rights of the accused, respectively. Article 21A, which guarantees children the right to an education between the ages of 6 and 14, was inserted to the Constitution after the 86th amendment. Article 22 lays out rules for the arrest of anybody, preventing authorities from unilaterally restricting someone's freedom.

Vehemently against exploitation This fundamental right outlaw the buying or selling of women, child labor in general, and child work under hazardous or negligent conditions. Residents are allowed to freely exercise their religion, to reflect, and to worship whatever they want. It allows every religion the freedom to design and run its own houses of worship. According to Article 27, the government is prohibited from taxing donations made to support one's religion and from treating different religions differently when granting grants. In violation of Article 28, the government is not allowed to provide religious teaching or training at institutions it owns or finances, including schools and universities.

**Cultural and Educational Rights:** This part of the Constitution guarantees that minorities' rights, languages, and cultures be safeguarded and permitted to thrive. Because of it, they are able to establish, operate, and oversee their own educational institutions.

**Congressional Redress Right:** The whole charter of rights is based on one particular right. It ensures that the judicial system will uphold and defend basic rights. It gives the Supreme Court the power to provide the necessary rulings and orders to ensure that Fundamental Rights are upheld.

## DISCUSSION

The Indian people today have access to 6 basic rights. After being removed from the list of fundamental rights, property rights are now controlled under Article 300-A as legal rights. The Constitution contains a number of exceptions even though it provides and preserves fundamental rights. These exclusions have been used to safeguard state and national sovereignty, territorial integrity, public peace, law and order, and morality. In the aforementioned contextual situations, the State has the authority to modify and suspend fundamental rights. According to Article 352, they may be suspended during the National Emergency.

The National Human Rights Commission and Protection of the People's Human Rights. To better

defend the complete spectrum of democracy and human rights enjoyed by the citizens of India, the Indian government passed legislation pertaining to the protection of human rights in 1993. The National Human Rights Commission was established by this act and is presided over by a retired judge. This Independent Commission has the power to fine anyone who violate Proven Human Rights and Other Violations because of its status as a civil court. In addition, the process of public interest litigation has grown into a crucial tool for the general public's defense of human rights and other interests.

Ten fundamental obligations for citizens are outlined in Part IV A of Article 51 A. respect for the Constitution, National Flag, and National Anthem; adherence to the freedom struggle's tenets; defense of India's sovereignty, unity, and integrity; protection of the nation and readiness to serve it in times of need; promotion of fraternity; denunciation of any act that violates the dignity of women; protection of national cultural heritage; and protection of the environment. Since the 86th Amendment, parents are now compelled to provide their kids access to education. However, the courts are unable to fulfill these fundamental duties. Similar to directive principles, these fundamental duties are a component of constitutional morality. The Directive Principles of State Policy are described in Part IV of the Constitution. This is one of the idealistic aspects of our Constitution. Members of the constitutional convention were influenced by the socialist tenets of fabian socialism, Gandhianism, and the Irish constitution.

The Directive Principles urge States to put policies into place that advance their social and economic objectives. According to the Directive Principles, States must provide resources for subsistence, distribute resources fairly, implement a system of equal pay for equal work, safeguard the interests of children, women, and workers, provide old-age pensions, uphold social equality, set up autonomous bodies, protect the interests of the most vulnerable members of society, and support domestic industry, rural development, and international peace, friendship, and cooperation. inspired by J.N. Joshi asserts that complex Political, Social, and Economic policies have been incorporated into the Directive Principles for a Modern Democratic State. Similar to how Fundamental Rights, which were covered in Part III, provide the framework for Political Democracy, Directive Principles call for the formation of Social and Political Democracy in India. Directive Principles are not applicable in any court of law. Although the Constitution states that these are the guiding principles for national government and that it is the State's duty to put them into effect when crafting laws, this is not the case in reality.

**Bi-Cameral Union Parliament:** The Constitution creates and refers to a federal bi-cameral parliament. Its two houses are the Lok Sabha and the Rajya Sabha. The Indian people directly elect the Lok Sabha, or lower house of parliament. Indians are represented by it. Its cap on membership has been established at 545 people. Voters choose their representative based on each State's population. Punjab has 13 seats in the Lok Sabha, compared to Uttar Pradesh's 80. Lok Sabha elections are held in accordance with the following principles: direct elections; secret balloting. A simple majority is achieved using the popular adult voting technique known as one voter, one vote. Elections to the Lok Sabha are open to voters who are 25 years old or older. Although the President may dissolve the Lok Sabha early on the Prime Minister's recommendation, the Lok Sabha typically has a five-year tenure.

Indirect voting is used to elect members of the Rajya Sabha, the upper house of parliament. It represents the countries that make up the Federation of India. Up to 250 people may serve on it; of them, 238 are elected by the Rajya Vidhan Sabha via proportional representation, while the

remaining 12 are selected by the President from the fields of literature, art, and science. Currently, the Lok Sabha has greater authority than the Rajya Sabha. It has the power to make budgetary decisions and may fire the cabinet by itself. The Lok Sabha receives reports from the Cabinet as a whole. The Rajya Sabha and the Lok Sabha, however, are neither as powerful nor as weak as the British House of Commons or House of Lords, respectively. The national legislature is not an independent body. It can only use the powers that have been assigned to it since it was created under the protection of the Constitution.

At both the federal and state levels, a parliamentary system is established under the Indian Constitution. It is based on the parliamentary structure of the United Kingdom. The head of state and ceremonial representative is the President of India. The actual Executive is the Prime Minister's Cabinet. Parliamentary representation is essential for ministers. The legislature is ultimately responsible for all decisions made by the whole Cabinet. The President may be instructed to dissolve the Cabinet and the Council of Ministers when the Lok Sabha approves the No Confidence Motion. Every Minister is required to step down, and the State Government follows suit. The Indian Constitution therefore embodies every aspect of a parliamentary system. There are now discussions on whether or not to go from the parliamentary to the presidential system. Some academics now advocate the presidential system so that we can have a government for a time after seeing so many hung parliaments and the diluting of the political party system. Due to problems faced in May-June 1996, April 1997, March 1998, April 1999, and May 2004, others have been forced to adopt at least some of the characteristics of the presidential system of administration. This argument still needs national approval, however.

**Adult Suffering:** The Indian Constitution grants the right to vote to all citizens above the age of 18. According to Prof. Srinivasan, the Indian Constitution made a very crucial decision by granting all adults the right to vote without any prerequisites. This action also fosters trust. According to the Government of India Act of 1935, just 14% of people could vote, and the proportion of women was miniscule. Men and women in India currently enjoy equal voting rights. The age requirement for voting has been decreased from 21 to 18. Voting is legal for any Indian citizens who are 18 years old or older. Each State is regarded equally as a member of the Indian Federation, as stated in the Indian Constitution. It is not a merger of Sultanates; rather, our Federation was founded by the nation's citizens on the principles of equality and appreciation for the fundamental commitment to sovereignty. All citizens have the same freedoms, benefits, and protections from the government since they all received equal citizenship. The Indian government is now debating issuing citizenship to people of Indian ancestry who migrated to other countries after January 26, 1950, or who already had citizenship in other countries.

Now they qualify for dual citizenship. They will be qualified to get Indian citizenship in addition to their current citizenship in another country. They must be eligible for dual citizenship. They will be given civil rights and economic opportunities in India, but not political ones. The Indian Constitution establishes an integrated judiciary in which the Supreme Court serves as the highest court, the High Courts serve as the state's highest courts, and the remaining courts are governed by the State High Courts. This is in contrast to the American Constitution, which only mentions the federal judiciary and leaves the state judicial systems to their own state constitutions. The Supreme Court is the last and most trustworthy instance of justice in India. It oversees and maintains control over the judicial system of the country.

**Judiciary's Independence:** The Indian Constitution recognizes the judiciary's total

independence. These facts, which state that only those with great legal knowledge and experience are qualified for nomination as judges, serve as additional evidence. Judges are nominated by the President. A rather convoluted process may be used to dismiss Supreme Court judges. All Supreme Court personnel shall be appointed by the Chief Justice, any other judge, or any other person so designated by the Chief Justice. The Indian legal system has always run on its own.

**Review of the Constitution:** The Constitution is the ultimate law of the nation. It is upheld and defended by the Supreme Court. It acts as a Custodian of peoples' fundamental rights. To fulfill this requirement, it takes use of the judicial review process. The Supreme Court evaluates the constitutionality of each legislative and executive act in this manner. A legislation or presidential order may be declared void by the court if the Supreme Court rules that it violates the Constitution. The Supreme Court has effectively used its power of judicial review in the past to reach verdicts in cases like Golaknath, Keshavanand Bharti, Minerva Mills, Gopalan, and many more. The High Courts use its Judicial Review Rights procedure when dealing with matters affecting the State level.

The right to judicial review is not expressly stated in the Constitution, despite the fact that it is backed by a number of provisions, including 13, 32, and 226. This particular provision of the British Constitution is similar to the American Constitution. The Indian court is currently acting more actively in terms of its social duties. It is using public interest litigation and more of its jurisdiction to actively pursue societal objectives that are universal. Judges may initiate *Suo Moto* proceedings to accomplish their broader social objective. In accordance with Article 44 of the Constitution, the Supreme Court recommended to the Government of India in May 1995 and once again in July 2003 that a Uniform Civil Code be implemented throughout the whole of India and for all Indians. Judicial activism is highly valued in the Indian legal system. Emergency Provisions: Similar to the Weimar Republic, the Indian Constitution has provisions for unexpected events. It recognized three distinct emergency circumstances and delegated control of their resolution to the President of India. As a consequence, they are known as the President's Emergency Powers. The Constitution refers to three distinct emergency situations:

1. A national emergency, as defined by Article 352, is one that has been proclaimed as a result of a war, foreign invasion, threat of an attack from abroad, or an armed uprising in any region or across all of India.
2. A state of emergency, as defined by Article 356, is the result of the breakdown of the state's institutional framework.
3. The phrase financial emergency under Article 360 denotes the emergence of financial instability in the financial system.
4. The Indian President has the right to take the necessary steps to address these pressing issues. The Prime Minister and his or her Cabinet do, in fact, have access to these presidential authorities.

The president has the power to suspend both the requirements of Articles 32 and 226 as well as the fundamental rights established in Article 19. During a national emergency, the whole government fully unites. Employing these special powers in times of national emergency is subject to a number of limitations, however. The President may only declare an emergency when the Prime Minister and Cabinet have approved it in writing. In the event of a national emergency, parliament must approve each declaration of emergency within a certain timeframe. Since 1952, the President has made several uses of the emergency power.



It is difficult to oppose emergency powers since their purpose is to protect the national and populace interests. The Central Government might, however, misuse them to serve its own political objectives, especially in the context of Article 356. One such act of political aspiration was the declaration of the Internal Emergency in 1975 by Indira Gandhi, and in the 1977 elections, voters punished Congress by rejecting them. Similar to this, the Center has sometimes abused the Constitutional Emergency. Because of this, despite the fact that there are several riders attached, these emergency powers may be misused. However, it cannot be claimed that emergency situation regulations are unnecessary or in opposition to democratic principles. It has been included into the Constitution to ensure peace, stability, and national security. We should effectively implement them as opposed to getting rid of them. Amar Nandi has a point when he says, Rights granted to Central Executive to fight National Emergency are like a fully loaded Gun that can be used to both protect and curtail it. Consequently, this Gun should be treated with extreme caution. We would want to emphasize that Article 356 should only be used extremely selectively and seldom. It should never be used in a political context incorrectly.

The Constitution provides special safeguards for members of the Schedule Castes and Schedule Tribes categories. Part XVI of the Constitution provides these rights. The Lok Sabha seats are reserved by Article 330 based on demographic ratios. Additionally, if he feels that the Anglo-Indian community has not been adequately represented in the House, the President may appoint two members to the Lok Sabha. The State Vidhan Saba's Articles 331 and 332 both address the same needs. The 84th Amendment has made reservations valid till 2010. Even though the Supreme Court ruled that there should never be more than a 50% reserve in the workforce, Other Backward Classes today also benefit from reservations. In addition to legislative and parliamentary bodies, SC/ST and OBC people are given preference in employment with the government, universities, and a number of commercial enterprises. The Constitution also provides for the creation of a Commission to evaluate the advancements achieved by SC/ST/OBC persons on a regular basis. A special amendment to the constitution was passed in May 1990 that created one such Commission to do this. The National Human Rights Commission may now investigate cases where OBC, SC, and ST rights have been violated.

**Language Requirements:** The Constitution lists both the official language of the country and the regional tongues that the Supreme Court and the High Courts will speak. Even if Article 343 permits the ongoing use of English, the official language of the country must be Hindi in Devnagri. The Vidhan Sabha of every state is able to choose its own official tongue. The High Court and Supreme Court continue to have English as their official languages. According to Article 351 of the constitution, the government must support and endeavour to spread Hindi. Among the 22 languages recognized by the constitution under the 7th schedule are Assamese, Bengali, Gujarati, Hindi, Kannad, Kashmiri, Malayalam, Marathi, Odiya, Punjabi, Nepali, Manipuri, Konkani, Sanskrit, Sindhi, Tamil, Telugu, Urdu, Dogri, Santhali, Maithili, etc.

**A number of Sources Were Used to Create the Constitution:** A number of sources were used to draft the constitution. The independence movement forced them to include secularism, freedom, and equality. They included advantageous provisions from other constitutions as well as portions of the legislation created by the Government of India Act, 1935. The bicameral system and the parliamentary system were both impacted by the British Constitution. The American constitution served as an inspiration for their adoption of right chapter, republicanism, judicial review freedom, and republicanism. The former USSR's advancement allowed it to adopt socialism as one of its objectives after the Socialist Revolution of 1917. They were also influenced by the

constitutions of Canada, Australia, Ireland, and the Vemar Republic.

Since it was enacted on January 26, 1950, the Indian Constitution has undergone changes as a result of several factors. Its sources include the constitution's drafting committee minutes, judicial decisions, customs, scientific definitions, and legislative statutes. The Government of India Act, 1935 has not been enriched or enlarged upon, nor is the Indian Constitution a borrowed or imported bag. The framers of the constitution changed various parts of the Government of India Act of 1935 and elements of foreign constitutions to better suit the needs and interests of the Indian populace. Only as a result of these unique traits did the Indian Constitution grow to be the most practical and suited to the Indian context. Even to the point where, because to its size, India's government was able to do business more efficiently and better guide the country through both peace and war. Its primary features are the Preamble, Fundamental Rights, Directive Principles, Secularism, Federal Structure, Republicism, Liberty of the Judiciary, and indisputably Liberal Parliamentary Democracy.

## CONCLUSION

Over the years, The Democratic State of India has shown its steadfastness and commitment to democratic governance. India has surmounted numerous challenges and made great development progress in several sectors because to a solid foundation of democratic institutions. The democratic elements of the Indian Constitution, such as the separation of powers, the rule of law, and fundamental rights, have established a solid foundation for the country's democratic functioning. There are several challenges facing the Indian democracy, nevertheless. Still a significant problem, corruption undermines public trust and stifles progress. Socioeconomic inequalities continue to persist, posing challenges to growth and inclusive development. Intercommunal conflict sometimes disturbs social peace, which highlights the need for greater interfaith tolerance and understanding.

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## CAUSES FOR INDIAN CONSTITUTIONS EXTENSIVENESS

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### ABSTRACT:

*The Indian Constitution is renowned for its extensiveness, embodying a comprehensive set of principles, rights, and provisions. This chapter examines the causes behind the extensiveness of the Indian Constitution, exploring historical, social, and political factors that influenced its drafting and content. It delves into the legacy of colonialism, the diversity of India's society, and the aspirations of its founding fathers. The chapter also discusses the significance of including various provisions to safeguard individual rights, promote social justice, and address historical injustices. By understanding the causes behind the extensiveness of the Indian Constitution, we gain insights into the values and aspirations that underpin India's democratic framework.*

**KEYWORDS:** *Amalgamation, Assembly, Borrowing, Colonialism, Diversity, Empowerment, Federalism.*

### INTRODUCTION

It has 444 Articles, 12 Schedules, and 103 Amendments, making it the biggest constitution in the world. We may judge how thorough it is by comparing it to the American, Japanese, and French constitutions, which include just seven, 103, and 92 provisions, respectively. H.V. Kamath observed in the constitution committee, This is really a constitution about the size of an elephant. It is still unclear why it has been designated as having the largest constitution. The framers of the constitution may have merely wanted to be successful in life, but did they have any other intentions? Because our community is made up of so many different cultures, languages, and castes, they wanted a permanent constitution that would include every aspect of the Indian Diaspora. The Indian Constitution's utility is shown by the following features, despite its huge size. India's Union and States both adhere to the same constitution. It describes the organization and power of the State and the Center. It is clearly stated how the Center and the State interact.

The Union Constitution has always been lengthier than the Unitary Constitution. With the inclusion of unitary provisions, the Union Constitution became even longer [1], [2]. The Constitution contains both the exhaustive Rights Chapter and the State Directive Principles. Its size has greatly grown with the inclusion of Article 51-A, which contains 10 Fundamental Duties. Separate provisions of the Indian constitution cover a variety of important topics. a case study. Part X contains the scheduled caste, scheduled tribe, and sector provisions. Part XIV of the contract covers services provided by the center and the states. In Part XV, tribunals are covered. Part XVI covers the Anglo-Indian community, scheduled castes, and scheduled tribes. Governmental terminology and emergency scenarios are handled in Parts XVII and XVIII, respectively [3], [4]. After India gained its independence, the Indian constitution had to be amended to incorporate many of the provisions of the Indian Government Act of 1935 since they

were already in force.

The Indian Constitution is a complicated legal document that sets all key components of the Indian constitutional and administrative system in a constitutional way in addition to having a constitution, like the Indian Government Act of 1935[5], [6].

Since it was placed into force, the Indian Constitution has undergone 103 modifications, and these modifications have significantly changed it. Among the more complicated modifications were the 42nd and 44th. Numerous constitutional commissions, including the Minority Commission, Indian Comptroller and Auditor General, Union Public Service Commission, State Public Service Commission, and Finance Commission, are created and run in full detail according to the Constitution. These factors together make the Indian constitution extensive and in-depth. These steps were necessary for the Indian constitution's authors to take in order to prevent giving rise to any opportunities for the occurrence of any unfavorable incidents in response to the problems, disputes, lack of political awareness among Indians, lack of clear democratic traditions, and the need to preserve the recently won independence that emerged in 1947. They made every effort to incorporate a comprehensive account of the nation's legal and political systems in the constitution. Instead of weakening the constitution in any manner, they chose to lengthen it [7], [8]. This is due to a variety of reasons that contributed to the Indian constitution's length and depth.

## **DISCUSSION**

The complicated interrelationships between individuals and the state have always been a concern, but they have received much more attention under the contemporary democratic system. It is necessary to maintain control over people's lives in order to maintain peace and order. However, it is equally important to have control over the state's authority in order to stop the state from acting against the rights and liberties of individuals. In order to protect individual freedom and rights, fundamental rights are an essential instrument for exerting control over governmental power. The French Revolution propagated humanism, equality, and liberty across the world. By including the Declaration of the Rights for Men in the new constitution of 1789, the French National Assembly started the process of providing certain individual rights with a constitutional framework after the revolution. With the adoption of the first ten amendments in 1791, individual rights were subsequently included into the constitution of the United States of America. All of these amendments were together referred to as the Bill of Rights. This had an effect on the constitutions of other European nations. Both the newly established nations following the First World War and many older governments included fundamental rights into their constitutions. This is made clearer by the Irish Constitution and the German Weimar Constitution. Following the Second World War, the idea of fundamental rights gained acceptance, and all nations whose constitutions were created at that time including Japan, India, Burma, and others included it in their legal frameworks. On December 10, 1948, the United Nations Organisation, which was established in 1945, acknowledged the universal rights [7], [8].

### **Characteristics of Fundamental Rights**

The following characteristics of fundamental rights are listed in the Indian constitution. A thorough Bill of Rights: The first attribute of the Indian Bill of Rights is its thoroughness. The entire explanation of human rights, which includes more categories, is found in Article 23. as an example. Under Article 29, which has six such parts that provide a full explanation of six different types of freedom and its constraints, everyone enjoy the right to freedom. Other articles



have also No Right Aside from the Rights Granted by the Constitution. The American constitution stipulates that individuals are also entitled to the rights that have existed since the nation's establishment. In other words, the American constitution implicitly upholds the principles of natural rights.

Everyone has access to basic rights, regardless of caste, creed, race, colour, or sexual orientation. Legally speaking, they are all equally applicable to and designed for everyone. The government is not permitted to discriminate in the exercise of its power over fundamental rights. No right may be unrestricted. Rights are not limitless and unqualified. They can only be utilised after considering other people's welfare. Rights are conditional and only applicable in social contexts. Because of this, our constitution gives the government the necessary power to restrict access to core rights in accordance with shifting standards of national security, law and order, morality, and welfare. The bulk of the Indian Bill of Rights clauses Are Negative. The bulk of the Indian Bill of Rights clauses are negative. In other words, because of these rights, the governments have been subject to constraints and limits. as an example. States are required to abide by laws prohibiting discrimination against candidates for public employment on the basis of caste, race, sex, or any other characteristic. However, support for certain rights has been stated. as an example. The freedom of travel, dwelling, work, and thinking and speech are all included in the right to freedom.

Rights are equally enforceable by the Union, States, and other State's Authorities. The constitution only defines the word State in terms of local, regional, and national authorities, including state companies and panchayats, where it pertains to fundamental rights. All of these organisations must function within the constraints of fundamental rights. By highlighting this, the writers of the Indian constitution have addressed the flaws in the American constitution. Even now, there is disagreement about whether other types of assembly in addition to the fundamental rights assembly are covered by the constitutional safeguards of fundamental rights. The fundamental rights provision of the Indian Constitution distinguishes between Indian citizens and outsiders. For instance, some fundamental rights are only given to Indian nationals and not, say, foreigners. freedom of expression, of assembly, and of residence across the country. Our constitution has a provision that permits the suspension of fundamental rights in times of emergency. Many critics have condemned this constitutional design, but we believe such criticism is misguided. The wellbeing of the country comes first. As a result, it is just to suspend rights for the sake of the nation.

Fundamental Rights are Justiciable: Fundamental rights are upheld by the court. The constitution has a number of provisions that implement fundamental rights. The list of fundamental rights particularly includes the right to constitutional remedies. This implies that anybody whose fundamental rights have been violated may appeal to the High Court or Supreme Court in order to preserve those rights. The High Court and Supreme Court each issue a lot of writs to protect people' rights. If a violation of fundamental rights is shown, any wrong behaviour perpetrated by an individual, organisation, or government may be classified as criminal. Parliament, which has the power to amend both the whole Constitution and the Fundamental Rights, may place restrictions on the Fundamental Rights. It is crucial to remember that the Parliament cannot change the Fundamental Rights via conventional legislation. Any such regulations that the Parliament may pass will be overturned by the Supreme Court. This implies that changing the constitution is the only method to affect the fundamental rights. State legislatures are not permitted to restrict fundamental rights. Changes to basic rights may be made using the procedure

specified in Clause 368. To achieve this, a majority of the members present and voting, and a two-thirds majority in each of the two Houses, are required. According to Shastri, Chief Justice of the Supreme Court, Article 368 grants the right to the Parliament without any restrictions to amend the Constitution in 1952. However, the Supreme Court determined in the 1967 Golaknath case that the Parliament lacked the power to curtail or abolish fundamental rights. The 24th Amendment gave the Parliament this power, and on April 24, 1973, the Supreme Court held in the Keshavanand Bharti case that the Parliament may alter the fundamental rights.

**Particular Rights for Minorities.** The Indian Bill of Rights gives special emphasis to the rights of minorities. Two rights in particular—the right to freedom of religion and the right to cultural and educational expression—have been developed to safeguard the interests of minorities. A perfect democracy is one in which the majority does not stifle the minority and instead provides the latter with opportunities to advance. The Indian Bill of Rights has a section like this that protects minorities' rights. The Indian Bill of Rights does not cover social or economic rights, such as the right to labour, the right to leisure and relaxation, the right to social security, etc. Yes, these rights were written using the Directive Principles. **Armed Forces Rights May Be Restricted.** According to Article 33 of the Constitution, Parliament may alter the Fundamental Rights in order to maintain order in the Armed Forces. Parliament may decide to make police, border security, and other

We may contact the High Court of our State via a special process in accordance with Article 226 of the Indian Constitution to enforce our basic rights, and we can also approach the Supreme Court by a special provision in accordance with Article 32. A Writ may be filed in this case. as an example. Legal processes include prohibition, quo warranto, habeas corpus, and mandamus. It is obvious from the readings above that human life cannot develop completely without rights. But given that they may be limited by modifying the constitution and suspended in times of emergency without rewriting the constitution, why should they be referred to as basic rights? In its decision, the Supreme Court said that Only Rights are Fundamental, their Restrictions Cannot Be Fundamental. This was the remedy.

### **Standards of Rights**

Six basic rights are guaranteed to Indian citizens under the constitution. The Indian Constitution guarantees everyone equality before the law, equality of employment under the government, and social equality since the right to equality is the foundation of democracy. Additionally, titles have been eliminated to encourage equality. Article 14 states that no Indian state may deny anyone's right to equality before the law or security under the law. A remnant of the British legal system, the term Equality before Law in the first part of the article limits the states by obliging them to apply the law consistently and broadly to everyone. According to Sir Iver Jennings, this suggests that Under like circumstances, all persons shall be treated equally before the law. Everyone has an equal right to seek redress in court since the term Equality before the Law is taken from the American Constitution.

The adoption of any discriminatory practises if they are justified and sanctioned by the law is not prohibited by equality before the law. If the law discriminates when imposing taxes between the affluent and the poor, as well as when giving facilities between men and women, then it cannot be stated that equality before the law has been broken. In addition to the clause addressing equality before the law, Article 15 of the Constitution stipulates that No discrimination shall be made towards the individuals in any area of life by the states on the basis of religion, creed, race, sex,

Birth place, etc. According to the law, discrimination against citizens is not allowed in public places such as wells, tanks, bathing facilities, roads, and hotels. In terms of public employment, everyone has the same opportunities, and by virtue of this clause, no one will be discriminated against while being offered a job or a position based on their religion, caste, colour, sexual orientation, or place of birth, or any combination of these criteria. This means that the state has the authority to determine the specifications for obtaining public aid. The requirement that a candidate for a job have citizenship in each of the federation's states may be created by law passed by the parliament. There may be seats reserved in the services for those from lower socioeconomic strata.

**Elimination of Untouchability:** In order to increase social equality, untouchability has been abolished. In Article 17 of the Constitution, the sentence Implementation of any non-eligibility arising from untouchability shall be considered as a punishable offence is found. In order to purge untouchability's poisonous influence from Hindu society, the Untouchability Offences Act, which is applicable across India, was enacted in 1955. Under this legislation, being untouchable is considered a crime. Because titles were awarded during the British period based on characteristics like property and other considerations, which caused inequity in social interactions, titles were abolished in the new constitution. In Article 18 of the Constitution, the sentence States cannot provide any title other than those related to armed forces and education is found. Additionally, no Indian national may assume a title from another nation without the President's approval.

**Right to Freedom:** The freedom of religion, thought, and speech are all protected under the Indian Constitution. As a consequence, the Constitution grants various levels of freedom to individuals. In this sense, Article 19 is the most important one. People have access to the following six degrees of freedom under this right: Indian citizens were granted seven degrees of freedom under Article 19, the sixth of which was the power to own and sell real estate. There are only six degrees of freedom under Article 19 as a result of the 44th Amendment's removal of both the Freedom of Property and the Right to Property.

1. Right to freedom of speech and expression.
2. Right to have both unarmed and peaceful gatherings.
3. Capacity to form connections.
4. On Indian land, there are no restrictions on movement.
5. The right to settle anywhere on Indian land and to dwell there.

the ability to practise any career or activity, including all trades, enterprises, and jobs. The people have been given individual freedom under Articles 20 to 22. In Britain, the foundation of personal freedom is the rule of law. India has embraced the same notion. Any individual shall be judged guilty in accordance with the laws in force at the time, according to Article 20.

1. No one may be found guilty of the same offence twice, as stated in Article 20.
2. Nobody may be forced to testify against oneself, according to Article 20.
3. No one may be deprived of their life or individual freedom without first following the legal procedure, as stated in Article 21.
4. Nobody may be held without first being told what their crime is.

5. The detained individual must appear in front of the magistrate no later than 24 hours following his arrest.
6. The victim cannot be detained in custody without the Magistrate's consent.
7. The victim has the unalienable right to legal representation.

**Right Against Exploitation:** Articles 23 and 24 of the Constitution provide the right against exploitation for citizens. The goal of this right is to stop any strong person from treating someone who is less powerful unjustly in society. According to Article 23, no one may be forced to participate in human trafficking or to work against their choice or for free. Any infraction of this rule will be prosecuted as a crime. According to Article 24, children under the age of 14 are not allowed to work in factories, mines, or other potentially dangerous locations. This indicates that children won't be forced to work and will instead get an education. Due to the Directive Principles in Article 4 of the Indian Constitution, States are expected to provide for all children up to the age of 14 to obtain free and compulsory education. As a result, the Right to Education Act was developed.

The Constitution's last four articles provide guidelines for India's transition to a secular state, including the freedom of religion. In addition to the freedom guaranteed by Articles 25 and 26, the Preamble of the Constitution contains the word secular inserted by the framers of the Constitution in the 42nd amendment. Everyone has the right to subscribe to, practise, and disseminate any religion, as stated in Article 25 of the Indian Constitution. Freedom to manage religious affairs: Under Article 26, each religion is free to establish and manage its own institutions, buy both movable and immovable property, and manage both in accordance with local laws. According to Article 27 of the Constitution, no one may be forced to pay taxes in order to advance a particular religion. According to Article 28 of the Constitution, religious teaching is not authorised in educational institutions. cannot provide any training or teaching in religion. Even though they are run by the government, trusts created to further a particular religion are exempt from it. Further it stipulates that any anyone representing Govt. It is forbidden to force aided institutions or trusts to participate in a particular religious service or to receive religious education or training.

These rights safeguard minorities' interests so they may pursue their own development based on their culture and language. Cultural and educational rights. According to Article 29 of the Indian Constitution, every person of India has the right to protect their own language, writing system, and cultural traditions. Under Article 29, no one may be denied entry to any government sponsored or controlled educational institutions based on things like language, caste, or religion. According to Article 30, any Minority has the right to create, own, and manage its own educational institutions. Article 30 states that the State cannot treat grant or aid beneficiaries differently only because they are members of a minority group. The 44th Amendment stipulates that the State will ensure that the amount thus set by Law has no bearing on them in the event that Institutions/Bodies held and managed by Minorities are permanently taken over. The 44th Amendment eliminated the right to property and replaced it with a legal right.

**Right to Constitutional Remedies:** The Constitution places a strong emphasis on enforcing Fundamental Rights rather than just outlining them since doing so would render them meaningless. As a consequence, the Constitution's authors created provision for constitutional remedies rights so that the Indian people may turn to the Supreme Court and High Court in the

event that these courts were violated. These courts have the authority to revoke or invalidate any legislation passed by Parliament or any executive action. The core principle of the Constitution, which former Chief Justice Rajendra Gadkar referred to as the Most Important Feature of the Constitution and the Foundation of the Democratic House, was mentioned by Dr. Ambedkar when discussing its significance. He said, If someone asks me about the most important provision of the constitution without which it becomes void, then I can't refer to any other article other than this. The Supreme Court and High Courts may issue the following 5 types of Writs to protect Fundamental Rights:

1. The right to habeas corpus, which is granted at the request of a person who feels that his arrest was illegal, is essential for protecting individual freedom. In this situation, the court orders the arresting officer to bring the suspect before the court at a specific location and time so that the arrest's justifications may be examined. After hearing both sides, it may decide whether the arrest was legal or illegal and, if it was, it may order the official to release the suspect.
2. When an official doesn't carry out their responsibilities correctly, a writ known as a mandamus is issued to order them to do so.
3. With the aid of this instrument, higher courts may also ask subordinate courts for information about specific cases. Certiorari: This is a request made to transfer a specific dispute from a lower court to the High Court in order to prevent an abuse of that court's authority that would obstruct the administration of justice.
4. An order to suspend proceedings is known as a prohibition, and it is issued by the Supreme Court and High Courts to lower courts and quasi-judicial organisations when a matter or dispute falls outside of their jurisdiction.

**Quo-Warranto:** When someone occupies a job to which they are unqualified, courts may use this technique to ask about the justifications for that person's employment and may order them to stop doing so if they are unable to do so. The constitution stipulates that those fundamental rights be suspended during an emergency, and only under normal circumstances may the general public petition the courts to uphold their fundamental rights; during times of war, invasion, or internal unrest, or when the president has declared a state of emergency, no one may petition the courts.

## CONCLUSION

In conclusion, the duration of the Indian Constitution is a result of the intricate interactions between historical, social, and political factors. It stands for a nation's aspirations to build a democratic, free, and equitable society. By providing a wide range of legislation, the Indian Constitution seeks to protect individual rights, achieve social justice, and provide a basis for India's distinctive society. Its vastness is a testament to the values and fundamental principles that underpin Indian democracy. The length of the Indian Constitution may also be seen as a response to the concerns and aspirations of the time. It attempted to take inspiration from the finest practices throughout the globe while adapting its provisions to the specific needs of the Indian environment.

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## FUNDAMENTAL DUTIES: RESPONSIBILITIES OF CITIZENS FOR NATION'S WELL-BEING

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### ABSTRACT:

*Fundamental Duties are an integral part of the Indian Constitution, outlining the moral obligations of citizens towards the nation. This chapter explores the concept of Fundamental Duties in India, examining their historical background, purpose, and significance in shaping the country's democratic fabric. It analyzes the ten Fundamental Duties enshrined in the Constitution and discusses their role in promoting civic consciousness, social harmony, and national unity. The chapter also explores the challenges and opportunities associated with the implementation and awareness of Fundamental Duties. By understanding the importance of Fundamental Duties, we gain insights into the responsibilities that citizens bear towards building a strong and inclusive nation.*

**KEYWORDS:** *Constitutional Duties, Discipline, Environment, Harmony, Integrity, National Integration, Patriotism.*

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### INTRODUCTION

While leading the Freedom Struggle, Mahatma Gandhi consistently emphasised the concept of duties. The concise book A Gandhian Constitution for Free India has a comprehensive section on basic rights and duties. Gandhi wrote the Introduction to the book. Gandhi believed that doing what is right required doing your duties honestly and that right is always accompanied with responsibility. Gandhi thought that good and evil should complement one another. If Right is its body, Duty is its spirit. Similar to how body and clothes interact to one another. They represent opposite sides of the same coin[1], [2].The Indian Constitution does not specify fundamental duties, yet many articles sufficiently encompass fundamental rights. The writers of the constitution were probably inspired by western liberal principles since the country had at last been emancipated from slavery, political persecution, and a terrible status of human rights. At the time, the government prioritised individual liberty; nevertheless, after 26 years, the Indian National Congress determined that Fundamental Duties should be included into the Constitution. This task fell to the Swarn Singh Committee, whose recommendations were taken into account when the 42nd Amendment to the Constitution was proposed in 1976[3], [4].

Following are the Ten Fundamental Duties listed in Part IV of Article 51A of the Constitution. The Indian Constitution, its institutions, ideals, national flag, and national anthem must all be respected. Every person has a responsibility to uphold the Constitution, which is the supreme law of the land. Both the institutions and the values must be respected. Respecting the national anthem and flag is one of the greatest duties that have been created. Because the flag symbolizes our

pride, every citizen should bow in an homage to their nation. In order to demonstrate our respect for the nation, we should also stand in Attention Position when the National Anthem is being played. To protect and defend the nation's unity, integrity, and sovereignty. It has been claimed that the most important responsibility of a nation's citizens is to recognize the nation's sovereignty. It implies that everyone has a duty to abide by and respect governmental laws and regulations[5], [6].

Defend our Nation and, when required, serve the country: Because a citizen's primary interest is in the protection of the country, it is every citizen's greatest duty to defend the country. People should prioritize the needs of the nation above their individual interests when there is a national emergency. If the nation needs troops, citizens should independently volunteer to enlist[7], [8]. Upholding the values that helped our independence struggle continue and living by them every day: It is also the duty of every citizen to support the principles that helped our freedom struggle continue and to do so. Promote a feeling of solidarity and brotherhood among all Indian citizens: Promoting a feeling of solidarity and brotherhood among us ought to be one of our top concerns. Every person in India should see themselves as the only sons or daughters of one source, as well as One Motherland and One Fraternity, since they were all formed with the ideals of Justice, Liberty, and Fraternity in mind. Recognise the worth of our illustrious social culture and protect it: Every country has a lengthy history of social and cultural development. The essential duties of its residents are to understand and maintain India's magnificent culture, too, which incorporates concepts like harmony, international brotherhood, and respect for all faiths[9], [10].

To protect and improve the environment: The constitution's framers decided to make it a fundamental duty of every citizen to protect the environment and strive to improve it in order to stop our Natural Ecology from being destroyed and exploited. Prevent Violence and Protect National Property: Protecting national property is everyone's duty. They should thus avoid from doing anything that might endanger it or raise the likelihood of damage. Avoid violent agitations and similar behaviours. Develop Scientific Thought and Views. In order to get rid of prevalent illnesses and out-of-date traditional viewpoints, it is essential that we develop a scientific thought process. We should strive to develop the habit of utilising reason in a variety of situations, and we should make an effort to use our skills and resources for the sake of society. Human values and cognitive processes must be understood by mankind and must be embraced and respected. Advance development in numerous areas relating to individual or group interests: Citizens should participate in skill/knowledge development and research activities so that national building efforts may reach their highest point.

In addition to rights, fundamental obligations have been included into the constitutions of various European countries, including China, Italy, Japan, and China, and are now a component of the Indian Constitution. As a consequence, citizens will be able to uphold their obligations and properly understand them. Currently, there is no provision for punishment if it is broken, but in exceptional cases, parliament may establish plans for certain legal punishments if required. Regarding these obligations, there is just one query: Some of them have ambiguous linguistic justifications. The scientific method, humanism, the expansion of knowledge and abilities, and the spirit of development in general may all be discussed, but guaranteeing implementation is very difficult. The government not abusing its authority in the guise of enforcing duties is the sole issue. We can only hope that this situation won't arise.

## DISCUSSION

### Directive Principles of State Policy

The Directive Principles sections, which act as a guide for the government, are what distinguish the Indian Constitution. The fourth provision of the constitution makes mention to them. The federal government and state governments provide guidelines to constitution-makers under this. should follow while making and enacting legislation. Ireland's constitution of 1937 incorporated Fundamental Rights in addition to Directive Principles of State Policy. A further contrast is that Directive Principles are just legal rights, while Fundamental Rights need judicial authorisation. Despite the fact that the provisions stated in part 4 of the constitution cannot be challenged in court, they are essential to the operation of government and must be employed by the state when making legislation, as specified by article 37. Therefore, our guiding principles will have an effect on both the executive and legislative departments. The nature and application of these principles are described by Mr. G.N. Joshi in his book Constitution of India, who also suggests that Directive Principles should be kept in by Legislative while making Law and by Executive while enacting Law. These emphasise the regulations that the federal and state governments must follow.

Directive Principles are a recent addition to our Constitution. Regardless of their party identity, the present and future administrations must adhere by these principles. These guiding principles are found in Part IV. These values reflect the goals and objectives of our founding members. They sought to do this in order to establish a welfare state where people may get social, economic, and political justice. These clauses are essential to the operation of our constitution. The constitution's creators rightly understood the need for society and private interests to work in harmony. Because they were cognisant of the American experience, they placed a strong emphasis on social transformation. In this sense, they were motivated by the Irish constitution.

### How Important Guiding Principles

Developing a distinctive social structure is the aim of Directive Principles. There is no legal basis for them, as stated in Article 38, which states that The State shall endeavour to advance the welfare of the people by securing and preserving a social order in which social, economic, and political justice is available to all. Prior to the 42nd Amendment, Directive principles took precedence over Fundamental Rights, even those that were crucial to the country's government. As stated in Article 37, provisions in part IV shall not be enforceable in any court; however, the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the state to apply such principles in making its laws. Since the passage of the 42nd Amendment, they now have a greater significance than fundamental rights. It is now unlawful to dispute or enforce any legislation issued by the state legislature or the federal government in court on the basis that it violates Articles 14 and 19.

### Separating The Guiding Tenets

**1. Socialistic Principles:** These principles aim to turn India into a welfare state. Article 38 states that the state is required to provide the social framework necessary for the establishment of a welfare state. Article 39 includes the following clauses:

1. Every person has the right to a liveable wage.
2. The distribution of physical resources must prioritise wellness.

3. The economic structure of the country must be distributed rather than concentrated in a limited number of hands.
4. Equal remuneration for equal work should be the rule for both sexes.
5. It is important to protect women, children, and young people against exploitation and moral and physical degradation.
6. Due to the economic crisis, men, women, and children should not be allowed to do such duties since they are inappropriate for their age and condition of health.

In accordance with article 41, the state is required to make every effort to help persons who are unemployed, unwell, elderly, or have lost a limb. The government will also work to create employment and improve education. Article 42 states that the state must do all reasonable efforts to provide more egalitarian job possibilities and to offer the most generous maternity benefits. Gandhi's objective of building society may be accomplished by including Gandhian principles in it. According to Article 40, villages must have Gramme Panchayats. Article 43 mandates that actions be made to enhance the handicraft and handcrafted industries. According to article 46, the state is required to support the educational requirements of the less fortunate members of society, especially SC/ST people, and seek to protect them from exploitation and social injustice. Article 47 mandates that governments seek to restrict the sale of sedatives and alcohol that may be hazardous to consumers' health. Article 48 states that measures will be undertaken to protect milk-producing animals from perishing and to progress the species of live stock.

### **Liberal Principles**

This grouping contains the following tenets of wise and open-minded reasoning:

1. Each state must produce an Indian Uniform Civil Code, according to Article 44.
2. Article 45 states that within 10 years of the constitution's adoption, the state should use all reasonable efforts to provide free and compulsory education for children up to the age of 14.
3. Article 47 states that in addition to making further measures to improve people's food and lifestyle choices, the state must try to improve the general public's level of health.
4. Article 48 mandates that the state seek to develop scientific agriculture and cattle breeding.
5. The state is required under Article 50 to try to preserve the judiciary's separation from the executive.

Some principles of international relations that emphasise the need of global peace include the following:

1. As stated in Article 51 the state must be in favour of peace and international agreements.
2. The country must make an effort to establish fair and respectful relations with other countries.
3. International treaties, laws, and agreements must be followed by the state.
4. It must be in favour of using arbitrariness to resolve international conflicts.

### **Other Principles**

Article 49 mandates that the state protect monuments, historic sites, and the like. In order to ensure



that labour has a fair opportunity to participate equitably in the operations of any institution or company, the state must ensure that clause 43.1 of the constitution is added to the constitution as part of the 42nd amendment. This may be done by passing the necessary laws or in other methods.

Clause 48-A, which requires the state to work to protect and improve the environment, forests, and forest life, was included by the 42nd amendment to the constitution.

### **Disputed Directive Principles**

When the constitution was being created, the directive principles were heavily criticised both within and outside of the constitution-making body. Many scholars have criticised the constitution even after it was enacted for a number of reasons, including the following. A court of law or a legislation cannot enforce directive principles, therefore courts are unable to intervene and demand that they be put into practise, despite the constitution's recognition of them as vital to the nation's administration. In light of this, many scholars believe that they are more akin to pious wishes, Moral Percepts, or other comparable political statements that have no influence on the Constitution. The constitution committee member Mr. Nasiruddin called it a Greetings proposal passed on the first day of the New Year, while Prof. K.T. Shah said, This is the kind of check whose payment is at the bank's mercy. Mr. N.R. Raghavachari and Professor Where called them pulsating emotional sentences of that beautiful poem which do not have any constitutional importance. Prof. Where called them a declaration chapter of objectives and ambitions.

These are disapproved on the grounds that they are hazy and illogically assembled and lack a distinct philosophy or logic. They are clumsy, repetitious, and incoherent. For instance, clauses for protecting heritage/monumental sites have been mixed with crucial issues like social, economic challenge, according to Prof. Srinivasan. This demonstrates abrupt mixture of traditional clauses with modern ones and logical and scientific based clauses with emotional/sentimental and request based clauses. Adopting these principles in a sovereign state strikes one as being out of the usual. Higher level government may direct lower level government, as we saw with the Act of 1935, which allowed Parliament to provide orders to Governors and Governor Generals, but in a sovereign state it seems a little impractical to need to be directed in this manner. Legal authorities vary on the question of whether any Sovereign State should take these suggestions seriously. It has been disputed by several academics on the grounds that it is both unsound and impractical. Representatives of the liberalised economy, for instance, have strongly criticised the clause related to the prohibition of alcohol and comparable goods.

They think that the exchequer will lose money as a result of their conduct. It is also said that morality cannot be compelled. Alcohol prohibition leads to the underground trade of such commodities rather than people developing an addiction to alcohol. Even less realistic than most of government is this. has opened wine shops under the umbrella of public sector company; as a result, it differs drastically. Dr. Jennings' prediction that these principles would undoubtedly lose their significance in the future appears realistic under these circumstances. Constitutional experts have expressed concern that there may be situations when there is a crisis or impasse in the constitution. Mr. Santhanam expressed his concern about possible conflicts between the Governor-Chief Minister and the President-Prime Minister in the constitution committee. The issue is what will happen if the prime minister disobeys these directives. One school of thought is that the President may veto any Ordinance on the grounds that it contravenes the Directive's principles. Durgadas Basu, a well-known constitutional author, has also made sage judgements.

The president and prime minister may have profound disagreements as a consequence of these confrontations, which might seriously impair parliamentary democracy.

It is plainly clear from the above discussion how important Directive Principles are in modern society. In K's opinion. According to Subba Rao, a former chief justice of India, Directive principles have been specified from section IV of the constitution. It seeks to establish a social system in which all national institutions of society, business, and politics are founded on justice. It aims to establish such an agricultural society where there won't be any financial concentration, where there will be plenty of opportunities, where everyone will have the right to social justice, employment, and means of subsistence. These guiding principles are very important from a constitutional and practical standpoint, and if there are any parts of the constitution that need in-depth study, they are parts III and IV, according to Justice Hegde. According to a writer, they contain the soul of the constitution and contain constitutional philosophy. According to Dr. Paylee, these principles are important.

Although the directive principles may be a little out of date in the twenty-first century, they are unquestionably functional and practical now; if they ever become outdated, Prof. M.V. Paylee claims that they may be simply modified since the process is simple. Prof. Jennings and Srinivas' claim that they are useless and out-of-date is completely unwarranted. Any government that is accountable to the people cannot afford to violate these values because they are supported by the power of public opinion, which is the supreme court of democracy. Governmental violations of these values on a regular basis would result in a loud internal uprising. Government officials are in parliament and must answer to the Opposition, and outside of parliament, it must endure the f The person in charge is required to follow this list of guidelines. As Mr. Alladi Krishnaswami Aiyar accurately said before the constitution committee, no popular cabinet can afford to violate the requirements outlined in section IV.

An Insurance Against Extremes. The authors of our constitution were aware that due to the shifting demographics of the electorate, various leaders may hold office at various times in a democracy. At some times, both right- and left-wing leadership philosophies are viable. Directive principles would keep any kind of leadership in check and prevent it from becoming unidirectional. In order to protect us from the excesses of both right- and left-wing leadership, Mr. Amarnandi claims that directive principles of the state promise that any conservative party would be able to avoid these sections when developing its policies and that any aggressive party would not dream of suspending the constitution to carry out its economic or other programmes.

Importance as Moral Ideals. Even if we think of moral concepts as directing principles, they nonetheless have a great deal of significance, so we may optimistically anticipate that Indian administration and policies will be influenced by these concepts, just as it had an impact on these nations, which had the Magna Carta in Britain, the Human and Civil Rights Declaration in France, and the Preamble to the Constitution in America. Helpful in Interpreting the Constitution. Since the judiciary plays a crucial role in our form of government, it is anticipated that courts would place a specific emphasis on these principles while interpreting the Constitution. The constitution stipulates that directive principles are essential to the nation's government, which implies that they alone shall guide each entity responsible for overseeing the country.

Indian courts frequently take their cues from directive principles when making decisions on issues involving fundamental rights. The Supreme Court ruled in State of Mumbai vs. FM Walsaray that the government has the authority to prohibit the sale of intoxicating substances. The Supreme

Court endorsed the government's action under article 39 in the case of Government of Bihar vs. Kameshwar Singh by stating that the end of the landlord system is permissible. People in positions of authority must explain to the public what they have accomplished with regard to these guiding principles, and those who aspire to such positions must publicly demonstrate their enthusiasm for and commitment to such ideals. 6. Principles of direction provide individuals with a standard by which to judge the accomplishments and shortcomings of any leadership.

As a final argument in favour of the directive principle, it's crucial to note that even though some constitutional experts and lawmakers have expressed concern about the likelihood that the President or Governor will reject their ordinance or bill because it doesn't follow the directive principles, it is highly unlikely to happen because the President and Governor, as the symbolic heads of state, cannot afford to reject a well-liked council of ministers proposal. The fundamental principles of the Indian Constitution are actually directive principles, as stated by Supreme Court Justice Mr. Kenya in his ruling in Gopalan v. State of Madras. Since directive principles of the state are part of the constitution, they are not only temporary orders of the majority party, but they also have the wise and discerning consent of the nation, he said.

### **Application of Directive Principles and Successes**

The application of directive principles is comparable to the transformation of political democracy into economic democracy and the transformation of police control into welfare rule. Since it is so large, it will take some time to complete. To do this, we need a lot of time and effort, a lot of money, and rapid expansion in the social, economic, and educational spheres. But when countries have started to work on it, the following developments have taken place:

1. Initiatives to progress agriculture and industry, raise educational and health standards, expand the number of jobs in related areas, boost national income, and improve lifestyles have been made with the help of a five-year plan.
2. The state is making great strides in the area of social welfare, and there are numerous laws in place to protect the interests of children and young people. Provisions for insurance in the labour class in case of sickness and accident have been made to some extent, and work is being done to establish the unemployment insurance programme and increase the number of jobs available.
3. With the exception of a few parts of the Hindu Bill, such as the 1955 Hindu Marriage Act and the 1956 Hindu Succession Act, a standard civil code is being developed.
4. There has been advancement in the eradication of untouchability and the provision of education to SC/ST and other disadvantaged communities via scholarships and other programmes.
5. Although there is still a long way to go before everyone has access to free and compulsory education and adequate healthcare, we have made significant progress in that direction. Last but not least, Gramme Panchayat has strengthened through democratic decentralisation and community development initiatives. Under the direction of Justice P.N. Bhagwati, a committee has been established to provide free legal advice to the needy. For the poor and helpless, an organisation has been established to provide food assistance.
6. Laws requiring equal pay for men and women and the elimination of the bonded labour system have also been adopted. The State Government has approved the necessary legislation to forgive the debts of the rural populace and other vulnerable members of society. We anticipate that in the future, this legislation will be extended to other urban regions as well.

The state has not forgotten its obligation, even if there is still much work to be done until directive principles are fully implemented. We can only hope that efforts will be stepped up in the future.

Adopting these ideas in practise is crucial to the creation of an ideal democracy and its success. The statement made by Mr. Chagla that our country can certainly become paradise on earth if we can shape up these directive principles practically is accurate. Being a part of the constitutional framework, directive principles have gained increased significance since the 25th Amendment.

## CONCLUSION

In conclusion, Fundamental Duties, which also promote responsible citizenship, have a huge impact on India's democratic framework. They serve as a reminder of the connection between rights and duties, emphasizing the importance of citizens' responsibilities to the nation. By performing their Fundamental Duties, citizens contribute to the general welfare of society and help in the growth of a strong and diversified nation. To safeguard the ideals of the Indian Constitution, the government, civil society organisations, and educational institutions must work together to promote knowledge of, adherence to, and understanding of these Fundamental Duties.

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## DIFFERENCE BETWEEN FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES

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### ABSTRACT:

*The Indian Constitution incorporates both Fundamental Rights and Directive Principles, reflecting the dual nature of its democratic framework. This chapter explores the differences between Fundamental Rights and Directive Principles, analyzing their respective objectives, enforceability, and role in governance. It examines the historical context behind their inclusion, highlighting the balance between individual liberties and social welfare. The chapter also discusses the relationship between these two provisions and the significance of harmonizing their implementation. By understanding the differences between Fundamental Rights and Directive Principles, we gain insights into the dynamic nature of India's constitutional framework and its commitment to promoting both individual rights and collective welfare.*

**KEYWORDS:** *Civil Liberties, Constitutional Provisions, Enforceable, Equality, Individual Rights, Judicially Enforceable, Justice.*

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### INTRODUCTION

While directive principles are described in Articles 35-51 of Part 4 of the Constitution, which have as their goals the social, economic, and moral advancement of the general populace as well as the establishment of a welfare state in India, types of fundamental rights are described in Articles 12-35 of Part 3 of the Constitution, which assist citizens in developing their lives. Even while their objectives seem to be the same, they are really completely different. They are not comparable since they are not of the same sort[1], [2]. We may differentiate between basic rights and directive principles in the following ways. Directive Principles are affirmative directives, while Fundamental Rights are injunctions. The first difference is that guiding principles are orders delivered to the state that urge us to do things like put in place the Panchayat system, abolish unemployment, forbid cow slaughter, separate the Judiciary from the Executive, etc. On the other hand, fundamental rights provide the state the power to enjoin. In other words, governmental power has been constrained. For instance, the state is prohibited from taking someone else's property without paying them a fair price, and it also has to refrain from treating individuals unfairly based on their gender, colour, or religion. According to Mr. Gledhill, the directive principles are affirmative orders to the government to do certain things, and the fundamental rights are injunctions to prevent the government from doing certain things.

Declaratory Fundamental Rights and Commendatory Directive Principles Basic rights are explicitly protected by the courts and are subject to legal enforcement, according to the constitution. Courts have the power to order the government to uphold fundamental rights. The right to constitutional remedies is one of one's fundamental rights, even when a court cannot



uphold guiding principles. Article 37 states that no court of law may implement directive principles. Therefore, rather than being legally enforceable decrees, directive principles are just suggestions. While guiding concepts are not essential, fundamental rights are. This is a key distinction between the two. Economic liberty is the aim of guiding principles, but political liberty is the aim of basic rights: It has been thought that the inclusion of directive principles would help to shape economic and social democracy, while the inclusion of fundamental rights has helped to advance political democracy. For political democracy to thrive, it must be based on social and economic democracy. The constitution's Parts III and IV include measures for implementing political and economic democracy in Indian politics[3], [4].

They both enhance each other: Social and economic rights are covered in Part IV, whereas political rights are outlined in Part III. Political freedoms may only be beneficial when exercised under favourable social and economic conditions. The aims of social development and welfare can only be accomplished when social and economic democracy forms the basis for political democracy. Social and economic rights are necessary for society to operate correctly on both a social and economic level. So fundamental rights and guiding principles could promote the development of society as a whole. As a result, they complement one another[5], [6]. Fundamental Rights have been obtained even while Directive Principles have not. Individuals have put directive principles into action, but not fundamental rights. To provide them with a usable form, the government is still working. Fundamental rights concern people, while guiding principles concern the state: Basic rights are intended to enhance individual life and make it more civilised and joyful. They strive to design settings where people may effectively hone their intrinsic skill sets. Contrarily, directive principles lay a big focus on social progress. According to Article 38, the state is required to establish a social system that ensures social and economic justice for all citizens[7], [8].

Directive Principles are more significant than Fundamental Rights: The provisions that are essential to a person's happiness are known as fundamental rights. While directing principles define the objectives that were taken into consideration while developing the welfare state's purpose based on economic, social, and political justice, they only apply to one individual. Despite the fact that they cannot be enforced in a court of law, they are more important than fundamental rights. Both parliamentary and economic democracy are supported by these concepts. Dr. A.C. Kapoor therefore said that directive principles give stability to the democracy. Whereas fundamental rights lack moral weight, directive principles do. Paylee, who was correct, said that there should be zero tolerance in the way of guiding principles, even if it is the fundamental rights of one person, as one person cannot obstruct the growth and prosperity of the whole society[9], [10].

Who Will Be Given Priority in a Traffic Jam? Directive principles were deferred to fundamental rights prior to the passage of the 25th and 42nd amendments. In the event of a tie, fundamental rights were given the upper hand. The Supreme Court said in a case judgement that State should enact proper legislation for the implementation of directive principles, but these laws should not affect fundamental rights. On February 27, 1967, the Supreme Court held in the case of *Golaknath v. Punjab State* that Parliament had adopted the 42nd Amendment, which gave the government the power to alter any part of the Constitution, including fundamental rights. The government was permitted to deploy directive principles by introducing extra sections 29 B and 39 C to the 25th amendment. The supreme court cannot strike down these provisions on the basis that they violate the fundamental rights set out in articles 14, 19, and 31. On April 24, 1973, the

Supreme Court issued its decision in the Keshavanand Bharti case, reversing the Golaknath decision and recognising the constitutionality of the 24th amendment. Fundamental rights are among the provisions of the constitution that Parliament may change, although it is not permitted to change the constitution's overall structure. The Supreme Court also upheld the 25th amendment's constitutionality, but it declared that article 31 C's clause prohibiting legal challenges to laws passed to implement the directive principles outlined in sections 39B and 39C on the grounds that they violate articles 14, 19, and 31 to be unconstitutional.

In November 1976, the Parliament decided that no legislation intended to implement the directive principles outlined in sections III and IV may be revoked. However, on May 19, 1980, while the court was issuing its ruling in *Minerva Mills and others vs. the Government of India*, clause 4 of the 42nd amendment was declared illegal. The directive principles have been thoroughly examined, and it is clear that given their importance, including them in the constitution is not inappropriate. M.C. Sitalwad said that these principles would act as a torchbearer for all states to its effort of nation building so that our country can gradually become prosperous and strong and be able to find its worthy place among other nations of the world. According to Chief Justice Chandrachud, our constitution aims to achieve a balance between fundamental rights and the guiding principles of state policy. The Constitution's essence is not contained in either one or the other by itself. Last but not least, K.C. Mahajan is accurate when he asserts that if an of fundamental rights is a must for a state of the modern democratic type with a written constitution, n the directive principles of the state policy is a must for a welfare state with written constitution

Developing a distinctive social structure is the aim of Directive Principles. Under establishing legislation, the state is required under the new section 43.1 of the 42nd Amendment to give labour the opportunity to participate in the administration of any institution or corporation. Under article 38, the state is required to work to advance the welfare of its citizens by establishing a social framework that will enable them to find social, economic, and political fairness in all national institutions. Despite the fact that the Constitution recognises directive principles as being crucial to the nation's governance, it also declares that they are not subject to legal enforcement, making it impossible for judges to put them into practise. Even if they are not upholdable in a court of law, directive principles are supported by the voters, which is the biggest court in a democracy. Although fundamental rights have been attained and are being practised by the populace, directing principles have not, and the state is attempting to give them a usable and practical form. Despite the fact that we still have a long way to go before we reach the goal of the directive principle, we can only hope that they will continue to make greater efforts in that regard.

## **DISCUSSION**

There can only be one president, under the Indian Constitution. The President will have inherent executive responsibility over the Union Government, which he or she may exercise personally or via appointees. The Union Executive will thus consist of the President and the Council of Ministers. Both the literal and symbolic heads of the Executive and Council of Ministers will be the President. When introducing the draught constitution, Dr. Ambedkar said that the president enjoys same position as is held by the British king in British Constitution. Not the executive branch, yet the state is led by him. Although he is not in charge, he represents the country. He serves as the symbol of our nation. He has a symbolic role in the nation's governance.

### **The Process For Choosing The President**

According to its constitution, India is a democratic, socialist, secular, and independent nation. In order to turn India into a democratic republic, provisions for the election of the president have been devised. However, the adoption of parliamentary administration made it necessary for the constitution's creators to formally designate the president as the head. It was decided that the president would merely act as the state's symbolic leader while the prime minister would have actual power. As a consequence, it was decided that electing the president should not be done thus. All efforts to elect the president by public vote, in Nehru's opinion, would be futile since he serves merely as a ceremonial figurehead. A directly elected president may have also presented a threat to the administration. also a parliamentary system. It was so decided that he would only be selected indirectly. According to Article 54, the elected members of the Vidhan Sabha and both houses of the federal parliament indirectly elect the president. The following criteria must be met to be eligible for the presidency:

1. He should be Indian, however it is not specified whether he should be Indian by birth or not.
2. He ought to be 35 years old at least.
3. In order to enter the Lok Sabha, one must fulfil the qualifications.
4. He shouldn't be in any type of advantageous circumstance.
5. He shouldn't serve as a legislator in any state legislature or Vidhan Sabha. If any member of the aforementioned category assumes the office of president, he or she must resign from membership effective as of the date of taking the oath to hold the office.

The 1974 Act also required that each candidate for president pay a deposit of Rs. 2500 along with his candidature and that at least 10 voters nominate and support his name on the nomination chapters. These conditions were in addition to those for eligibility. The value was modified to Rs. 15000 as a result of a 1997 judgement, and the minimum number of proposers and endorsers was increased to 50 in each case. This has been done in an attempt to restrict participation and guarantee that only eligible people may enter. A candidate will forfeit their deposit if they get less than 1/6 of the total number of votes cast in the election. After these changes, Mr. K.R. T.R. Seshan and Narayanan were the only two candidates competing for president in 1997. Currently, presidential elections often only include 2 contenders since the number of candidates has been gradually reducing.

According to the constitution, members of the electoral council shall indirectly elect the president. The electoral council that selects him is composed of representatives from the state Vidhan Sabha and both houses of parliament. Candidates cannot rig the process since the state Vidhan Sabha or parliament nominees are not eligible to run in the presidential election. Since presidential elections are conducted every five years, they cannot be postponed since the electoral council has no members. The 1957 presidential election was fought on the same grounds due to a few vacant members on the electoral council. The eleventh amendment to the Constitution was passed in 1961 to address this issue. The election of the president could not be contested on the basis that the seats on the electoral council were vacant, according to Article 71 of this amendment. The federal government, however, may take use of this particular feature to prohibit members from casting their votes since the Rajya Sabha often has a majority of members from the opposition. Only a functional democracy will be able to prevent this kind of misuse. But what has kept it in

place is the idea of a set election date. The State Vidhan Sabha and now defunct state legislators who are being held in their homes are also qualified to vote in the presidential election.

In 1987, there were a total of 4350 members of the electoral council, of whom 3648 were MLAs and 702 were MPs. The same number, 4748, cast 4642 votes in July 1992, out of which 776 were elected as MPs and 3910 as MLAs. In all, there were 4896 members of the electoral council in 2002, including 4120 MLAs and 776 MPs.

**Election Process:** The president-election process is outlined in Articles 54 and 55. Article 54 states that the state Vidhan Sabha and the electoral council, which is made up of members from both houses of parliament, indirectly elect the president. This election is held in secret and is performed using the single transferrable voting system and the proportional representation system. The whole election process is laid out in Article 55. In this article, the following ideas are proposed for resolving additional presidential election-related issues as well as for achieving coordination between parliamentary and state Vidhan Sabha votes: According to the constitution, the scale of representation for each state must be uniform, and the weight of each legislator's vote must be proportionate to its population using the following formula:

**Stages of a Presidential Election:** The election of the president of India comprised the following phases:

1. The president announces the election, which is handled by the electoral commission. Returning officers are appointed. The electoral commission selects the returning officer, establishes the date by which nomination chapters must be returned, and sets the election schedule.
2. Forms for nomination, review, and withdrawals must be completed and submitted by a certain date for each candidate. A deposit of Rs. 15000 and the backing of 50 voters are requirements for each candidate. Each contender is then evaluated in line with the criteria for becoming president. All inaccurate and insufficient nominations are disqualified. Then, each candidate has the option to cancel their application before a certain deadline if they so want.
3. Next, each candidate does personal canvassing. One often conducts this via their own political party since this campaign is primarily focused on the Electoral Council and the public's involvement is limited.
4. Voting is only conducted on the scheduled day. Although a voter may mark the voting chapter with extra options, each voter only gets one vote. An MP may cast their ballot either in the state capital or in the capital of the country that they have been chosen to represent. Ten days before the casting, the location must be made public. MLAs typically only vote in their own state's capital, and the whole voting process is completely confidential.
5. After voting, the count process starts. Votes that are verifiable are counted. The limit has been established. According to Article 55, the total number of votes cast for each contender is tallied, and the victor is chosen if they receive a minimum threshold of votes or above. A candidate's votes are reallocated in line with the mentioned criteria if he or she falls short of the designated quota.
6. The Indian Official Gazette then publishes the results.
7. The new president takes the oath of office and is sworn in on the final day of his predecessor's administration. The president takes the oath in front of the Chief Justice of India. The oath

begins with the following words: In the name of the Lord, I sincerely vow to discharge my duties and try to protect the constitution and legal system of the country. It is administered by the next-most senior Supreme Court judge in the absence of the Chief Justice of India. After taking the oath of office, the president takes over as the position's leader.

**Settlement of controversy Relating to the Presidential Election:** The Supreme Court alone has the authority to hear and resolve any controversy that arises after the start of the voting. Any defeated candidate or ten or more voters have the right to challenge the election's results. These complaints could be raised as a consequence of anomalies in the election or unlawful activities that were committed inadvertently. Such objections may be raised within 30 days after the disclosure of results' beginning. In 1969, V.V. Mr. V.V. Giri was deposed in front of the judge after Giri's election was challenged in court. The Supreme Court upheld the legitimacy and fairness of his election. The president's five-year tenure officially starts on the day he is sworn into office. If a new president is not elected before the existing one's term ends, he or she will continue to serve as president until one is. Before the conclusion of his tenure, the President has the option to send a letter of resignation to the Vice President.

**Method of Removing the President:** If the President is judged to have violated the Constitution or degraded the office's dignity, impeachment proceedings may be used to remove them from office. The impeachment procedure may be started by either House of Parliament. In India, any house of parliament may initiate a case, and the other house evaluates the allegations. In America, only the House of Representatives may initiate a case, and the Senate then reviews the accusations. To begin the impeachment process, at least one-fourth of the parliament must provide a signed, written notification at least 14 days beforehand. If a proposal is accepted by the House with a 2/3 majority of its members after enough debate, it is sent to the other House. The other House then carefully examines the allegations. The president is entitled to express their views either directly or via an advocate. If the other House accepts the motion with a 2/3 majority of its total members, the President is found guilty as of the day the impeachment process was enacted and is removed from office. As of yet, no Indian president has ever faced impeachment.

**Re-Election:** The Constitution permits the president of India to be re-elected an unlimited number of times, yet no president has succeeded in winning more than two elections so far. One person alone, Dr. Rajendra Prasad, has taken this title twice. Venkatraman, Gyani Jail Singh, Sanjeeva Reddy, Dr. Radhakrishnan, V.V. Giri, S.D. Sharma, and K.R. Only one election was won by Narayanan. Mr. F.A. Ahmed and Dr. Zakir Hussain were unable to complete their five-year tenure due to their deaths.

**Presidential Succession:** The vice president will serve as president until a new president is elected if the president passes away before the end of his term or for any other reason. The vice president does not succeed the president, unlike the American system. A new President must be elected within six (6) months after the vacancy of the office. The next president is in office five years after his appointment. If the vice president's seat should chance to become vacant at the same time as the president's, the Chief Justice of the Supreme Court may act as an ad hoc president; in such a case, the next senior-most judge in line would take over. 1969 saw the passing of Zakir Hussain, and vice president V.V. Giri temporarily took over as president. Mr. Hidayatullah, Chief Justice of India, was named Ad Hoc President upon his resignation in the same year. He persisted in his job till Mr. V.V. Giri was chosen as the winner of the fifth presidential election.



**Emoluments:** The President now receives a \$110,000 monthly salary and will be eligible for a \$25,000 pension upon retirement. In addition to a salary, the president also enjoys a variety of perks including a luxurious residence. The president is entitled to a nice residence, free healthcare, and \$30,000 annually to support an assistant after retirement. The president's salary and other benefits are deducted from the consolidated fund of India, but they are still subject to income tax and cannot be decreased while they are being paid.

**Immunities:** While carrying out the legally required tasks, the president is shielded from legal action. The arrest is listed as a home arrest since the president cannot be jailed while in office.

### **Criticism of the Presidential Election Process**

The election system, in the opinion of detractors, made the following errors:

1. Since at least three candidates must be elected, this method does not use proportional representation. The proportion of votes cast determines which individuals make up the elected body. We need a multiple member election region in order to distribute seats appropriately. In presidential elections, however, this process is not used, and just one candidate is selected. As a consequence, proportional representation is not used in this electoral system.
2. Complex Method. It takes quite some time to calculate the vote value for each state's MLA and MP during the presidential election. The required ratio basis, the preference mechanism, and the transfer of votes in the event that one candidate is defeated make it even more challenging.
3. Lack of Uniformity in State Representation. The Constitution mandates that representation should be trusted equally, as far as is reasonably possible, however the technique used to calculate an MLA's vote value ends up being the reason for different vote values in different states. In the 1997 elections, one UP MLA vote was worth 208, compared to only 8 for Mizoram. States with more valued votes may thus manipulate elections and engage in monopolistic practises.
4. It is wrongly described in the Constitution as a single transferrable vote system. This technique can only be used in multi-member electorate regions when vote transfers are necessary. This kind of system cannot be used since there is only one candidate for president. The names preferential voting system or alternative voting are more applicable.
5. Problems may arise if candidates neglect to include their preferences in their nomination chapters. The fundamental rule of the presidential election is that the candidate who receives the fewest votes in the first round of voting is disqualified from the race and that his or her votes are distributed to the other candidates in line with the declared preferences. Such a situation could arise in the future.
6. Elections Must Proceed Despite Electoral Council Vacancies. In accordance with a Supreme Court decision, presidential elections must be completed before the end of the current president's term. As a result, they cannot be put on hold even if one or more Vidhan Sabha seats are vacant. This provision may be abused by the Central Government. to its own advantage. Central Govt. In the State where it has the thinnest majority, the party has the authority to dissolve its opposition, impacting elections and voter choices.

7. In the case that the President and Vice President are both absent, the Chief Justice of India and the Senior Most Justice of the Supreme Court may each administer the oath in the capacity of Acting President. Republican interpretations of the constitution are violated by this provision. The Lok Sabha speaker should act as president if the vice president is unable to do so.
8. Nominated Members' Participation in the Impeachment Process: Despite being unable to vote in the president's election, nominated members are legally allowed to participate in the impeachment process against the president.
9. Problems with the resignation process: It is not defined to whom the president should give his resignation in the case that the vice president is unavailable. The president may send it to the vice president. The Acting President's resignation letter should have an anonymous recipient. This situation was created in 1969 when V.V. Giri was chosen to fill Mr. Zakir Hussain's position as president in his absence. When

The question of who to send V.V. Giri's resignation to emerged when he made the decision to resign. The acting president should also submit copies of his signed resignation to the chief justice and prime minister of India, according to the attorney general's suggestion. Even though there should soon be a formal statement on the matter in the Indian Gazette, this issue still has to be fixed. There is no constitutional limit on how many times a person may be elected to this position of power. Some believe that we should adopt the American system, where a president may only serve a maximum of two terms, to prevent one person from holding the top post for a lengthy period of time. The concept of an Indian candidate is ambiguous, hence only Indians by birth should be eligible to run for president. Similar changes should be made to the Constitution so that only Citizens by Birth are permitted to cast ballots in presidential elections.

## CONCLUSION

In conclusion, the contrast made between Fundamental Rights and Directive Principles in the Indian Constitution exemplifies the complexity of India's democratic system. While Fundamental Rights protect human rights and may be preserved via the legal system, Directive Principles steer the state towards achieving social and economic goals. The proper execution of these articles is essential to preserving a just and inclusive society and is necessary to uphold the values outlined in the Indian Constitution. Finding a balance between individual rights and societal welfare is one of India's ongoing efforts to become a more prosperous and fair nation.

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## A BRIEF OVERVIEW ABOUT PRESIDENT'S POWER AND POSITION

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### ABSTRACT:

*The position of the President holds significant power and influence in the political system of a country. This chapter explores the power and position of the President, focusing on the context of India. It examines the constitutional provisions that define the President's role, including their executive, legislative, and ceremonial functions. The chapter also analyzes the powers vested in the President, such as appointing key officials, granting pardons, and acting as the ceremonial head of state. Additionally, it discusses the President's position as a symbol of national unity and the checks and balances that ensure accountability. By understanding the power and position of the President, we gain insights into the dynamics of governance and the role of the executive in a democratic system.*

**KEYWORDS:** *Diplomacy, Executive Branch, Impeachment, Judicial Appointments, Legislative Veto, National Security, Pardon.*

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### INTRODUCTION

The head of state and top executive of India is the president. In accordance with Article 53, Union Executive powers are rested with the President and he shall use these constitutionally either by himself or through any of his designated official. However, under a parliamentary system, he only has symbolic power as the nominal head of state. The 42nd Amendment mandates that the president must now only carry out his duties in accordance with Article 74 after discussing with the Cabinet, which is led by the Prime Minister[1], [2]. He handles the top position of the state, personally defends the independence of the Indian state, has the luxury of holding the highest office in the nation, and is a key figure in Indian politics despite all of these limitations. We can only analyse the president's position after understanding more about his duties and power. His skills fall into the following categories:

#### **Powers Vested In The President**

The association's Article 53 states that the President has exclusive executive power. The chief commander of the union's security forces is the president. Some instances of his executive power include the following: Regulatory Authority: According to Article 53, the President is in charge of the executive and administrative branches. The President is the only executive official of the Indian state, as stated in Article 77. On his recommendation, he selects additional Ministers in addition to the Prime Minister. He makes rules to make running the government simple and straightforward. He assigns each minister a portfolio, and he has the power to change each minister's portfolio on a number of occasions. He supports a cabinet-based system of governance. According to Article 75 of the President's Will, ministers are given tenure; nevertheless, the

President only exercises his power and fulfils his duties after consulting the Prime Minister[3], [4].

The President appoints the Prime Minister to represent the governing party in parliament. In the event that no political party has a majority, he may request that the government be formed by the legislator who, in his opinion, can represent the largest portion of the majority in the parliaments. A deadline for achieving a legislative majority and forming a government may be imposed by the president. In June 1991, P.V. Narasimha Rao of the Congress was chosen by President Venkatraman to form the government and was given 30 days to garner majority support. On July 14, 1991, Mr. Rao showed majority voting power despite not being a member of either house at the time. In May 1997, Dr. S.D. Sharma asked Mr. Atal Bihari Bajpai to form the government as the leader of the BJP, the party with the largest majority[5], [6]. Bajpai, however, resigned after 12 days because he was unable to win a majority. Mr. Devegowda, the leader of a coalition of 13 parties, was given the chance to form a government with support from the Congress and the CPM after this president gave him that opportunity. However, he was only able to rule for 10 months since it was then difficult for him to keep his majority. Congress stopped supporting the Devegowda government on March 31, 1997. Following this, Mr. I.K. Gujral created the government on April 12, 1997, and within 24 hours of doing so, he had a majority. He was only able to hang onto power for a little while, however, since the Congress withdrew its backing in November 1997.

In March 1998, the 12th round of voting took held, but none of the candidates won. After the alliance headed by the BJP gained the most seats, the president appointed Mr. Atal Bihari Bajpai as prime minister; nevertheless, this administration may hold power until April 1999. The AIADMK withdrew its support on April 14, 1999, and this government failed to secure a majority by one vote on April 17. The president immediately dissolved the 12th Lok Sabha and stated that no party had the sufficient majority to form a government, appointing the Bajpai government to serve as interim leadership until a new government could be formed[7], [8]. Atal Bihari Bajpai was asked to form the government by President K.R. Narayanan after the NDA secured a majority in the 13th Lok Sabha elections in October 1999. This administration remained in power until April 2004. In spite of Congress and its allies receiving the most seats in the 14th Lok Sabha, no contender secured a majority. Following that, the CPI, CPM, and other parties decided to help the Congress from outside. Congress agreed to the President A.P.J. Abdul Kalam's request to form the government on April 22, 2004. Congress enacted majority rule when Dr. Manmohan Singh served as its leader.

As a result, the president appoints the person with a majority in the Lok Sabha to the position of prime minister. The president may propose a leader as prime minister even if he is not a member of any chamber. In this instance, the leader's appointment is legal only if he or she is a member of one of the chambers of parliament[9], [10]. According to Article 78, the prime minister must notify the president of all matters pertaining to the government. Any information that can cause a disagreement is subject to the president's power to seek. When Rajiv Gandhi, the nation's prime leader at the time, objected to the Bofors Canon Deal and refused to offer specific information about it, this happened in the beginning of 1987. The President adopted this position in order to ensure that he complies with his responsibilities under Article 78, and it is vital for him to be informed about all facets of central government as a result. However, this argument was more about egos than it was about the constitution between the two. This link has been well-maintained by other PMs and Presidents, and it is being upheld at the moment.



**Appointment-making** All key appointments may be made by the president. He nominates the Supreme Court and high court justices, state governors, lieutenant governors, commissioners for Union Territories, attorney general of India, comptroller and auditor general of India, chairman and members of the UPSC, election commission, and other commissions, as well as high commissioners, ambassadors, consul generals, and other courtiers in addition to the prime minister. All high-level positions are filled by the president following consultation with the cabinet and prime minister. The President confers with the Chief Justice of India while deciding on new justices for the Supreme Court. When choosing more justices for the Supreme Court, he interacts with other judges as well. Before adding new justices to the state's high courts, the president, chief justice, and governors consult one another. The president welcomes foreign ambassadors to India and grants credentials to ambassadors and other officials of other nations stationed in India in his capacity as head of state. All diplomatic agreements are made in his name. The Indian government only enters into agreements under the president's name, both on a bilateral and international level. New countries are established diplomatic relations with only in the name of the president.

**Serving as the supreme commander of the armed forces:** The president is in control of our military forces, under Article 53. He appoints and promotes all high-level and other defence force jobs, however he only exercises his power in conformity with the law. **Administrative authority over SC/ST and Union Territories Areas:** The president has authority over union territories, and he grants honours and ranks for bravery and exceptional service in both war and peace. According to Article 243, the president may direct UT affairs via governors, chief commissioners, or other individuals of his choosing. He has the power to give the governor of any neighbouring state control over any UT's activities. Such a governor always carries out the orders of the president. The President also has the authority to oversee the affairs of Scheduled Tribal areas. The president may create an interstate council to provide guidance and settle conflicts between states. In addition, the President may pass laws in Union Territories like the Andaman & Nicobar Islands to promote peace, economic development, and better governance.

## **DISCUSSION**

### **President and Law Making**

The president is not a member of either house of parliament, which means that parliament has the legal power over the Union. Article 79, however, states that Union parliament will depend upon President and both the houses, indicating that although not being a member of the parliament, the president is an essential part of it and has a large amount of statutory power. Without the president's consent, the whole ordinance cannot be made into an Act. The following are the President's legal powers:

1. Although no two sessions of the legislature may be separated by more than six months, the President has the power to call sessions of one or both houses, adjourn, or dissolve any session for an extended period of time.
2. The legislature may be dissolved by the President before to the conclusion of its five-year term.
3. In the event that there is a dispute about a particular Bill or subject, the president has the power to call a joint session of parliament.

4. Anytime, the president may address one or both houses of parliament.
5. Each year following the general election, the president addresses both houses of parliament at the opening session. Every new year's session begins with the President addressing the legislature, which is merely one of the government's duties. policies.
6. If the President feels that two members of the Anglo-Indian community have not been treated fairly, he may recommend them to the Lok Sabha.
7. The president may propose twelve members of the Rajya Sabha from the fields of science, art, literature, and social work.
8. The president may send messages to any house of parliament, and these communications might be about any laws that are being considered there or about anything else that needs a house proposal. In this instance, the relevant house must respond to the president's message.
9. Only with the president's prior approval may a financial bill be submitted in the Lok Sabha.
10. Any changes to the titles or geographic boundaries of the states need the president's prior approval before being discussed in parliament.
11. All of those measures have been given the state's president's approval, and the governor keeps them on file for the president's review.
12. Any Bill that the parliament approves only becomes an Act once the president signs it. The Bill may be rejected by the President. The cabinet may send a bill back to parliament. Gyani Jain Singh disapproved of some of the 1988 Indian Postal Bill's provisions, hence he rejected it. Govt. did not reiterate the appeal for the article 111-compliant proposal to be passed. Despite the appearance, the president does not always need to consult with the parliament before taking action. The president may refer any proposal back to the legislature, but if it is again passed by the legislature, the president must sign it.
13. In one of the unusual circumstances of the previous prime minister Devegowda, whose 1997-1998 budget was produced but failed to pass before being enacted by the BJP administration, P.A. Sangma, the speaker of the Lok Sabha, and other notable individuals were contacted. The president then issued the order to drop. On April 25, 1999, Parliament was dissolved, but not before the Budget had been adopted.
14. The president may enact an ordinance between two legislative sessions, which has the same power and repercussions as a legislatively authorised statute. Such an ordinance is issued to fulfil any legislative requirement when parliament is not in session at the government's request. When the next session starts, all such ordinances must be submitted to both houses. Since there cannot be a gap of more than six months between two parliamentary sessions, the stated Ordinance is repealed six weeks after the session concludes or if a bill fails to get approval from both houses. Thus, President Ordinance may live for a maximum of 7.5 months, or six months and six weeks. An ordinance may be revoked at any time by the President.

The president consults with the prime minister and the cabinet before acting in accordance with all applicable legislative requirements.

### **Presidential Discretionary Powers**

When no party obtains a majority in the parliamentary elections and there is no coalition government. If this scenario comes to pass, the President may respond appropriately and contact the party's leader as it is now the lone significant party. P.V. was invited by the president. July 1991, June. The government would be formed by Narasimha Rao. , a congressperson. With 225 MPs at the time, Congress was the biggest party by far, but it did not have a majority. Narasimha Rao was requested in order to display the majority in the parliament. Similarly, in March 1998, the President requested that Atal Bihari Bajpai lead the cabinet. and show the absence of a legislative majority held by the largest party. On April 14, 1999, the AIADMK ceased to support the BJP-led administration. The president asked Mr. Bajpai, the prime minister, to provide a vote of confidence as proof of parliamentary majorities. On April 17, 1999, the BJP-led U.S. The president tried to organise a new government after failing to secure a majority. the 12th parliament was dissolved and the BJP was granted the power to lead as caretaker government after such efforts proved futile. until the next government takes power. takes place. The president may take action at his or her discretion if no party wins a majority. The president's position as head of state in Indian politics has been boosted by circumstances like hung legislatures. creation procedure.

Another situation is when the President may start the process of dissolving the government. as it sees appropriate, at any moment. The president is often powerless to step in when the prime minister has a majority and demands that the parliament be dissolved. The president, however, has the discretion to determine whether or not to dissolve the legislature in particular situations, such as when the prime minister lacks a majority. In one such case, Chandrasekhar was instructed by President R. Venkatraman to establish a cabinet at his discretion. because Congress provided outside support for it. When the president was asked to dissolve the legislature in February 1991, he considered the possibility of letting the next congress of the ruling party form the government. although Rajiv Gandhi later decided against forming a cabinet. In order to dissolve the legislature, the president asked Chandrasekhar to take over as acting president. , requiring an election. In May and June of 1991, the 10th Lok Sabha was elected. When I.K. was arrested in November 1997, the same situation occurred. Gujral's resignation led to the president dissolving the cabinet once again. and ordered the 12th Lok Sabha elections to be held. In April 1999, the president decided to dissolve the government. again, despite the BJP-led administration. wanted to continue. In February 2004, the president dissolved the government. referencing the suggestion made by the prime minister Bajpai, one year before the predetermined term might end. Therefore, the president may dissolve the government at his or her discretion. if the government, alone. neither a plurality nor anything else. The president only exercises all of his power in line with the recommendation of the cabinet and prime minister, with these two exceptions.

### **Powers of the President Financial**

Among the President's financial powers are the following:

1. No monetary measure may be tabled in the parliament without the prior consent of the president.
2. Every year, at the beginning of the fiscal year, the president gives the legislature a copy of the annual financial budget, which lists the receipts and outlays of the federal government. next fiscal year.

3. The president is in charge of the Indian Contingency Fund. This money may be withdrawn by the president to pay for unanticipated and pressing costs.
4. A Finance Commission may be appointed by the president to manage how money is allocated between the federal government and the states.

### **Congressional Powers of the President**

The following circumstances give the president the authority to reduce, commute, or pardon sentences:

1. People who have been sentenced to death.
2. In relation to the offences that are included under the union or concurrent list.
3. Sentences relating to military court.

The president may use discretion while taking into consideration cries for compassion. The Supreme Court may also be consulted by the president on any other legal matter of public significance. In all such requests for advice, the Supreme Court shall advise the President. The president, however, is free to act whatever they like and is not bound by any recommendations made by the Supreme Court.

### **Presidential Emergency Powers**

The 18th section of the constitution makes a number of specific provisions that provide the president the power to address a number of situations. The President's Emergency Powers are what they are known as. There are three different kinds of emergency circumstances: a national emergency under article 352, which denotes a time of war or foreign invasion; an internal uprising caused by armed rebellion under article 356, which denotes the breakdown of the constitutional system in any State; and a financial emergency under article 360. An emergency may be declared by the President, who may then take urgent action to deal with it. For instance, all provisions of the Union become inapplicable in the event of an emergency under article 352, and the federal government is then allowed to issue directives to any state government. by use of its executive power. centralisation of government. has the power to pass laws on matters of state concern, and the financial links that exist between the centre and the state may be altered.

Article 356 states that in times of emergency, the president is in command of the state's administration. The executive, cabinet, and administration of the state are now all under the control of the governor. gets taken away. The governor oversees the government. The president may issue any directive to state governments in the case of an emergency under Article 360 in order to preserve the financial stability of the nation. The salaries and perks of Supreme Court, High Court, and other government judges may be reduced under his authority. officials. He may order states to submit all newly passed financial laws for his approval. The president is given considerable ability to deal with and address these emergency situations under the constitution, but there are also several checks and balances in place. Presidents are able to use their executive, statutory, financial, judicial, and emergency powers in conjunction with the prime minister and their cabinet.

### **President's Position and Role**

After examining the president's skills, it is easier to understand the position that he or she plays. A deeper study shows that the president is only the government's symbolic head of state, despite

what it may first seem to be the case. He uses all of his power solely on the recommendation of the prime minister and his cabinet. According to the 42nd Amendment, the president is required to abide with the recommendations made by the prime minister and his or her cabinet. However, we cannot just dismiss the president as a rubber stamp head. In line with the 44th Amendment, the president may ask the cabinet to reexamine their recommendations from a different perspective. The cabinet really profits from this particular authority, and it has a big influence on how the state is run. The president must, without a doubt, accept the cabinet's recommendation if they repeat it, but by using this particular right, the president may influence the cabinet's viewpoint. The president's advice to reconsider a plan might be seen as either overarching direction or a subtle caution. The president has sovereign employment status as the head of state, which gives him a substantial and crucial position in the Indian political system. The President was intended to become the recognised head of state by the Constitution Committee, because the legislative system in India required it. The president is recognised as the constitutional head of state by Dr. Ambedkar, chairman of the constitution committee.

The President of India is required to follow the cabinet's recommendations since he represents the state but does not hold the reins of power, and even though the constitution committee decided against explicitly stating that the president must abide by the opinions and counsel of the prime minister and cabinet, he cited when he said, Under the British Constitution, the president's role should be comparable to that of the British monarch. He leads the state but not the executive branch. The president assumed the role of constitutional head and symbolic head of the executive once the constitution was ratified. However, when he laid the foundation stone for the Indian Law Institute in 1960, Dr. Rajendra Prasad brought up the subject of the President's real job and powers under the Indian Political System, which were at odds with the ideas of the then-prime minister J.L. Nehru. The Supreme Court stated in the case of Ram Jivaya vs. State of Punjab that President is the constitutional and symbolic head of the state and actual executive powers vest with cabinet. We have not elevated our president to the status of a French president, claims former Constitution Committee Draught Committee member K.M. In the event of any obstacles, he must act independently and defend the constitution, according to other proposals. This argument gained traction due to the President's hazy statement of the President's notional powers after the Constitution's passage.

However, a lot of academics, lawmakers, and constitutional experts refuted this claim. It would be incorrect to believe that our president has any governance capabilities, according to a quotation from Morarji Desai. He is powerless at ordinary times. The president is remarkably similar to the British King under the constitution. By adopting a parliamentary system, it is ensured that the president constantly consults with the cabinet and that, even in an emergency, he must follow their opinion. The 42nd Amendment clarified this specific point. The President of India is required to serve as both the literal and symbolic head of state. In their presence, he must obey the prime minister's and cabinet's directives. Under the direction of the Prime Minister, the Indian political system is still in place. any time a government. collapses owing to a lack of a majority, and the President finds it difficult to choose a replacement government. He then requests that the present government serve as a caretaker government until the new government is formed. is chosen, and a similar incident occurred in April 1999 when the BJP lost its majority on April 17 and the coalition government it formed in the Lok Sabha was unable to form a new government after the president asked them to serve as caretaker government.

February 2004, after the NDA administration. When disbanded, it served as a caretaker



administration till May 22, 2004, at which point UPA took charge. This makes it quite apparent that the president maintains the existence of the legislature regardless of the kind of government or interim government. This tool has to be used by the president in 1989, 1997, 1999, and 2004. Even though Dr. Rajendra Prasad raised the issue of presidential authority and office, it was done so with the approval of the prime minister and cabinet. Similar to Dr. S. Radhakrishnan, Dr. Zakir Hussain, V.V. Giri, F.A. Ahmed, N.S. Reddy, a study of the president's role since the constitution's passage suggests that the president has embraced his role as the official head of state under the constitution and that he consistently. We expect that current president Pranab Mukharjee will continue to follow the path set down by our constitution, as did our current president Pratibha Patil's immediate predecessor, A.P.J. Abdul Kalam. Dr. S.D. Sharma, R. Venkatraman, and K.R. Narayanan functioned on similar ideas. But it doesn't mean the president is just a puppet, a golden zero, or a rubber stamp. The constitution is protected by the president of India, who is the head of state and has enormous power and respect. By expressing his opinions, gathering information about certain topics, delivering signals to the parliament, reintroducing contentious laws, and soliciting requests from the public, he plays a crucial role in Indian politics. He has political clout, policies and choices.

He may advise or forewarn the government from a variety of aspects when President Gyani Jail Singh declined to grant his approval to the contentious Indian Postal Bill, which prevented it from becoming law. President K.R. Narayanan returned the central government's suggestion on September 25, 1998, to dissolve the Bihar government led by Rabri Devi. Because the union government did not request the president's approval, Rabri Government was preserved. However, the president had to agree when the Union Government proposed dissolving the government once again on February 10, 1999 to implement president rule there. The President may have a significant influence in both internal and external politics since he or she holds the highest office in the State and has unique talents. After 1989, when we frequently saw hung parliaments, the president's position has become more active and important. By virtue of his constitutional rights and obligations, the President had a crucial role in creating the Constitutional Court and the Constitutional Assembly. With the help of his administrative powers, the president of India plays a significant and active role in the Indian political system.

## CONCLUSION

In conclusion, the power and position of the President are crucial to a nation's governance. The President's ceremonial, executive, and legislative responsibilities all help India's political system run smoothly. The President's powers are balanced by constitutional checks and balances, which also ensure accountability and prevent the misuse of authority. The constitutional obligations of the President are crucial for upholding democratic values, maintaining national unity, and promoting effective governance. Based on his special qualities and distinctive and sovereign position, he is an important state and executive head in the political system.

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## PRESIDENTIAL AUTHORITY IN TIMES OF NATIONAL EMERGENCY

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### ABSTRACT

*Emergency powers granted to the President are a significant aspect of governance, providing the executive with extraordinary authority during times of crisis. This chapter explores the emergency powers of the President, focusing on the context of India. It examines the constitutional provisions that outline the circumstances under which emergency powers can be invoked, such as internal disturbances, external aggression, and failure of constitutional machinery. The chapter analyzes the scope of these powers, including the suspension of fundamental rights, the centralization of authority, and the ability to govern through ordinances. Additionally, it discusses the safeguards and limitations in place to prevent abuse of emergency powers. By understanding the emergency powers of the President, we gain insights into the delicate balance between the need for swift action during crises and the preservation of democratic principles.*

**KEYWORDS:** Authorization, Civil Liberties, Constitution, Curfew, Declaration, Defense, Emergency.

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### INTRODUCTION

These emergency powers may be very important to the Indian political system, but they can also cause conflict. Their influence is too great and too extensive for any democracy. Because of probable future national crises brought on by various governmental changes, the Constitution's authors were worried about the harm to national integrity and unity while granting the President these powers[1], [2]. They saw how the integrity and unity of the nation as well as the federal system were under peril. They were therefore inspired to go in that path successfully. The incorporation of the Unitarian spirit within the Union framework was one such development. Giving the president actual power and duty to deal with urgent situations and potential threats was the second step. The Vemar constitution of Germany served as the model for the second phase of the constitution-making process. The union government may transition to a unitary type of governance if necessary, according to D.D. Basu.

As was indicated above, Part XVIII of the Constitution grants the President three sorts of emergency powers: Article 352 states that a scenario that results from an armed insurrection inside the nation qualifies as a national emergency. A constitutional emergency occurs when the state's constitutional framework breaks down as a result of a crisis, according to Article 356 of the constitution of any state. According to article 360, a financial crisis is one that endangers both the nation's legitimacy and financial stability[3], [4].

### Condition of Emergency

Article 352 lays forth procedures for dealing with any national emergency, sometimes referred to

as a National Emergency, caused by a war, an external invasion, or an internal armed uprising. If the President is certain that a war, foreign invasion, or any domestic armed revolt threatens all or a section of India, he may proclaim an emergency. Armed revolt took the role of internal unrest after the 44th amendment to the constitution. Not only is this kind of emergency declared when there is an immediate threat to national security, but also when the president anticipates such a threat in the future. Section 352. If the President is convinced implies that the Cabinet has suggested something to him. Cabinet must make such suggestions in writing. After receiving such written advice, the president may declare a state of emergency in line with Article 352. An emergency may be declared in any location throughout the whole country[5], [6].

Authorising the emergency declaration A state of emergency must get ratification within 30 days after being established by both chambers of parliament, according to article 352. If it is not approved within 30 days of the date of proclamation, it expires automatically. When an emergency is proclaimed, Rajya Sabha must approve the dissolution of Lok Sabha within 30 days of the declaration, and when Lok Sabha has been created, Lok Sabha must approve it from the first day of operation until the final day of operation. It may continue for up to 6 months if it is approved by both houses within 30 days. Both houses of parliament must once again agree the extension if the state of emergency is to be kept in place for another six months. The Rajya Sabha may consent to the extension of the emergency while the Lok Sabha is still in session, but once the Lok Sabha has convened, it must consent as well.

Timeframe of Emergency. It may run for a maximum of six months after being declared an emergency and getting support from both houses of parliament before being extended for an additional six months with legislative approval. After the 44th Amendment, it must now be adopted by a majority of all members of parliament in addition to two-thirds of the present voting members of parliament[7], [8].Provisions for the State of Emergency's Revocation by Parliament: 10% of the members of the Lok Sabha may declare an emergency to be revoked. If parliament is not in session, they must notify the president in writing. If the session is underway but suspended, they must notify the Speaker of the Lok Sabha. After the notice is served, Lok Sabha must call a meeting within 14 days to prevent it from expiring. The emergency would be removed if the resolution were to get a simple majority vote in the Lok Sabha, and the president would then be required to revoke his declaration of an emergency.

The Supreme Court may examine the legitimacy of an emergency under Article 352 now that it is enforceable by law.Consequences of an Emergency under Article 352 In this period, the following developments take place: The Union government obtains the authority to enact laws addressing matters that concern the states. Such rules remain in force during an emergency and expire six months after it was deemed to be finished.The executive powers of the states are subject to oversight by the Union government.The president has the power to alter the amount of funding allocated to the federal government and the states, but this decision must be made in front of both houses of Congress[9], [10].Parliament may suspend the fundamental rights of those individuals in emergency situations in any part or parts of the nation, including in regions where an emergency is not present. The article 17-guaranteed basic rights may be suspended in times of emergency. After the 44th Amendment, the rights given by Article 19 may only be curtailed under a National Emergency, such as a war or an invasion by an outside entity.

The president has the power to suspend citizens' fundamental rights, with the exception of those outlined in sections 20 and 21. Other basic rights, except those outlined in paragraphs 20 and 21,

may thus be suspended. During such circumstances, the periods of the Lok Sabha and Rajya Sabha may be extended. Parliament may enact the law. A single tenure increase lasting a year or less is possible. The president's tenure may be extended from the usual one year to a maximum of three years when a state is considered to be in an emergency according to article 356 of the constitution. The president may give orders in an emergency, but they must be approved by the parliament first. Information on the emergency declaration under Article 352: In reaction to a Chinese invasion of our country, a first-ever emergency under Article 352 was proclaimed on October 26, 1962. In 1968, the same emergency that had been in place ever since the battle with Pakistan in 1965 was abolished. It was again proclaimed in 1971 and lasted until March 1977 during the war with Pakistan. Due to domestic instability, an emergency under article 352 was proclaimed on June 26, 1975. This emergency was abolished on March 22 after Congress's defeat in the elections of March 1977.

## DISCUSSION

### Constitutional Emergency under Article 356

According to Article 356, the President may declare a state of emergency if the constitutional framework collapses in any state or states. On the basis that the government is in charge, he may do this on the recommendation of the Governor or any other source. is not working in accordance with constitutional principles or the constitutional system has failed and prevented the government from carrying out its duties. efficient management or creation. In other words, the president will proclaim a state of emergency if he thinks that the constitutional system has failed and that it is necessary. The President has the authority to declare an emergency at the state level as well, if he so chooses. It does not adhere to the laws, directives, and policies of the Union Government. or has opted to not. Article 356 stipulates that a constitutional emergency must be authorised by both houses of parliament within 60 days after its declaration. If the parliament rejects it, there can be no further extensions for longer than 60 days. Before the Lok Sabha may be dissolved or be dissolved within the stipulated 60-day term, the Rajya Sabha must give its consent. It must have Rajya Sabha and Lok Sabha approval within 30 days of the next Lok Sabha's first session in order to go forwards. If the Lok Sabha rejects it or if approval is not granted within 30 days, the emergency is lifted.

When a state declares a constitutional emergency, it normally lasts for six months. This emergency may, however, be extended for an additional six months in accordance with Article 356. A national emergency under article 352 may be proclaimed when the electoral commission proves that it is impossible to conduct state Vidhan Sabha elections in the existing situation. With the approval of the parliament, this emergency may last another year. There could be exceptions, but a situation like this might persist for three years. Parliament may alter the Constitution in a specified way to prolong the constitutional emergency. The lengthy emergency period of Article 356 is legally enforceable, the Supreme Court said in March 1994. Following the declaration of a constitutional emergency, the president may govern in accordance with Article 356.

1. The President has the authority to seize control of any or all State governments. a position and have access to all the power the governor or state government has. The High Court and State Vidhan Sabha, however, are not accessible to the President.



2. The Union government may request authorisation from the President to use State Vidhan Sabha power. The laws created during such crises remain in force after the proclamation has ended if the applicable Vidhan Sabha or administration does not change, repeal, or reform them.
3. administration of the union. may provide the President the power to make laws for the state and to assign such powers to anybody he thinks fit. The president has complete discretion in this situation.
4. The State Vidhan Sabha may be dissolved or suspended.
5. The federal government will pass the budget if it has to be done. acquires the necessary authority.
6. The Consolidate Fund of the State may be withdrawn by the President.
7. The President is free to take whatever steps are required to meet the criteria for declaring an emergency.

Therefore, much as in a situation of emergency under article 352, the State's autonomy or individual liberties may be stopped. A unified mindset between the Centre and the State is in place as the Central Government assumes leadership. is given control over all legislative and executive state subjects.

**Application of Article 356:** This particular article's provisions have been used more than a hundred times in the past. It was initially applied to Punjab in 1951 and has since been widely utilised. In 1977, it was in use simultaneously in nine places: UP, MP, Haryana, Punjab, HP, Rajasthan, Bihar, WB, and Orissa. In the nine states of Uttar Pradesh, Bihar, Rajasthan, MP, Punjab, Gujarat, Orissa, Tennessee, and Maharashtra, this happened once again in February 1980. In places like Kerala and Punjab, these calamities have happened often. It was used in Nagaland in 1988. Nearly every state has had at least one similar incident. In 1999, the Rabri Government was created. state of emergency was proclaimed, the government of Bihar was dissolved, and the Lok Sabha granted its consent. However, at the time, the BJP-led government. despite not having a majority, it was able to present it and take office as the Rabri administration there. The emergency was removed and services were restored. Since no party was able to form the government in Bihar, a new state of emergency was imposed in May 2004. The Bihar Vidhan Sabha was first put on hold, but in May 2005 it was dissolved and the Election Commission was given the go-ahead to conduct fresh elections.

### **Financial Crisis According to Article 360**

If the president considers there may be a threat to the nation's reputation, financial stability, or to any particular region of the nation, he may declare an emergency under article 360. Within 30 days after its proclamation, the declaration of a Financial Emergency must be ratified by both houses of parliament; otherwise, it will be retracted. It may take effect immediately after being approved by both houses and last for a total of six months. It may be increased higher every time for the next six months with the consent of the parliament. The following are outcomes of the declaration of a financial emergency:

1. Administration of the union. Obtains the authority to decide on matters relating to state financial affairs. Administration of the union. The state government, please. Must adopt the laws

necessary to reestablish financial confidence. Such laws and regulations may be passed by the union independently and then requested by the state.

2. The president may take actions including setting wages, stabilising prices, guaranteeing financial stability, and lowering salaries and allowances for all or certain officials, including judges and members of the supreme court and high court, in order to restore the faith of the country's financial system.
3. Any financial legislation that have been passed by the state vidhan sabha may be held back for the president's approval.
4. The amount of money allocated to the centre and the state may be changed by the president.
5. The president's emergency powers are referred to as such because they provide the president extensive ability to manage all three types of emergencies. The prime minister and its cabinet must first be consulted before the President may use this power.

### **Emergency Provisions: A Critical Evaluation**

There has been a lot of criticism of the president's expansive and exceptional emergency powers, which are really the exclusive property of the prime minister and his or her government. Throughout the process of creating the constitution, several members were against incorporating them. H.V. According to Kamath, sections like those defining our emergency powers are unique to no other country's constitution. God be with us; we are now in humiliation. Article 359, which suspends fundamental rights in times of emergency, was challenged at the time it was introduced into the constitution by Professor K.T. Shah, who called it the height of anarchy. The following are the main objections of Emergency Provision:

1. These provisions are anti-democratic because they provide the president extensive and sweeping powers, which he or she must then execute on the advice of the prime minister and the members of the cabinet. In reality, the Union Cabinet is the only entity with these powers. The president determines the emergency's timing, nature, and necessary response measures. built upon H.V. Kamath stated, I'm concerned that by doing this, we're trying to lay the groundwork for a police raj or dictatorship.
2. Anti-federal: The notion that emergency powers are fundamentally and actively opposed to the federal government has drawn a great deal of criticism. Central Govt. may declare a state of emergency in accordance with paragraphs 352 and 356 and assume command of State Subjects. This measure shifts the nature of the country from federal to unitary. In times of emergency, the Indian Constitution takes a unitary form.
3. The President's declaration of an emergency is not legally enforceable and is not subject to judicial scrutiny. On March 11, 1994, however, the Supreme Court started utilising its power to look into whether the emergency was lawful under Article 356. The only way to define this SC tool is as a postmortem action.
4. Provisions for Suspension of basic Rights: Suspending basic rights under Article 32 in times of emergency is antidemocratic and totalitarian. Rights under articles 20 and 21 cannot be suspended, even in emergency situations, according to the 44th Amendment. This is a good addition, but it only completely safeguards people's fundamental rights. Numerous scholars have

criticised this section for include Article 359, which they claim invalidates fundamental rights, and they still do.

5. The governing party may take advantage of emergency measures to achieve its own objectives. The president must abide by the Central Cabinet's directives even if it really exercises the president's vast power to handle crises. All decisions on the need for an emergency, the kind of catastrophe, and the course of action to be taken to handle such crises are made by the Cabinet, which is effectively the political Executive and may be partisan.

Such fears have been confirmed by the prior application of paragraphs 352 and 356. Indira Gandhi misused the state of emergency she imposed in June 1975 because to domestic turmoil. The risky danger of the ruling party exploiting emergency powers was shown by the way President FA Ahmed was asked to proclaim a state of emergency and by how powers like MISA and COFEPOSA were abused. Abuse of Article 356 is now recognised as a fact of our democratic system because it has happened often enough. It has in the past been used fraudulently to topple the State administration. by one opposition party's centrally controlled administration in power. The 1977 Janta Dal administration is one of the most famous examples of misuse. 8 State administrations were overthrown after successfully convincing the president to declare an emergency under article 356. The identical error was made by the then-Congress administration in February 1980. The Central Government started in 1991, and they had a state of emergency issued together with 9 State Governors. once again utilised article 356 as a weapon to topple the DMK leadership and the State Government.

In Tamil Nadu, hurriedly and unpredictably. Approximately 100 emergency situations have been declared under Article 356 thus far. The abuse of Article 356 has been one of the primary reasons for the disagreement between the Centre and the States as well as the ambiguity surrounding the Governorship. The 44th Amendment made measures to reduce this emergency power misuse and established certain safeguards, but the emergency authority's dangerous nature persisted. Article 360's unfairly created provisions allow the president to declare a financial emergency in order to protect the economy's stability and reputation, but doing so might have unfavourable effects. Financial crises could make financial stability worse rather than better. According to Dr. K.V. Rao, the declaration of a financial emergency far from establishing financial stability, would damage the nation's financial confidence, would create a restless atmosphere, and, in fact, can cause more financial instability in the country.

**Inadequate Safeguards:** Despite the 44th Amendment's inclusion of certain safeguards against the potential misuse of emergency powers, there is still a considerable chance for abuse and the federal government may still use these powers improperly. to get anything from them. Because the president is required to accept the Cabinet's recommendations, there is a greater chance that emergency powers may be misused. The impeachment process is too drawn-out and convoluted to be used against the president successfully. The Union administration is only pretending that an emergency requires parliamentary authorisation. Since they currently have a majority in the legislature, obtaining this approval for their own gain will be rather straightforward for them. The Anti Defection Law has allowed Cabinet to keep a tight grip on members of the ruling party. The duration of the emergency period has not been able to be reduced in any way, not even by setting the term of the emergency. Punjab had a lengthy state of emergency for a period. It is evident that there are few safeguards against misuse of paragraphs 352-360 as a consequence. Additionally, emergency clauses have come under heavy fire for being anti-federal, authoritative by area and in

the shape of subjects, anti-liberty, and anti-democratic, and for the possibility that Article 360 may do more damage to our nation than good for the political system.

### **Factors Justifying Emergency Provisions**

Despite much opposition, there are adequate justifications for these Emergency clauses to remain in the constitution. Many academics have endorsed them in the sake of maintaining national security, stability, and interest. They are in favour of their admission. Those who support this constitutional provision have offered the following justifications.

According to India's history, a weak central government was to blame for a lot of the country's issues. It is always what leads to instability and collapse. In order to protect the stability and security of the country, it has always been important to have laws that are labelled as emergencies. To protect the nation in an emergency, centralised authority must be in one person's hands. Mr. V.N. Shukla advised that we look at these rules from the standpoint of India. Every time the Central Leadership proved ineffective, we had to deal with challenging situations. Individual liberties and rights may be curtailed to protect national security, which is of greater importance. The interests of the nation come first. When there is a national emergency, these limitations become much more important. The dispute of federalism against a unified spirit also loses significance. Federalism and unitarianism are only discussed after topics like integrity and national security. Who will live and who will die depending on whether India is alive or not? because the central government is accountable. I

In order to deal with both internal and foreign concerns, it is reasonable to provide it significant emergency powers. Dr. Ambedkar said that the Center's authority during an emergency was only justified by the fact that it is the only institution that can act together for the whole country. Minimal Potential for Dictatorship. The emergency powers were granted to the President, who only uses them on the recommendation of the Cabinet, a democratically elected responsible institution, and only the parliament's approval is needed for emergency laws to take effect. This system prevents the president or cabinet from becoming autocratic. With the adoption of the 41st Amendment, there is less chance that the Emergency Provisions will be misused, and there is also less chance that the Emergency Period will be extended or that the Fundamental Rights would be suspended for an extended period of time. Although the Constitution grants the President emergency powers, it also contains various clauses to guard against misuse of Articles 352, 356 and 360, as indicated below:

1. The president must heed the recommendations of the parliament.
2. Cabinet is ultimately answerable to the country's citizens for all of its decisions, errors, and orders/directives via direct accountability to Parliament.
3. Article 352 states that the President may only declare an emergency with official Cabinet approval.
4. Legislative clearance is required for any kind of emergency within a certain time limit.
5. According to Article 352, 10% of the MP may request a Lok Sabha session and start the process to lift the emergency. The motion to abolish the emergency may be approved by a simple majority during such a Lok Sabha session, and the emergency would then be repealed. The 44th Amendment has placed restrictions on the president's ability to extend the state of emergency.

6. Now, the rights to individual freedom guaranteed by Articles 20 and 21 cannot be suspended in times of emergency.
7. In order to avoid political exploitation of the Governor's position and authority, a wise and knowledgeable president may utilise his authority granted by Article 356's Emergency Provisions.
8. An emergency proclamation may now be challenged there after the Supreme Court's decision in March 1994, and the SC may now look into the validity of such proclamations.
9. Provision for President's Impeachment. If the President's positions or powers are exploited or abused in a way that violates constitutional rights, Parliament may be compelled to initiate and authorise impeachment procedures.

Physical, political, or financial crises must be handled by the country as a whole and in a way that allows the central government to respond. Given the National Financial Crisis, we cannot rule out the prospect of taking any drastic measures. Steps like declaring a financial emergency seem like the right choice to address any potential danger to financial stability and confidence.

## CONCLUSION

In conclusion, in times of crisis, the President's emergency powers are crucial to sustaining effective governance. Because of these skills, the executive has a lot of authority, but that power is also subject to checks and balances to prevent abuse. The use of emergency powers must be governed by the principles of the Constitution and the preservation of democratic values. By maintaining this delicate balance, emergency powers may aid the nation in remaining strong and resilient in hard times. Only in the direst circumstances can the exercise of emergency powers be regarded as unique. The preservation of democratic principles and individual rights must be balanced with the need for swift response in emergency situations.

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## VICE-PRESIDENT OF INDIA: ROLE AND RESPONSIBILITIES

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### ABSTRACT:

*The Vice-President of India holds a crucial position in the country's political system, serving as the second-highest constitutional authority. This chapter explores the role and significance of the Vice-President in India, examining the constitutional provisions that define their position, powers, and responsibilities. It delves into the election process, the Vice-President's role as the Chairman of the Rajya Sabha (Upper House of Parliament), and their functions as the acting President in the absence of the President. The chapter also discusses the Vice-President's role in promoting parliamentary democracy, maintaining decorum in the Rajya Sabha, and fostering cooperative federalism. By understanding the role and functions of the Vice-President, we gain insights into the importance of this office in the Indian political landscape.*

**KEYWORDS:** *Constitutional Role, Election, Executive Functions, Legislative Functions, Nomination, Office, Presiding Officer.*

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### INTRODUCTION

The title of vice president is mentioned in Article 63 of the Constitution. The intended purpose of this job was to manage the unexpected temporary or permanent absence of the president from the office. The introduction of this post was influenced by a provision in the American constitution that states that in the case of the president's resignation, demise, or impeachment, the vice president shall take the oath of office [1], [2]. The vice-presidential office basically performs the same role under India's constitution. However, the vice president may only accept the position of acting president in India, but in America, the vice president takes over the presidency in its totality. A new president must be selected in such cases within six months. In America, the vice president fills in as president when the president is momentarily unable to serve due to sickness or any other reason. The vice president of India's post falls under the following categories:

1. He ought to be an Indian national.
2. He has to be under 35 years of age.
3. He ought to be eligible to serve in the Rajya Sabha.
4. Requisites for the vice president job.
5. With the exception of the president, vice president, governor, and those who hold federal or state minister posts, he must not have any lucrative jobs within the federal or state governments.

1. He shouldn't belong to any governing body. If a member of the state Vidhan Sabha or the union parliament is elected to be vice president, he or she must retire from that office before becoming the vice presidency.

**Election:** Both houses of parliament employ the Single Transferrable System, which is based on the Representative Ratio, to choose vice presidents. The voting process is always secret, and vice-presidential elections cannot be postponed because certain parliamentary seats are vacant since they do not need a joint session of both chambers. In the elections held in August 1997, Mr. Krishnakant and Mr. Surjeet Singh Barnala both ran for vice president. Mr. Krishnakant garnered 441 votes, whereas Mr. Barnala only received 273. Mr. Krishnakant was sworn in as India's 10th vice president on August 21, 1997, and he didn't die away until July 2002. In August 2002, fresh elections were conducted, and Mr. Bhairu Singh Shekhawat was elected to hold the vice presidency. At the moment, India's vice president is Hamid Ali Ansari.

Vice presidents are elected for five-year terms and are re-electable. Vice presidents are permitted to resign before the end of their tenure, as Mr. V.V. Giri did in 1969. His letter of resignation is delivered to the president [3], [4]. The vice-presidential post must be replaced as soon as is practical after a resignation, death, removal from office, or for any other reason, according to the constitution. However, you have six months to do this. On the day when power is taken, tenure officially starts. Any challenges pertaining to the vice-presidential election may only be brought before the SC, and the court's ruling is final [5], [6]. A resolution may be approved by the Rajya Sabha to remove the vice president. But approval from the Lok Sabha is also required. Before the deportation process gets started, he has to get a 14-day notice [7], [8] while serving as the Rajya Sabha's vice president, he only earns the vice president's salary of Rs 90,000. He is also eligible for free housing and free healthcare.

**Functions:** The vice president fulfils two functions. as speaker of the Rajya Sabha. Vice President responsibilities. The constitution specifies that the vice president has no unique obligations. He can only take office upon the president's demise, resignation, or impeachment. Dr. Zakir Hussain passed away while in office, and Mr. B.D. Jati and Mr. F.A. Ahmed's successor, Dr. V.V. Giri, took over as presidents. The vice president may temporarily assume the presidency. If the vice president takes over as president due to the president's sickness, he does so just until the president reclaims it. The vice president assumes the role of president for a period of six months until a new president must be elected in the event that the president is unavailable due to a resignation, a death, an impeachment, or any other reason. Any particular task may be assigned to the Vice President by the President [9], [10]. Chairs the Rajya Sabha even though he or she is not a member of it. The vice president is in charge of presiding over the Rajya Sabha. He is in charge of all activities as the chairman of the House. He maintains discipline and order in the house, and he is empowered to take disciplinary action against any family members who break the norms.

During the speeches and discussions, he moderates, members may only speak with his permission. He generally is not allowed to vote on any issues or legislation since he is not a member of the Rajya Sabha, but in the case of a tie, he is allowed to give one decisive vote. Despite the fact that the constitution does not explicitly provide him any authority, the vice president has a special position in the Indian political system. He is in a special position. He occupies the space directly across from the President. Nobody disputes, however, how minor his actual role is inside the government. The vice president has been decried as a wasteful high post by opponents like T.K. Tope and H.M. Jain. While this accusation might be directed towards the

American vice president, it is false in the case of India. His leadership of the Rajya Sabha is highly known and praised. When anything unpleasant happens, the vice president takes care of it. He represents India at a number of national conferences. Future presidents get training in his office. Radhakrishnan, Dr. Zakir Hussain, Dr. V.V. Giri, Dr. S.D. Sharma, and Mr. K.R. Narayanan all held vice presidential positions before being elected as the country's leader. Now acting with the greatest respect and honesty as vice president, Hamid Ali Ansar.

## **DISCUSSION**

### **Union Parliament: Lok Sabha and Rajya Sabha**

Due to the Constitution, the Union Parliament now has the power to pass legislation. Prior to Independence, they were known as the Central Legislature; but, after Independence, the constitution committee gave them the name Union Parliament. A Union Parliament comprised of a President, the House of People, and the Council of States is required under Article 79. Rajya Sabha has been given the title of the Upper House, whereas Lok Sabha is referred to as the Lower House. Despite not being a member of either house, the President is seen as a crucial component of the parliament. No legislation may become law without the President's consent, and all legislative actions are carried out in his or her name. Both the Union and the Parliament play significant roles in the Union administration under the Indian Constitutional framework. This constitution has immense influence and a strong position, although lacking some of the stability of a British constitution. In contrast to India, where the actual Executive, or the prime minister, reports to the parliament, its power sometimes surpasses that of the American Congress. All actions and decisions made by the Prime Minister and his cabinet are ultimately subject to approval by the Union Parliament.

### **The Union Parliament's Features**

The summary is as follows:

The President is a fundamental and crucial part of the Union administration as described by Article 79, despite the fact that he is not and is not entitled to be a member of either house of parliament. The legislature's sessions may be called, suspended, or dissolved by the President. Several initiatives must first have the President's preliminary approval before being tabled in parliament. The president is free to send any correspondence to the legislature. Laws are made by the President and the Parliament. Due to India's Constitution, which accords the Union Parliament power, and the reality that Parliament only has the authority provided by the Constitution, the Union Parliament does not have sovereign status. In contrast to the British Parliament, this renders the Indian Parliament non-sovereign. Any Act passed by the parliament that is illegal or violates the constitution may be reversed by the Supreme Court. In other words, the supreme court will defend the union parliament's enacted laws and actions. In addition, only the regions that it oversees may be subject to laws issued by the Union Government.

**Parliamentary Amendment Powers:** Article 368 of the Constitution gives Parliament the authority to amend it and lays out the procedure in great detail. Parliament may change any part of the Constitution, but the Supreme Court may decide whether or not the change has changed the Fundamental Structure of the Constitution using its judicial review jurisdiction. Any legislative act's constitutionality may be examined by the Supreme Court as part of judicial review. The Indian parliament is split into two chambers, the Council of States and the Lok Sabha. This is similar to the structure of the constitutions of the United States, the United Kingdom, Switzerland,

and many other countries. The Units of the Indian Union are represented in the Rajya Sabha, the Upper House. Members of the Rajya Sabha are indirectly chosen by the State Vidhan Sabha. Every two years, one-third of the residents of this quasi-permanent dwelling leave. It differs from the American Senate House of the People because of its arrangement in that each State has not received equal treatment under it.

The Indian people are represented in the Lower House, often known as Lok Sabha. Each of its members is chosen by the people themselves. The Lok Sabha has 545 members and a 5-year term. Elections are conducted every five years, even though the Lok Sabha may be dissolved before the end of its tenure. Due to the fact that the Constitution does not provide both houses equal privileges, Rajya Sabha is less powerful than Lok Sabha. The Lok Sabha now has more power than the Rajya Sabha. The Lok Sabha, not the Rajya Sabha, is the only body to which the Council of Ministers must account. Money Bills may only be proposed by the Lok Sabha, and the Rajya Sabha may only delay or reject them for a maximum of 14 days. Lok Sabha oversees management of public finances. Despite the fact that both houses are legally allowed to pass legislation, Lok Sabha really has greater authority than Rajya Sabha. While the Lok Sabha is not as influential as the British House of Commons, the Rajya Sabha's standing is less than that of the House of Lords.

While the Lok Sabha is made up of lawmakers who are directly elected, the President may suggest two members of the Anglo-Indian community if he feels they shouldn't serve in the legislature. Similar to this, the President may suggest 12 people who have excelled in the disciplines of literature, science, art, culture, and social service. The Union Parliament has judicial and executive jurisdiction in addition to legislative and budgetary authority since the Indian Constitution does not conform to the concept of the separation of powers. The Indian Parliament is given some limited administrative and judicial jurisdiction in addition to legislative and financial responsibility. The executive branch, which includes the Prime Minister and Cabinet, is subject to the will of Parliament. The Lok Sabha and the Cabinet are jointly responsible under Article 75. The performance of the Cabinet is regularly evaluated and reviewed by the Lok Sabha. The Lok Sabha may remove the Council of Ministers by presenting a resolution of no confidence, rejecting the budget, or overturning any executive order. The members of the Lok Sabha and Rajya Sabha elect the president and vice president.

The president may be impeached and removed by either chamber of parliament. Thus, the Indian parliament has a lot of selection powers for the executive and judicial branches. In other words, in addition to constitutional power, the Indian constitution also affords the Indian parliament executive and judicial jurisdiction. The Vice-President serves as the ex-officio chairman of the Rajya Sabha and preside over its meetings, much like the American Senate. Overseeing the Lok Sabha is the Speaker. The Vice President presides over Rajya Sabha proceedings even though he is not a member of the body. He alone has the power to cast a decisive vote. Sessions of the Lok Sabha are presided over by the Speaker, with the Deputy Speaker filling in when he is not present. However, only members of the Lok Sabha may serve as Speaker and Deputy Speaker. The Lok Sabha's members elect them. The Speaker fulfils his obligations impartially, much like the Speaker of the House of Commons. The Speaker of the Indian Parliament does not, however, resign from politics after taking office, in contrast to the British Speaker. Indian speakers, in contrast to British and American speakers, do not choose a position of complete neutrality or complete political commitment.



**Committee System:** The Indian parliament, like many others, is structured with designated committees to carry out its legislative and other responsibilities. Although certain committees are shared by the two houses, others are exclusive to each house. Parliament continues to have sway over the Executive via the use of its committees, including the Estimate Committee and the Public Accounts Committee. The legislative process in the parliament depends on these committees. Despite not being sovereign, the Indian parliament is nonetheless a very powerful institution. The Union Parliament has the power to enact legislation on 97 issues on the Union List and the Residual List. Both the Union Parliament and the State Vidhan Sabha have the power to create legislation for the 47 topics on the concurrent list, but in the case of a tie, the laws of the Union Parliament take priority. The Union Parliament may even adopt laws relating to State concerns in specific emergency scenarios because of its very wide and extensive legislative power.

The Indian Constitution includes provisions for a parliamentary government system, and the Union Cabinet is accountable to parliament for all of its deeds and decisions. The Union Parliament keeps an eye on how the Government conducts itself and forbids it from misusing its oppressive authority. Because of this, even though the Indian Parliament is a tremendously powerful institution, it lacks sovereignty. The constitution is recognised as the ultimate law of India, and parliament is governed by it. Despite having the power to modify the Constitution, the Parliament is unable to alter its fundamental principles. We may assert that the Indian Parliament is a powerful, well organised, and independent legislature in this way.

### **The Rajya Sabha (Council of States)**

Rajya Sabha, specifically. The Council of States is the name of parliament's upper house. It is clear from its name that it was developed to symbolise the states of the Indian Union. The Rajya Sabha, however, does not provide all Indian states an equal proportion of representation, unlike the upper legislatures of the USA and Switzerland. They have had representation based on their population. The maximum number of members for the Rajya Sabha is 250, of which 238 are state representatives. The other 12 members are chosen by the president from among persons who have made remarkable contributions to literature, science, art, or social service. 238 members are chosen by the State Vidhan Sabhas of 28 operational states. For each State Vidhan Sabha, varied numbers of representatives are elected. The Constitution's Fourth List provides provisions for allocating seats to States.

In other words, the number of seats in each State solely reflects the population ratio. For instance, Punjab has 7 members in the Rajya Sabha, Haryana 5, AP 18, and Mizoram 1 seat. There are now 245 members of the Rajya Sabha, of whom 233 were chosen by the people and 12 by the president. The constitution, in addition to population, takes other factors like geography and other socioeconomic traits into account when dividing up the number of seats among the states. The function of assigning seats to States has been established by the constitution, and it can only be changed by a constitutional amendment. Every state is obligated to send one representative to the Rajya Sabha, however larger states like the UP and Bihar have more seats than smaller states do. The American Constitution ensures equal Senate representation for every State, regardless of size and population, in contrast to the Indian Constitution. This is acknowledged as a non-federal characteristic of the Indian Union. In reality, the constitution's drafters ignored the principle of equal representation in favour of adopting Swiss and American upper house representation practises.

The State Vidhan Sabha is indirectly elected using the Representative Ratio and Single Transferrable Voting procedures. The only members selected are those specified by the constitution. The President suggests 12 Rajya Sabha members from the fields of literature, science, social service, and art who have a distinguished record in those fields. An open voting system and the elimination of the need to be a native of the representative state in order to be elected to a particular state were proposed at an All Party Meeting in October 2003; however, the Supreme Court rejected the proposal in June 2004. To join the Rajya Sabha, one must fulfil the requirements listed below:

1. He should be a citizen of India.
2. The state that he wants to represent in the Rajya Sabha must have been indicated by him.
3. Rajya Sabha is often referred to as the House of Elders since members must be older than 30.
4. Any further conditions imposed by the law must be met by him.
5. In either the federal or state governments, he shouldn't hold any posts with a salary.
6. He and he should not both be mad or impoverished.
7. He should not have been found disqualified by any legislative act.

The Rajya Sabha is an institution with a nearly everlasting term. It cannot be dissolved, much like the Lok Sabha. New elections are conducted every other year when one-third of its members retire. The tenure of each Rajya Sabha member is six years. A member's membership may be cancelled if they quit or are shown to be ineligible. Members of the Rajya Sabha who repeatedly skip meetings and conferences convened by the Leader of RS for a period of 60 days without justification may be expelled from the body by the Chairman of the Rajya Sabha. The President is the only person authorized to call the Rajya Sabha to session, unless there are exceptional circumstances. However, there must be a gap of more than six months between any two consecutive sessions. There must be at least two Rajya Sabha sessions per year as a consequence. The President has the authority to summon a special session of the Rajya Sabha in the case that the Lok Sabha is dissolved and he must make a decision about anything, such as declaring an emergency. In order to pass an ordinance, it may also be used to ask for a longer presidential term in a particular state. A special session to discuss the Kargil conflict situation was proposed for May or June 1999, however it was not conducted since the Lok Sabha was disbanded at the time.

The Rajya Sabha requires a quorum of at least one-tenth of its members in order to convene and conduct business. The 44th amendment reinstated the former 1/10 procedure, although the 42nd amendment gave the Rajya Sabha the power to calculate its own quorum. The Rajya Sabha's members enjoy a variety of special benefits. They are free to express their thoughts at home without fear of repercussions, and nothing they say may be used against them in court. Between 40 days prior to and 40 days after the house's session, including the session itself, no member may be held for any civil offence. A privilege committee has been in place since the Rajya Sabha's inception to protect members' particular rights. Rajya Sabha's ex-officio chairman is India's vice president. He monitors and conducts the meetings of the Rajya Sabha even though he is not a member and does not vote. He practises discipline yet avoids conflict. As Rajya Sabha chairman, he has the power to cast the decisive vote in cases of a tie on any constitutional measure. When a request is made to remove the vice president from office, the vice president cannot preside over the meeting or cast the final vote. In the vice president's absence, the chamber is presided over by

the Deputy Chairman of the Rajya Sabha, who is selected by the Rajya Sabha members from among themselves. Currently serving as vice president of the Rajya Sabha is Hamid Ali Ansari. Salary, Allowances, and Pension: If Rajya Sabha members complete their entire six-year tenure, they are entitled to the statutorily prescribed salary and allowances as well as pension benefits.

### **Functions and Powers of the Rajya Sabha**

**Legislative Powers:** The Rajya Sabha and Lok Sabha both have almost equal power when it comes to general enactment. A normal bill may also be presented in Rajya Sabha, but Rajya Sabha approval is required for it to become law. Any item related to a subject on the Union, State, or Concurrent List may be tabled in the Rajya Sabha, with the exception of money bills. The president calls a joint session of parliament if a disagreement over a regular item cannot be settled within six months. This combined session of both houses is presided over by the Speaker of the Lok Sabha. The aforementioned Bill becomes law when it is signed by the President and forwarded to the joint session for approval. The aforementioned statute is then declared invalid if the deadlock is not resolved in a joint session.

**Financial Impact:** Compared to the Lok Sabha, the Rajya Sabha has far less financial impact. A Money Bill may only be presented in the Lok Sabha, and the approved draught is sent to the Rajya Sabha. Even though Rajya Sabha didn't formally embrace the bill, if Rajya Sabha doesn't pass it within the given 14 days, the proposal is assumed to have been authorised by parliament. Any adjustments that the Rajya Sabha suggests are forwarded back to the Lok Sabha, which is the sole body with the power to accept or reject them. Since the budget is also a money law, the Rajya Sabha cannot stop it from being passed. Really, it can't wait another 14 days. Under the British Constitution, the Rajya Sabha's power to delay the Money Bill for at least 30 days is even more limited than that of the House of Lords. The American Senate has greater authority in financial matters than the Rajya Sabha, which only adopts a Money Bill's final draught. The sole legislative body having the power to remove the Cabinet is Lok Sabha, according to Article 75 of the Constitution, which specifies that the Cabinet is collectively responsible to the Parliament.

The custom of just selecting ministers from the Lok Sabha has been abolished, and now it is also possible to choose ministers from the Rajya Sabha. In 1996, Devegowda moved from the Lok Sabha to the Rajya Sabha. I.K. Gujral was a member of the Rajya Sabha and served as prime minister from April 1997 to April 1998. The incumbent prime minister, Dr. Manmohan Singh, is also a Rajya Sabha member. As a consequence, as was the case with Dr. Manmohan Singh in May 2004, a Rajya Sabha member may now become prime minister provided that party's leader is supported and selected by that party. But in essence, Rajya Sabha has restricted the Executive's ability to act in accordance with the law.

**Amendment Authority:** Either house of the legislature may present a measure that calls for an amendment. Amendment bills must first get approval from the Rajya Sabha before going on to the Lok Sabha, and vice versa. Amendment bills cannot be adopted without the backing of both houses of parliament. The bill must be passed by a simple majority in each house, on an equal basis, in accordance with Article 368. As a consequence, the authority to offer changes is equal for both houses. Additionally, Rajya Sabha has some electoral power. Voting for president is done by members of the State Vidhan Sabha, Lok Sabha, and Rajya Sabha. Members of the Rajya Sabha cast ballots for the Deputy Chairman of their choosing. Rajya Sabha members, along with Lok Sabha members, also vote for the vice president.

The Rajya Sabha possesses the following judicial powers despite having no civil or criminal jurisdiction. Together, the Rajya Sabha and Lok Sabha might begin the impeachment process against the President. A special resolution voted by the Rajya Sabha may be used to remove judges from the Supreme Court or the High Court. A vice president removal proposal may only be presented in the Rajya Sabha. Numerous well-known officials, including the Chief Election Commissioner, Comptroller and Auditor General of India, and others may have their resignation requests granted.

**Additional Functions:** In addition to the responsibilities listed above, the Rajya Sabha and Lok Sabha additionally perform the following functions:

1. To consent to the President's decreed regulations.
2. To accept the designation of an emergency.
3. The power to initiate legislation with the goal of altering the Supreme Court's and High Court's purview.
4. The power to change the requirements for joining the Lok Sabha and Rajya Sabha.

Rajya Sabha has the following special powers. With the approval of two-thirds of the available members, the Rajya Sabha has the power to approve a resolution designating any State Subject as a subject of National Importance. With this plan, the Union parliament will have a year to enact such laws. An annual proposal may get approval from the Rajya Sabha. In other words, the relevant state problem becomes a concurrent topic for a year when such measures are approved by the Rajya Sabha. To that goal, the Union Parliament may adopt laws. Article 312 of the Constitution grants the Rajya Sabha the power to create or dissolve an All-India Service by passing a resolution with a two-thirds majority. In the event that the Lok Sabha is dissolved, the Rajya Sabha will have the democratic authority to control the President's emergency powers. In such cases, there are provisions for making the notification through Rajya Sabha. The only body with the power to initiate a motion to remove the Vice President is Rajya Sabha, and only Rajya Sabha may start the procedure for doing so.

## CONCLUSION

In conclusion, the political system of India depends on the vice president of the country. Their roles as the Rajya Sabha Chairman and acting President, as well as their symbolic embodiment of cooperative federalism and parliamentary democracy, all contribute to the effective running of the government and the preservation of democratic values. The Vice-President's position encourages dialogue, thought, and cooperation among several stakeholders in order to create a well-balanced and efficient governing structure. While the Vice President does not directly influence policy decisions and only has administrative responsibility, their roles as Chairman of the Rajya Sabha and acting President provide them a platform to influence political discourse and push legislation and public policy.

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## THE ROLE AND SIGNIFICANCE OF THE RAJYA SABHA

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### ABSTRACT:

*The Rajya Sabha, or the Council of States, is the Upper House of the Indian Parliament and holds a significant position in the country's legislative system. This chapter explores the role and significance of the Rajya Sabha, examining its constitutional framework, composition, and functions. It analyzes the unique features of the Rajya Sabha, such as the representation of states, the nomination of members with expertise in various fields, and its role in shaping legislation and policy. The chapter also discusses the Rajya Sabha's role as a revising chamber, its power to initiate certain types of bills, and its contribution to the democratic process through the representation of diverse voices. By understanding the position of the Rajya Sabha, we gain insights into the importance of this institution in India's parliamentary democracy.*

**KEYWORDS:** *Constitution, Council States, Legislative Body, Members, Membership, Parliament.*

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### INTRODUCTION

Reviewing the Rajya Sabha's authority reveals that it is neither a powerful House like the US Senate nor a House that serves just as a showpiece like the British House of Lords. Actually, it is situated in the middle of the two. It is not the Lok Sabha's shadow, but it is also not as powerful. Despite being the Upper House, it has less power, yet it nevertheless plays a big role in the task at hand. It is undeniably true that the Rajya Sabha is less powerful than the Lok Sabha; some have even called it a subordinate and useless House. Its use was unclear to Dr. Ambedkar. I don't think I'm all that strongly in favour of a second chamber, he said. The Rajya Sabha was created as a second chamber by the Constituent Assembly in order to provide representation to the parts of the Indian Federation and to act as a body that assists in decision-making and that can be checked. The Rajya Sabha was not designed to be as weak as the British House of Lords or as strong as the US Senate. Rajya Sabha now has the same rights as the Lok Sabha with regard to the development of common legislation, the selection of the President and Vice-President, the power to impeach, and the capacity to assess government reports. Overall, nevertheless, its role is currently less important than the Lower House. Functions for Federal Execution and Financial Control have been given to Lok Sabha. Factors making Rajya Sabha's function less significant [1]–[3].

States are not evenly represented in the Rajya Sabha, which means that its composition does not accurately reflect the true nature of the Federation. The representation of the states is based on geography and population. In federal states like the USA and Switzerland, federal units have been given equal representation in the upper Houses of the Parliament. As a result, Rajya Sabha was unable to perform the duties of a truly Federal House. Representation of Party Interests. Members

of the Rajya Sabha and Lok Sabha speak on behalf of their respective parties rather than the interests of the states. Their selection is based on political allegiance. According to Mr. Girdhari Lal, it is more accurately described as a council of political parties in the state legislature rather than a council of states. Its composition emphasises the importance of the seats obtained by different political parties in various Legislative Assemblies.

The President suggests 12 people for the Rajya Sabha. Actually, this violates the democratic and federalist tenets. There's still a risk that the State won't get any support from the 12 members that were nominated. Rajya Sabha members are elected indirectly, therefore they are not directly accountable to the people. Additionally, compared to a direct election system, an indirect election system increases the likelihood that corrupt practises would be adopted. Compared to the Lok Sabha, the Rajya Sabha has far less power to pass laws. The money measure must be passed by Rajya Sabha within a 14-day timetable, and it has no other real or significant influence on the executives. The Lok Sabha is the body to which ministers are accountable, not the Rajya Sabha. Even in the joint session summoned to resolve the disagreement between the two Houses, the majority of the Rajya Sabha's members support the Lok Sabha's position, hence its authority over general legislation is less than that of the Lok Sabha. The Lok Sabha members rule even in decisions made in joint sessions[4]–[6].

Bill amendments are not particularly helpful. The Rajya Sabha's primary responsibility is to revise legislation passed by the Lok Sabha, but because of bitter party politics, arguments in this chamber often follow party lines. The Rajya Sabha only performs certain tasks. The law authorised by the Lok Sabha will undoubtedly be enacted by the Rajya Sabha if the party with a majority in the Lok Sabha also has a majority there. The way the Committee system functions has also made the Second House's role in revision ineffectual. The framers of the Constitution did not fully succeed in having Rajya Sabha carry out the responsibilities they gave it. It hasn't often done well in either of its responsibilities as the House of Elders or the State representative of the Indian Federation. Instead, it has operated like a divided House, representing the positions of each major party and acting along party lines. In addition, it has not done a good job of checking the Lok Sabha. Additionally, governments have adopted the same plan throughout history to include Members of Elders or defeated parties in the Parliament. For the election of any candidate to achieve its particular objectives, small electoral seats in the Rajya Sabha or the votes of State Legislature members may be easily purchased.

### **Reasons for the Rajya Sabha**

The Rajya Sabha, despite its weakness, serves as the Indian constitution's revision chamber, the counterpart to the Union parliament, and a vehicle for bridging the gap between the federal and state governments. Morris Jones summarises the advantages of the Rajya Sabha as having three important features: It provides additional political opportunity, which is necessary; it provides for more opportunities for discussion, which is necessary; and it aids in finding solutions to specific constitutional problems. The Rajya Sabha's importance as the upper House of the Union parliament may be summed up as follows: What Capable People Usually Do: Twelve candidates for the Rajya Sabha are put up by the Indian President who have distinguished themselves in literature, science, the arts, or social services. As a consequence, the federal system may profit from the skills and expertise of people who work there. The Rajya Sabha's Usefulness as a Temporary House with Special Powers Due to its special skills, Rajya Sabha, a quasi-permanent House, greatly contributes to the Indian constitutional system. Since it is a quasi-permanent

house, it offers stability[7]–[9].

The Rajya Sabha may provide its approval when the Lok Sabha is dissolved and certain extraordinary tasks, such as extending the president's authority to declare an emergency in a particular state, need to be performed. The Rajya Sabha held a two-day special session in May 1991 to approve the extension of the president's power in Haryana. It was essential to hold the special session after the regretful and disturbing death of former prime minister Mr. Rajeev Gandhi on May 21, 1991, and the subsequent delay in the election process. The Rajya Sabha also functions as an additional House. It lessens the workload of the Lok Sabha since uncontroversial and certain other types of legislation may be tabled in the Rajya Sabha first. It also functions as a House for legislative amendments. It fulfils the same role as the Lok Sabha in terms of amending the Constitution and choosing the President and Vice-President. Furthermore, it has particular jurisdiction under Articles 249 and 13. As a result, unlike the British House of Lords, the Rajya Sabha serves a useful purpose. The Rajya Sabha's function[10].

Since the creation of the Constitution, the Rajya Sabha has operated in the rightful function as the second house of parliament. Between 1977 and 1979, it carried out investigations to restrict a few of the Lok Sabha's passed legislation and resolutions. Despite the Janta party having a majority in the Lok Sabha at the time, the Rajya Sabha was still in session because of the Congress's majority there. The 43rd and 44th amendment bills, which the Lok Sabha had adopted, underwent several changes or had certain parts omitted. In response to such occurrences in 1989–1990 and 1996–2003, Rajya Sabha activity was restarted. However, despite the fact that it does not have any inventive or constitutional flaws, the dominance of a single party in the Indian party system between 1950 and 1977 and 1980 to 1989 was the main reason for its inability to carry out the duty given and stated in a constitutional manner by Rajya Sabha. When the Congress's influence began to decline and other political parties began to gain popularity and power, the role of Rajya Sabha shifted. Several political parties now have majorities in a number of states. Each party is fairly represented in the Rajya Sabha. Any party that wants to employ the Rajya Sabha's revision authority and two special powers must anticipate winning more than two thirds of the seats. As a consequence, it has improved its standing. Remember that since the Union Parliament is a bi-cameral body, the Rajya Sabha must continue to play a significant role as an Upper House. From now on, we can count on Rajya Sabha to compile a list of potential candidates for the job of prime minister[11]–[14].

## DISCUSSION

### Lok Sabha: The House of the People

The House of the People, or Lok Sabha in popular use, is the name of the first and lower House of the Union parliament. Its name makes it clear that it represents the Indian population. It is directly chosen by the people themselves. This House's robust, democratic, and completely representative stance is comparable to that of the British House of Commons in this regard. The Lok Sabha has similar authority to the British House of Commons. Many scholars refer to the Lok Sabha as the true Parliament due to its dominance. This, however, is not the appropriate comment. It does, however, make clear how significant and dominating the Lok Sabha is inside the Indian Constitution.

**Makeup:** When the Constitution went into force in 1950, the Lok Sabha had a cap of 500 members. The number increased to 520 once the 7th amendment was ratified in 1956. In 1963,

the 14th Amendment increased the membership to 525. Out of these, 500 seats were given to people of the states, while the last 25 seats were divided among the states that are governed centrally. The 31st Amendment Act established the maximum number of Lok Sabha seats at 550, but it is presently 545. 20 of them are from states with centralised governance, while 525 of them are selected by the states. In accordance with Article 331 of the Indian Constitution, if the President decides that the Anglo-Indian group has not received adequate representation, he may suggest two members for the Lok Sabha. The Lok Sabha would have 545 members up till 2010. The Lok Sabha has seats designated for scheduled castes and scheduled tribes under the Constitution.

**How Lok Sabha Members Are Selected:** The following process is used to elect Lok Sabha members. The Lok Sabha elections are open to all adults who are at least 18 years old. Before then, the age was 21. However, a voter's name must be on the voter list in order to cast a ballot.

**Joint Electorate System:** In the Joint Electorate System, voters choose one candidate rather than many, based on their loyalty to various groupings. For the benefit of all of its citizens, each electoral zone in the country elects one representative. However, certain voting areas are exclusively accessible to those who belong to predetermined castes and tribes. They're called as Reserved Election Constituencies. While all voters are entitled to vote in unreserved districts, only members of scheduled castes or tribes are eligible to run for office in such districts.

**Constituencies With A Single Representative:** The country is divided into as many constituencies as there are Lok Sabha members to be elected, and one representative is selected from each constituency. The borders of the constituencies are drawn by the Delimitation Commission, which is established after each Census. The Delimitation Commission defines the boundaries of territorial constituencies. There are approximately 5 to 7.5 lac people living in each constituency.

**Secret Ballot:** Throughout the Lok Sabha elections, voters remain anonymous, and no one is aware of who earned their ballots. The Lok Sabha is elected in a direct election for each member. Each voter has the choice to back the rival candidate. The candidate who wins the most votes among all contenders is regarded as the elected representative of that constituency. To qualify for membership, applicants must fulfil the following requirements:

1. He really should be Indian.
2. He must be under 25 years of age.
3. He shouldn't have a position of authority inside the State or Union governments.
4. He should not be insane or insolvent.
5. Any court of law should not have judged him guilty of any crime.
6. He must to adhere to all conditions outlined by parliamentary statute.

The Lok Sabha typically meets for five years. During an emergency, this term may be prolonged by one year, but fresh Lok Sabha elections must be conducted within six months after the emergency's resolution. The 42nd Amendment extended the Lok Sabha's tenure to a maximum of 6 years, but the 44th Amendment reduced it back to 5 years. The President has the authority to dissolve the Lok Sabha before it has completed its term, as he did in 1977, 1979, 1991, 1997, 1999, and 2004. If they happen before the first Lok Sabha's term has concluded, mid-term

elections are conducted for the Lok Sabha. But each Lok Sabha member is elected for a 5-year tenure. When he dissolves the Lok Sabha, the President takes the Prime Minister's recommendation. As long as the Prime Minister had a majority in the Lok Sabha, the President might be convinced to dissolve it at any time. Such a request is granted by the President.

According to Article 85 of the Indian Constitution, the President may convene sessions of the Indian Parliament, although there cannot be a gap of more than six months between the two sessions. This indicates that there must be at least two Lok Sabha sessions per year. The President has the power to call Lok Sabha sessions and to permanently suspend or dissolve it. A meeting must have a quorum of at least 1/10 of the Lok Sabha's members. If just 1/10 of the Lok Sabha members are present, the Speaker of the House may call the meeting to adjourn owing to the lack of a quorum. Both the President and the Speaker of the Lok Sabha are the same person, and they are both known as the Speaker. Members of the Lok Sabha vote among themselves to choose who gets to speak. During its very first session, each new Lok Sabha elects a speaker and a deputy speaker from among themselves. The Speaker handles the business of the House, controls the Lok Sabha's procedures, and upholds decorum. He is the House's most senior member. He conducts himself indifferently in the House in a political sense. When the speaker is not present, the deputy speaker assumes his duties. If neither the Speaker nor the Deputy Speaker is present, one member from the list of authorised chairpersons may preside over the meeting. Ms. Meera Kumar was selected to serve as the speaker of the 15th Lok Sabha.

The Lok Sabha's members get a fixed monthly pay from the Parliament in addition to perks like pensions and allowances. Anyone who has served in the Lok Sabha for at least five years is also eligible for a pension. The privileges granted to Lok Sabha members are somewhat special. They have total freedom to express themselves in the House. In court, nothing they said in the House may be used against them. They are not susceptible to civil crime arrest 40 days before or after the session. In criminal cases, they may only be brought into custody after notifying the Speaker in advance. Due to Party discipline, members of the Lok Sabha must adhere to Party policies. He is required to participate in the voting procedure in line with the party whip or face repercussions. Official acknowledgement of the Opposition Leader. In England, there has been special government acknowledgement for the opposition leader. On August 18, 1977, India enacted a law managing the Parliament in a manner similar to that of Britain. As a consequence, procedures were made for formally recognising the opposition leader in the House. The perks enjoyed by Cabinet Ministers are also extended to the opposition leader. Mr. Atal Bihari Bajpai, the BJP's leader, was officially recognised as the opposition leader in the 11th Lok Sabha. Mr. Sharad Pawar, the Congress leader in the 12th Lok Sabha, was officially recognised as the opposition leader. L.K. Advani, a politician and MP for the BJP, was elected to lead the opposition in the 14th Lok Sabha. In both chambers of the 15th Lok Sabha, the UPA had a majority.

### **Powers and Duties of the Lok Sabha**

The tasks and responsibilities of the Lok Sabha may be divided into the following groups:

**Legislative Powers:** A normal bill becomes a law when it is passed by both Houses of Parliament. Both homes are eligible for delivery. Once one House has authorised it, it is sent on to the other. After being adopted by both Houses and being signed by the president, it becomes a law. Although a bill may be submitted in either of the two Houses of the Parliament, most legislation is sent to the Lok Sabha. After the Lok Sabha, it is ratified by the Rajya Sabha. If the



Rajya Sabha rejects the bill or sends it back with changes, the Lok Sabha will reexamine it. When the Rajya Sabha is still unable to pass a legislation after it has been once again authorised by the Lok Sabha, a deadlock has occurred. If an impasse like this is not overcome within six months, the President convenes a joint session of both Houses, and the outcome of this session will decide the fate of the bill. Because it has more members roughly twice as many as the Rajya Sabha the procedure of a combined session of the two Houses to end the deadlock continues to be advantageous to the Lok Sabha. The Speaker of the Lok Sabha presides over the joint session of both Houses. To pass common law in this respect, the Lok Sabha is in a stronger and better position.

According to Article 75 of the Indian Constitution, the Council of Ministers shall be collectively responsible to the House of the People. The Lok Sabha holds the Council of Ministers accountable for all of its shortcomings, disdain, and neglect. Ministers may remain in office as long as they receive the backing of the Lok Sabha's majority. The prime minister is typically a member of the Lok Sabha, however this is no longer necessary. The Lok Sabha has the power to dismiss ministers at any time by adopting a motion of no confidence. So, the Lok Sabha has the authority to determine whether or not the Council of Ministers will survive. The Lok Sabha keeps the Council of Ministers responsible to it via a number of measures. a case study. By questioning them on all administrative matters, criticising the laws they enforce, passing curtailment resolutions, censure motions, and no confidence motions, as well as by opposing ordinary government legislation and budgetary initiatives.

A motion of no confidence would be considered to have been passed by the Lok Sabha if it rejected a cabinet policy or decision, failed to approve the government's budget or a bill, or voted to remove the prime minister from office. Every single minister in the Council of Ministers must resign. After the Lok Sabha rejected a motion of no confidence put forwards by Prime Minister HD Devegowda on April 12, 1997, the first United Front cabinet, which had been in office since June 1996, was overthrown. After the BJP United government failed to win a vote of confidence in 1999, Mr. Atal Bihari Bajpai, the prime minister, submitted his resignation to the president on April 17, 1999. Therefore, the Lok Sabha has the power to overthrow the government.

**Financial Powers:** The Lok Sabha is the sole legislative body to which all legislation relating to money are presented, making it the body with the ultimate power in financial matters. Following approval by the Lok Sabha, such legislation are sent to the Rajya Sabha. The maximum number of days that a Lok Sabha financial measure may be delayed is 14. If the Rajya Sabha is unable to pass a financial measure or if 14 days have elapsed after the bill was referred to the Rajya Sabha, it is assumed that the measure has been approved by both Houses of parliament and is sent to the President for his assent. A special measure must be approved by the Lok Sabha Speaker to be considered a financial bill. His decision is final, and he has the last word, on any tax that is up for consideration by the Lok Sabha and matters related to controlling financial policies. Lok Sabha is the real powerhouse and benefactor of finance.

There are other judicial authorities inside the Lok Sabha as well. After the process of establishing allegations against the President is finished, the President may be removed from office by a majority vote of the Parliament. It also examines the complaints brought against the Vice President by Rajya Sabha. With the assistance of Rajya Sabha members, it may approve a resolution to remove any High Court or state judge. It may pass a special resolution requesting the removal of a number of individual state leaders, including the Attorney General, the top election

officer, the Comptroller, and the Auditor General of India. Those who have been found to have insulted or disparaged the House may face disciplinary action by the House.

**Election Responsibilities:** The Lok Sabha also has certain responsibilities. Participating in the presidential election is the Lok Sabha. Members of the Lok Sabha and Rajya Sabha elect the Vice-President. The Speaker and Deputy Speaker of the Lok Sabha are elected by the other members.

**Amendment POWER:** Either House may present bills to amend the Constitution. However, a bill only qualifies as adopted in line with Article 368 of the Constitution when it obtains an equal number of votes from both Houses. Both the Lok Sabha and the Rajya Sabha approach the power to modify the constitution in a similar way. A national emergency, a constitutional emergency in one or more states, or a financial emergency are the three types of crises that the Indian Constitution grants the president the power to proclaim. However, the Lok Sabha and the Rajya Sabha must both agree before any kind of emergency may be proclaimed. The Rajya Sabha must be approached for approval if the Lok Sabha is to be dissolved at the time of the emergency declaration; however, if the new Lok Sabha has been elected, approval must be acquired within 30 days of the emergency declaration. Otherwise, the declaration is withdrawn.

In addition to the aforementioned responsibilities, Lok Sabha also has the following additional powers: to accept or reject presidential ordinances; to change state boundaries; to create new states; to change a state's name; to change the Supreme and High Courts' jurisdiction; to change the requirements for members of Parliament and state legislatures and more to change the pay and perks for lawmakers and create a Union Public Service Commission for two or more states. It may also pass a resolution to dissolve or recreate the upper chamber of the State Legislature. Position of the Lok Sabha: After examining the House's authority and activity, we have come to the conclusion that the Lok Sabha, or Parliament, is a very powerful body. The Council of Ministers is accountable to Lok Sabha rather than Rajya Sabha. The Council of Ministers and all other government agencies are completely under the control of Lok Sabha members. The Lok Sabha has a substantial impact even when enacting routine bills since roughly 90% of the legislation is initiated in that body and because the joint meeting mechanism used to settle disputes between the two Houses favours the Lok Sabha. The Lok Sabha continues to supervise the executive. The Lok Sabha usually chooses the Prime Minister. The Lok Sabha may dissolve the Council of Ministers by passing a motion of no confidence or by abolishing the laws or policies of the government.

## CONCLUSION

In conclusion, In India's legislative system, the Rajya Sabha plays a vital role. Its composition, duties, and jurisdiction all help to ensure that state interests are represented, a variety of opinions are represented, and the legislative process runs well. The advancement of democratic values, the creation of new laws, and the preservation of federalism and inclusiveness all depend on the Rajya Sabha. The Rajya Sabha strengthens the nation's democratic structure by acting as a platform for in-depth discussion and debate and as a watchdog over the rights of all social groups to express their views. Even though it does not have exclusive jurisdiction over financial matters and problems relating to the creation or dissolution of states, the Rajya Sabha's role as a deliberative body ensures that legislation is thoroughly scrutinised, leading to informed decision-making.

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## SPEAKER OF THE LOK SABHA: RESPONSIBILITY AND DUTIES

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### ABSTRACT:

*The Speaker of the Lok Sabha holds a crucial position in the Indian Parliament, serving as the presiding officer of the Lower House. This chapter explores the role and significance of the Speaker, examining their constitutional powers, responsibilities, and functions. It analyzes the Speaker's role in maintaining order and decorum, deciding on points of order, and ensuring the smooth functioning of parliamentary proceedings. The chapter also discusses the Speaker's impartiality, independence, and their role as the representative of the House. Additionally, it explores the Speaker's functions as the custodian of parliamentary privileges and their contribution to the democratic process through the promotion of accountability and transparency. By understanding the position of the Speaker of the Lok Sabha, we gain insights into the importance of this office in the functioning of India's parliamentary democracy.*

**KEYWORDS:** Authority, Chairperson, Constitutional Role, Decisions, Election, House Proceedings, Legislative Business.

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### INTRODUCTION

In Lok Sabha, the Speaker is an extremely influential figure. He is a member of the House with the highest power. He ranks seventh among the nation's most powerful individuals and has the same standing as the Chief Justice of India. The speaker stands in for Lok Sabha as the dominant body. When the speaker rises to speak in the House, no other member may rise; instead, everyone listens to him. This is because of how magnificent and noble his position is, which is widely respected by all of the members. Observer Jawaharlal Nehru once said, The Speaker represents the House. The Speaker becomes a symbol of the country's independence and liberty because he upholds the dignity of the House, which in turn symbolizes the nation in a specific manner. The speaker occupies one of the highest posts in the nation, according to former Lok Sabha Speaker Hukam Singh. The Lok Sabha's members pick one individual to serve as its leader and preside over its proceedings; this person is known as the Speaker of the Lok Sabha. As soon as practicable, the House of the People should pick two members of the House to serve as Speaker and Deputy Speaker, according to Article 93 of the constitution[1], [2].

The House elects the Speaker during its very first sitting after the general elections, when a new administration is established. The Speaker is often chosen by a unanimous vote. The ruling party's leader suggests the Speaker's name after consulting with the leaders of the opposing parties. The opposition leader is in favor of this plan. Only when there is a disagreement between the House majority party and other parties on this issue is the speaker elected. Bali Ram Bhagat, a member of the Congress party, won the election for Speaker in 1976. Mr. Ravi Rai served as the Speaker of the 9th Lok Sabha. The speakers of the 10th Lok Sabha were Mr. Shiva Raj Patil, Mr. P.A.

Sangma, and Mr. Ravi Rai. Similar to this, Mr. Bal yogi and Mr. P.S. Sayed were chosen to serve as Speaker in the 12th Lok Sabha. However, the Lok Sabha chose a new Speaker when Mr. Bal yogi passed away in an airplane tragedy. Manohar Lal Joshi was chosen as Speaker of the Lok Sabha, while P.M. Sayed continued to serve in that capacity. There are no specified requirements for the position of Speaker. Any current Lok Sabha member may be chosen by the House to serve as Speaker. We may state that the requirements for the position of Speaker are the same as those needed to join the Lok Sabha. But in reality, only a seasoned and well-liked Lok Sabha member is chosen for this important position[3], [4].

The speaker's term is equal to the Lok Sabha's, or five years. He nonetheless continues in his position notwithstanding the dissolution of the Lok Sabha. He will continue to maintain the position till the next Lok Sabha elects a speaker on its own. Even before the end of his term, the Speaker is free to leave his position at any moment[5], [6]. According to Article 94 of the Indian Constitution, the Speaker's duties as Speaker would be terminated if he or she does not continue to be a member of the House. The Speaker is free to leave his position at any moment. The Speaker may also be dismissed by the Lok Sabha. In this respect, the speaker must resign from office if the House's majority party approves a resolution calling for his ouster. However, the proposers of such a resolution must notify the Parliament 14 days in advance of presenting a no confidence motion against the Speaker. The Parliament sets the Speaker's pay and benefits. In addition to his pay and benefits, he enjoys exclusive benefits including free housing, free medical care, a travel allowance, and many more. His wages are paid out of the Consolidated Fund[7], [8].

## DISCUSSION

### Powers and Functions of the Speaker

The Speaker of Lok Sabha carries out the following crucial duties:

1. To Preside Over the House sessions: The Speaker is responsible for running the House's sessions. He also serves as the Speaker of the Houses' joint session.
2. To keep order in the House: The Speaker maintains order in the House. The Speaker may issue a warning or even request that a member leave the House if he or she attempts to hinder the House's business. The speaker has the authority to suspend a member's membership for a certain length of time if they are found to be in violation of the rules.
3. The Speaker establishes the House's agenda after consulting with the Prime Minister, committee chairs, and other members. He establishes times for various questions.
4. Each member of the house is allowed to ask various kinds of questions of the ministers, although doing so requires the speaker's permission. Speaker makes the ultimate judgment and welcomes questions from the audience [9], [10].
5. Conducting House Business: The Speaker is in charge of running the House's business. Members are free to offer bills, motions for cognizance, and motions to halt activity. He welcomes guests, grants permission to speak, sets the time for house discussion, organizes voting on certain issues, and announces the results. He has the authority to issue warnings to members who use improper language and to compel the removal of such remarks from the record book.
6. Rules interpretation: The House operates in accordance with established procedural rules. When there is a disagreement over house rules, the Speaker interprets the rules and puts



them into action. The speaker's implementations are final and cannot be contested in a court of law.

7. Speakers have the authority to postpone the house if there is not a quorum, when members are acting discourteously, for any other reason, or for any severe matter.

8. If there is a disagreement over whether a measure is a money bill or not, the speaker makes the call. His judgment is final and cannot be appealed in a court of law.

9. To provide authorization for the introduction of a bill: Any member or minister may do so only with the speaker's consent when presenting a measure in the house.

10. Speaker never participates in house debate or discussion or votes on any bills, although he is permitted to utilize his casting vote in the event of a tie.

11. House Members' Privileges are Safeguarded by the Speaker: The Speaker protects certain members' privileges. All disagreements involving the preservation of these rights are sent to the Privilege Committee, and the speaker makes a judgment based on their opinions and ideas. He is thus the keeper of members' privileges. He makes sure that ministers promptly respond to queries posed by members.

12. President and Parliament are connected via the Speaker, who is the sole way for Lok Sabha members to contact the President. Speaker serves as a conduit between the President and House members as a result.

13. Speaker has control over the guests and has the authority to send anybody out of the visitor's gallery if they are making noise or acting inappropriately.

14. Role with reference to House Committees: The House Committees carry out a sufficient amount of work. The function of the speaker is crucial in the formation of these committees. He is the chairman of many committees, including the Business Advisory Committee and the Rule Committee.

15. Speaker is responsible for several different administrative tasks. He has ultimate authority over the Lok Sabha secretariat. He hires secretariat employees, improves their working circumstances, and keeps an eye on them. The Speaker is also responsible for maintaining the documents related to how the house is run.

### **Speaker's Position**

We conclude that the speaker has a respectable position after considering his abilities and duties. The speaker's job is to run the house's business in a way that makes Lok Sabha run smoothly. He serves as the house's leader and representative. As a Neutral Leader, he is employed. He continues to remain a member of the party even after being elected to this position and exercises his authority impartially. He doesn't act like a member of either the majority or the opposition party. He conducts himself in the capacity of a House member sworn to uphold the House's honor. Though a congressman, it would be my duty and effort to deal with all members and s of the house with justice and equality, declared G.V. Mavlankar, the first member of the Lok Sabha. Similar to how a family's leader guards its members' interests, the speaker defends the rights of the house's members. According to M.V. The protector and keeper of the members' rights and privileges, whether they are exercised individually or collectively as a group or party, is thus the speaker, according to Paylee. In other words, through using the house's power and authority to

manage the house, the speaker successfully represents the house.

Every speaker enjoyed G.V. Sanjeeva Reddy, Gurdayal Singh Dhillon, Mavlankar, A Iyengar, Hukam Singh, K.R. Hegde, B.R. Bhagat, Balram Jakhad, Som Nath Chaterjee, Ravi Ray, Shivraj Patil, P.A. Sangma, Bal yogi, Manohar Joshi, and other individuals have all worked impartially and without prejudice. At the moment, Mrs. Meera Kumar is carrying out her responsibilities with the same impartiality, elegance, and commitment. However, the Speaker's political neutrality only applies to the House. After serving his term or after the Lok Sabha is dissolved, he still participates in elections as a member of his political party. Unlike the speaker of the British House of Commons, the speaker of the Indian Lok Sabha does not stop participating in politics after taking office. Instead, he or she adopts a nonpartisan stance while carrying out the responsibilities of the House. Every speaker has been operating in accordance with the G.P. The dignity of the position of speaker is still maintained thanks to Mavlankar's set lines and traditions of neutralism and nonpartisanship when presiding over the chamber.

The Lok Sabha speaker is neither politically inclined like the American or religiously inclined like the British speakers. Even after maintaining and growing his political ties outside the house, he performs impartially in his role as House Leader. He avoids party politics yet continuing to be a member of that party. Sanjeeva Reddy cut ties with his party in 1967, and Gurdayal Singh Dhillon followed suit two years later. Both the British Permanent Neutral Speaker model and the American Total Political Speaker model have their own drawbacks. Indian speakers follow the middle road, and up until now, this approach has been successful. The position of speaker has always been seen as one of considerable importance and dignity in the Indian political system. P.M. Speaking symbolizes the home, in Nehru's words, which have come to symbolize the importance of this function. He is a symbol of national liberty and independence since he embodies the pride and independence of the house, which in a unique manner also stands for the country. It is accurate to state that he has a respectable position. Only an impartial, objective, and careful individual should hold this position. According to Nehru's counsel, political parties should attempt to choose only such persons for this honorable position.

### **Rajya Sabha and Lok Sabha relations**

According to Article 79 of the constitution, there shall be a parliament of Union, which shall be dependent upon a President and two houses named as the Council of States and House of People, respectively. According to it, the union parliament's two houses are the Lok Sabha and the Rajya Sabha. Rajya Sabha is the Upper House, while Lok Sabha is the Lower House. The people directly elect the Lok Sabha's members. The seats are distributed according to population. Its strength is 545 and it fully embodies the nation. The Indian Union's States are represented in the Rajya Sabha. It has 250 members, of whom 238 are chosen by the State Vidhan Sabha and the remaining 12 are presidential nominees. States split their Rajya Sabha seats in accordance with the constitution, taking the population into account as well.

Synergies between the two chambers of a bi-cameral parliament are a problem that never goes away, but the Indian constitution's authors handled it quite well. They chose the middle ground, making Rajya Sabha neither as powerful as the American Senate nor as feeble as the British House of Lords. Rajya Sabha was created as a second house, but not a second-grade house. Although not very strong, they gave Lok Sabha authority. Constitution writers were inspired by the notion of making both chambers more participative while repairing the relationship between them. They meticulously distributed responsibilities and powers between the Lok Sabha and the

Rajya Sabha, giving the former greater authority than the latter.

When we examine constitutional provisions, we see that although Rajya Sabha also has some unique authority in certain areas, Lok Sabha possesses vast authority in many other areas. Three primary heads may be used to explain the relationships between two houses:

1. Rajya Sabha and Lok Sabha both have equal authority.
2. Lok Sabha's superiority to Rajya Sabha.
3. Rajya Sabha has special authority over the Lok Sabha.
4. Rajya Sabha and Lok Sabha both have equal authority.

**1. Regular Bills:** Both have equal authority when it comes to regular bills. A regular bill may be introduced in either house, but it cannot become law without the approval of both houses. A joint session of parliament is called by the president in the event that a measure is impassed for more than six months. The law is eventually passed if the combined session is able to pass it. Joint session decisions are binding on both houses, but because of the Lok Sabha's size and power and the fact that it has a speaker from its own party, it is possible for Lok Sabha members to control the proceedings. The speaker also preside over joint sessions, which is again to Lok Sabha's advantage. Though any bill may be introduced, important legislation is always introduced in the Lok Sabha alone. This is done in order to give Lok Sabha greater prominence and weight because of its massive member representation and the fact that the majority of its ministers hold positions of authority.

**2. Constitutional Amendments:** Both chambers have identical authority when it comes to amending the constitution. A constitutional amendment bill may be introduced in either house, but it must get the same level of approval from both houses in order to be deemed approved under article 368. With regard to constitutional change, there is no mechanism for breaking a stalemate. The Supreme Court ruled in the case of Shankari Prasad v. Union of India that a joint session of parliament may be convened to break the impasse. However, the speaker of the sixth Lok Sabha decided at one point that both chambers had equivalent powers with regard to constitutional change. Rajya Sabha has the power to block any amendment proposal or compel Lok Sabha to make the required adjustments.

**3. Supreme Court and High Court Judge:** Both chambers have identical authority when it comes to impeachment procedures. Each house has the authority to bring a case against the president and Supreme Court and High Court judges. A 2/3 majority in one house allows for an initiative, and another house reviews it. The officer in question is regarded as having been impeached if another chamber, which has also examined the motion, approves it with a 2/3rd majority. Procedures to dismiss the Vice President may only be started in the Rajya Sabha. If the Rajya Sabha approves it, it moves to the Lok Sabha, which then makes the ultimate decision. Therefore, both houses have almost equal authority in impeachment proceedings, although this process has not been employed **to date**.

**4. Equal Electoral Powers:** The Electoral powers of the two houses are comparable. The election of the President and Vice-President involves members of both the Lok Sabha and the Rajya Sabha. The two houses of parliament must agree to an emergency declaration made by the president in accordance with Articles 352-356-360. Only after it is approved by both chambers can it become a law. Similar powers apply to this clause in both chambers. If the Lok Sabha is

dissolved, the president delivers it to the Rajya Sabha. If the Rajya Sabha approves it, the emergency remains in effect; otherwise, it expires after 30 days. However, the consent of the Lok Sabha is also required, and it must occur within 30 days of the Lok Sabha's creation.

**5. Equal Authority To Examine Reports:** Both chambers have the same authority to review various reports. Reports from the union Public Service Commission, Comptroller and Auditor General, and Scheduled Caste and Tribe Commission are examined and taken into consideration by both chambers.

### **Lok Sabha's Superiority Over The Rajya Sabha**

According to the following analysis, Lok Sabha seems to be superior than Rajya Sabha in several areas where it has been given greater and more assertive powers:

**1. Superiority of the Lok Sabha in Financial Matters:** The Lok Sabha has more influence in the financial industry than the Rajya Sabha does. Only the Lok Sabha may submit financial legislation. The speaker's judgment is final in any disagreement over whether a measure is a financial bill or not. Each financial measure is introduced in the Lok Sabha, and when it is approved, it is moved to the Rajya Sabha, where it may only be postponed for a further 14 days. The deadline has passed after 14 days. The Lok Sabha will have the last say on whether to accept or reject any revisions that the Rajya Sabha suggests. With or without these proposals, it can ultimately pass the law. As a result, the Lok Sabha has authority over financial legislation.

**2. Lok Sabha Has The Authority To Control The Executive:** Rajya Sabha has less executive authority rights than Lok Sabha. The Lok Sabha is answerable to the Cabinet under article 75. By introducing a No Confidence Motion, Lok Sabha may dismiss the Cabinet. The Prime Minister is the head of the majority party and is also eligible to vote in the Rajya Sabha. Additionally, the majority of Cabinet Ministers are chosen by the Lok Sabha alone. Ministers are not much influenced by Rajya Sabha members' inquiries regarding the government. Additionally, they only have little authority to criticize government actions. No Confidence Motions against the Cabinet are never permitted.

**3. Regarding The Introduction of Significant Laws:** We are well aware that the Lok Sabha is typically where all significant measures are introduced. Most ministers are Lok Sabha members. Only in the Lok Sabha can important policy discussions begin. In contrast to the indirectly elected, quasi-permanent, and weaker Rajya Sabha, the Lok Sabha is the National House that is directly elected, democratic, popular, and completely representational.

**1.** In regards to the declaration of a state topic as a matter of national importance, the Rajya Sabha may do so by a 2/3rds majority in accordance with article 249 of the Constitution. In such a situation, the Union Parliament is given the power to pass legislation for that State List topic for a year. Every year, Rajya Sabha may continue to approve this motion, giving the Union Parliament the authority to enact legislation pertaining to the State List. Only the Rajya Sabha has this authority; the Lok Sabha does not.

**2.** Article 312 of the Constitution of India allows the Rajya Sabha to designate any public service as an All India Service by enacting the measure with a 2/3rds majority. Similar to that, it may approve a request to start a new All India Service or to end any current All India Service. This clause only applies to the Rajya Sabha and not the Lok Sabha.

3. Regarding the approval of an emergency in the absence of the Lok Sabha: If the Lok Sabha is dissolved or, for some other reason, its session cannot take place, the President may declare an emergency; however, after the new Lok Sabha is seated, its approval will also be needed.

4. Positions of the Lok Sabha and the Rajya Sabha are compared.

It is evident from comparing the legislative responsibilities of Lok Sabha and Rajya Sabha that Lok Sabha has greater authority than Rajya Sabha, however it would be incorrect to characterize Rajya Sabha as a reactive or inferior chamber. This also has some unique and almost equivalent powers in several areas as Lok Sabha, which strengthens its prominence. According to Nehru, both the Lok Sabha and Rajya Sabha have clearly defined roles under our constitution. Any of the residences should not be referred to as Upper or Lower. Each house has the authority to execute its constitutional rights. Both chambers are equal before the constitution, with the exception of a few financial topics over which the Lok Sabha has exclusive jurisdiction. The highest law is the constitution, and there is no distinction between the two in that regard. The Constitution gives equal treatment to both chambers. However, it is important to keep in mind that Rajya Sabha really comes after Lok Sabha. Although the Rajya Sabha is the second chamber, it is not as weak as the British chamber of Lords. In the Indian constitutional structure, the Rajya Sabha has a respectable status and is qualified to carry out its responsibilities. Even though Rajya Sabha is referred to as the Council of States, it is not really a Federal House. Even yet, this home stands in for Indian Union units.

## CONCLUSION

In conclusion, The Lok Sabha Speaker is essential to India's legislative democracy. Their duties include respecting parliamentary privileges, preserving decorum and order, guaranteeing impartiality and independence, and encouraging accountability and openness. The role of the Speaker promotes effective discussion, safeguards the rights and interests of lawmakers, and helps the House run efficiently. The Speaker contributes to the nation's democratic fabric and emphasizes the value of strong legislative institutions in the administration of the nation by defending the tenets of parliamentary democracy. The role of Speaker entails a great deal of responsibility and calls for a high standard of moral character, objectivity, and parliamentary process expertise. The Lok Sabha's operations, the legislative process, and the state of parliamentary democracy as a whole are affected by the Speaker's choices.

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## A BRIEF INTRODUCTION TO COMMITTEES OF UNION PARLIAMENT

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### ABSTRACT:

*Committees of the Union Parliament play a vital role in the legislative process and the functioning of India's parliamentary system. This chapter explores the significance and functions of the various committees in the Union Parliament, examining their composition, powers, and responsibilities. It analyzes the role of committees in scrutinizing legislation, conducting inquiries, and ensuring executive accountability. The chapter also discusses the different types of committees, such as standing committees, select committees, and joint committees, and their specific areas of focus. Additionally, it explores the benefits of committee-based decision-making and the contribution of committees to the democratic process. By understanding the role and functions of committees in the Union Parliament, we gain insights into the importance of these institutions in promoting transparency, accountability, and effective governance.*

**KEYWORDS:** *Accountability, Chairman, Committees, Deliberations, Legislative Scrutiny, Lok Sabha, Parliamentary Oversight.*

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### INTRODUCTION

Parliament's committee system is well-known. Contemporary states are not police states. It is a welfare state, and due to changes in its policies and operations, the role of the Parliament has significantly increased, adding to its already heavy burden. Members of Parliament cannot complete their work by debating every Bill due to time restrictions[1], [2]. Each Bill has also grown in size as a result of the developing, dynamic industrial environment and social needs. The present parliamentary committees are employed to help address each issue. In fact, committees are created by each house of parliament to help with legislation passage and important decision-making[3], [4]. These committees are all created under the parliament's committee structure. An integral part of the Indian legislative system, the committee system is critical to the efficient completion of responsibilities. Committees are the legislature's eyes, ears, hands, and frequently brain, according to Thomas Reed. While paying close attention to these panels, numerous academics went on to describe them as mini-legislative bodies. Morris Jones once said, Legislative is known by the committee it keeps.

#### Committees in the Union's Parliament

There is no indication of the creation of such Committees. In principle, Article 118 provides that both houses of parliament may create committees in order to carry out their duties effectively. In conclusion, the committees of both houses have acted in conformity with the rules of procedure for the legislative body. These Committees may be categorised into one of the five main groups:

1. **General Committee:** The General Committee, which is made up of the committees responsible for running the Parliament, such as the Business Advisory Committee and the Rule Committee, as well as the Committee on Government Assurance, the Committee on Petitions Privilege, and the Committee on House Member Absenteeism from Session committees without a clear mission.
2. **Legislative Committee:** This organisation is made up of committees that are engaged in the legislative process, such as the committee that reviews the legislation and ideas of certain members. The Deputy Legislative Committee or the Committee on Delegated Organisation Enforcement. A special committee is working on a special Common Bill [5], [6].
3. **Financial Committee:** Composed of committees that oversee funds, they include: The Public Accounts Committee's Committee for the Project on Public Sector Enterprise.
4. **Joint Committees:** These were created by both houses and are made up of committees that manage joint initiatives or work for both houses, such as the Joint Committee on the Salary and Allowances of Members of Parliament. the position of profits for the welfare of the Scheduled Caste and Scheduled Tribe committee [7], [8].
5. **Additional Committees:** in addition to the four organisations listed above, there are a few more, including the House Committee and Library Committee.

### Structure of A Parliamentary Committee

Let's look at any one of the house committees, and then let's look at the Lok Sabha committees, to analyse the organisation of several committee types:

1. **Speaker Nomination:** The Lok Sabha committee members are chosen by the speaker. The speaker ensures that each political party is adequately represented when suggesting candidates for different committees. The Speaker is a member of certain committees and serves as their chair. The speaker selects a member of each committee to serve as its chairman. The position of chairman is assigned to the committee, of which the deputy speaker is already a member. The joint committee members are chosen by the chairs of both chambers [9], [10]. Members of the Financial Committee are chosen by the House based on a House Resolution. A single transferrable vote method with a representative ratio is used to elect members.
2. **Committee Size:** Each committee has a different size from the others, and there is no standard guideline regulating committee size. 15 to 30 people usually make up each committee. Typically, a committee has fifteen members. The enforcement committee consists of 20 to 30 people. The public accounts committee has 22 members, while the projection committee has 20.
3. **Committee Work:** Each committee is responsible for certain tasks. While parliament is in session, some individuals work, while others keep working even when it is not. The best time to have a committee meeting is whenever. The committee head or the group as a whole makes the majority of the decisions. Although they may be planned outside with the Speaker's approval, these sessions normally exclusively take place within the boundaries of the parliament.

The required quorum is one-third of the members. The majority of committee decisions are unanimous. The chairman of the committee votes in cases of ties on any particular issue. Committees have the power to review official records and seek vital information from several government entities. Experts may aid Committees in the creation of their Reports, but they are

only allowed to provide counsel; they are not allowed to participate in voting. Committees may create subcommittees to deliberate and gather information in-depth on certain important topics. The committees' due date for submitting their reports to the legislature is set by the Speaker of the House. Committees are never permitted to decline reporting on any of the topics that have been assigned to them. The General Committees of the Lok Sabha handle the ordinary house business.

1. The Speaker of the House picks the Rules Committee's 15 members and acts as its chairman. It considers the House Procedures Rules and decides whether to accept or reject amendments and proposed revisions. Prior to 1954, the Speaker would use this power independently while soliciting advice from the House's committees. The committee now submits its recommendations to the House, which must then approve them before they can be implemented.

2. This permanent organisation was created to help with home management. The speaker nominated its 15 members, and he acts as its chairman. The speaker meets with the speaker of the house, the leader of the opposition in the house, and the heads of other opposition parties before announcing a slate of candidates. Setting the agenda and schedule for all bills, subjects, and proposals that must be presented before the house is its main responsibility. The time available for debate of the measures and when they must be presented are decided by this committee. In other words, this committee chooses the time for house business.

3. The privileges committee investigates any instances in which the rights of parliamentarians are abused. This committee is constituted for a year and selected from among the house members. Each major party is equally represented among its 15 members. The Speaker of the House and the Minister of Law are often among its members. The chairmanship is assumed by the Deputy Speaker if he is a member; otherwise, the Speaker appoints the person to serve in that capacity.

4. Committee on Members' Absence from the House. According to the constitution, if a member is absent without authorisation for 60 days or more, their seat may be ruled vacant. A committee is formed to look into every problem involving absenteeism, identify the root reasons, and recommend leave for members. This 15-person organisation, referred to as the committee on members' absences from the house, was selected by the speaker for a one-year tenure.

5. Number 5 of the Committee on Governmental Assurance When replying to the house or speaking to the home, members often make promises or divulge information in confidence. The House needs the report of this committee to establish if those commitments have been kept. This committee also looks at the credibility of the Government's commitments. The committee alerts the house whenever any member violates a promise or guarantee given about any topic. No more than 15 people may be appointed by the speaker to serve on this committee for a year. This committee is not allowed to have any Ministers on it, and any member who does so in the future shall resign from the committee.

6. The Petitions Committee. This committee investigates the proper handling of petitions submitted to the Lok Sabha. It meticulously examines each petition before sending a report, either with or without recommendations, to the appropriate authorities. The Speaker picks 15 people from among the members of the main political parties to serve on this committee. Additionally, it has a one-year lifetime.

7. In 1954, the General-Purpose Committee was founded. It doesn't address any particular issues or subjects. Its membership is 20 persons. The Speaker, the Deputy Speaker, the panel's chairman, and representatives from other reputable political parties are among its members. The remaining members are appointed by the speaker, who also serves as the committee's head, and it considers all matters pertaining to the house.

## DISCUSSION

### Functions of Statutory Committee

**1. The Enforcement/Select Committees:** These important committees were formed to look at the many Common Government Bills that were presented to the parliament for consideration. But these panels don't go on forever. Once their tenure is through, they are dissolved. When the Lok Sabha decides that a certain legislation has to be referred to a special committee, the speaker names one of these committees. The committee's chairman and other members are chosen by the speaker from amongst representatives of different political parties. The committee may, at its discretion, seek the advice of experts to carry out a thorough evaluation of any bill. Even those who are not members of the committee are welcome to address it and provide suggestions or remarks. They may also offer their suggestions in writing as a backup option. Such committees are often formed by both houses in order to thoroughly examine any significant statute of public importance. Members are suggested for a Joint Enforcement Committee in a 2:1 ratio by the Lok Sabha and the Rajya Sabha.

**2. Private Member's Bills and Resolutions Committee:** Prior to 1953, a lottery system was used to decide the fate of legislation proposed by ordinary or private members of the house. Only those who have previously won lottery prizes were eligible. This tactic allowed less significant legislation and ideas to be offered in the house while blocking many more significant ones. To resolve this issue, a committee was formed to assess all of the private/non-governmental members' laws. The committee currently handles and makes decisions on all private member legislation and ideas. It does so while taking into consideration the importance and pressing nature of the law. The legislation that this committee reviews is divided into two categories: that which is more pertinent and that which is less significant. Each bill is examined by the committee, which then recommends to the house which should be brought up for discussion and debate. The Deputy Speaker of the Lok Sabha serves as the head of this committee, which has 15 members. The other committee members are chosen by the speaker for a one-year term.

**3. The Deputy Legislative Committee or Committee on Delegated Organisation:** Due to a lack of time and experience, a bill in the modern parliament is passed as a draught and given to the Executive with the authority to design and implement law. Frequently, the Legislative promptly cedes the Executive the power to enact legislation. In this system, the legislative grants the executive the power to pass laws. This system is referred to as a System of Delegation or Subordinate System. Even though this system contains a fault that may enable the Executive to misuse it, Parliament always wishes to have authority over laws or legislation produced by the Executive. It establishes a committee on Delegated Organisation of Subordinate Committee in order to achieve this. This committee is tasked with monitoring legislation that the executive branch passes. The Indian Parliament has previously completed this task. The Speaker selects its fifteen members, who each have one-year mandates.

### Financial Committees



**Estimation/Projection Committee:** The head of the committee is appointed by the speaker. If the Deputy Speaker is selected to join this committee, he will preside over it. Similar to other committee chairs, the committee chairman performs all tasks. He has to do a few unusual chores as well. He chooses, for example, the scope and details of an investigation of government financial activities. They are chosen using the representative ratio and the single transferrable vote method. Ratio-based representation works to guarantee that different political parties are represented in this way. The functions of the Estimation Committee include: According to Lok Sabha Rule No. 310, its main responsibility is to assess the forecasts provided by the government in the Estimate Budget that is sent to the House. The committee has been assigned the following four primary duties: In order to effectively deliver the estimate, it is necessary to provide a report on the makeup, performance, or administration of financial improvement suggestions in line with existing policy. to provide guidance on alternative strategies to improve performance and reduce administrative expenses. to assess compliance with the regulations in the description of the financial estimates. to provide suggestions about how to propose these bills to the parliament.

The Estimation Committee analyses the government's yearly estimations in this manner and offers suggestions for enhancing the general administration's effectiveness and efficiency. The Estimation Committee has produced hundreds of reports for various departments and organisations of the government since its founding. The committee divides into smaller committees or groups in order to effectively carry out its functions, and each group is given a number of estimates pertaining to several ministries to investigate. They start working once the budget is supplied, but they keep working even after the budget is presented. All year long, they continue to labour. The Estimates may be the subject of an investigation by any Agency or Department. The New Year's Estimates are compared to both the actual spending and the estimates from the prior year. It serves as a special instrument for managing the legislative body.

**Committee on Public Accounts:** In a sense, this group is the twin of the Estimate Committee. If estimate committee is connected to the examination of estimates, then public accounts committee is related to the way and results of expenditures made by different government agencies. There are 22 members, including 7 from the Rajya Sabha and 15 from the Lok Sabha. No Minister may serve on this committee, and members are appointed for one-year periods using a proportionate representation system. The committee's main responsibility is to audit and certify all of the government's financial transactions. It also examines the Comptroller and Auditor General's report and the appropriation accounts. The committee decides on the following:

1. Were the expenses shown in the accounts really used for the rationale for which they had been drawn or expended, and were they legally permissible?
2. If the spending been approved by the present administration?
3. Does the pre-appropriation provision adhere to the standards set out by competent officers?

Its duties include checking the balance sheets and profit and loss accounts of public sector businesses, construction divisions, and autonomous/semi-autonomous entities in addition to reviewing credit and debit entries. The parliament carefully reviews all the events and elements that led to the excess expenditure if it exceeds the budgeted amount for a particular problem throughout a fiscal year. It also examines whether the appropriate department used the money in a sensible and reasonable manner. As a consequence, mistakes can be discovered and suggestions

for suitable legislative action might be made. The Comptroller and Auditor General as well as a Trained Agency provide their services to the Public Accounts Committee, in contrast to the Estimate Committee, to perform audits and investigations into each account. Committee has the authority to request information from the organisations that have incurred these fees. It would be exaggerated to say that the Public Accounts body is the most effective and strong one. what it does in its capacity as a quasi-judicial authority. It functions impartially and is free of party politics as the committee of justices. The committee keeps the government apparatus on the lookout for methods to enhance and simplify financial management since its suggestions and decisions have a substantial influence on all incoming government expenditures. This committee enables the legislature to maintain effective and dependable supervision over administrative entities. Rumours have it that the Public Accounts Committee's main duty is to carry out postmortems. It makes it very difficult, if not impossible, to penalise those officials since it makes clear the previous financial offences that were done.

We cannot argue against the importance of the Public Accounts Committee as a mechanism for managing public resources, notwithstanding this weakness. Its ability to build a case for action against any violation committed by any government agency is its main strength. The committee for public undertakings: This committee is composed of 15 individuals, 10 of them represent the Lok Sabha and 5 the Rajya Sabha. It began to exist in 1964. It performs the following tasks: In order to investigate and provide suggestions on the CAG report that affects any public sector firm, one must look through Public Sector Undertaking Reports and Accounts. to assess whether the autonomy and efficiency of public sector firms are consistent with ethical business behaviour and strategic commercial conduct. It also performs the tasks traditionally performed by the Public Account Committee and Estimate Committee. These responsibilities are all completed in accordance with the Speaker's instructions.

### **Legislative Committees**

Founded in 1954, the Joint Committee on Members' Allowances and Salary. Members of both chambers of parliament make up the Joint Committee. The salary, daily allowances, housing, health care, and post offices for the members are all covered. Ten of its fifteen members come from the Lok Sabha, and five from the Rajya Sabha. Members of the Lok Sabha and Rajya Sabha are chosen by the Speaker and the Chairmen, respectively. It is under the direction of the Minister of Parliamentary Affairs. The 15-member joint office of profit body is composed of 10 Lok Sabha and 5 Rajya Sabha MPs. It all began in 1959. This committee continually examines, evaluates, and suggests modifications to the Parliamentary Act of 1959.

Joint Committee on Scheduled Caste and Scheduled Tribe Welfare This joint committee consists of representatives from both chambers of Congress. It examines the Scheduled Caste and Tribe Commission's report and informs parliament of the government's efforts to progress and improve the lives of SC/ST group members. Changes to the Functioning of the Union Parliament's Committee System: Since April 1, 1993, a large number of permanent committees have been created in an attempt to carry out legislative obligations more effectively. There are now 17 such committees. Each committee has 45 members; 15 are from the Rajya Sabha and 30 are from the Lok Sabha. The Rajya Sabha chairman chooses the other six. The Speaker appoints the chairperson for 11 of these committees. A one-year term restriction applies to certain bodies. These committees take into consideration the funding that various Ministries have asked for. Numerous Ministries, their annual reports, and the steps taken to adopt legislation important to

long-term national policy are all considered. They are allowed to seek counsel from specialists and well-known people on different measures and problems.

## CONCLUSION

In conclusion, the committees of the Union Parliament are important institutions that promote transparency, accountability, and good governance. Their participation in examining legislation, conducting investigations, and enforcing executive accountability enhances the standard of decision-making and strengthens the democratic framework of the country. The work of these committees promotes transparency, involvement, and accountability in India's parliamentary democracy while also assisting the legislative process in running efficiently. The democratic process is supported by committees because they provide a forum for public participation. They make it possible for lawmakers to take part in in-depth discussions, voice their ideas, and have an impact on decisions. Committees support diversity and democratic representation by serving as a venue for various viewpoints.

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## DISTINCTIVE ASPECTS OF THE POLITICAL LANDSCAPE

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### ABSTRACT:

*The political landscape of every country possesses unique characteristics and dynamics shaped by its history, culture, and socio-economic factors. This chapter explores the concept of unique political reality, examining how different nations experience distinct political circumstances and challenges. It analyzes the factors that contribute to the uniqueness of a political reality, such as historical events, geographical location, cultural diversity, and socio-economic conditions. The chapter delves into case studies from various countries to illustrate the diversity and complexity of political realities worldwide. By understanding and appreciating the unique political realities of different nations, we gain insights into the complexities of governance, policymaking, and democratic processes on a global scale.*

**KEYWORDS:** *Coalition Governments, Cultural Diversity, Electoral Systems, Factionalism, Geopolitics, Ideological Spectrum.*

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### INTRODUCTION

The transfer of power in 1947 was the pinnacle of India's independence struggle. The Indian Independence Act of 1947 gave its approval to the amendment. Jawaharlal Nehru noted the beginning of a new era in his well-known tryst with destiny speech, which runs as follows. The time has come for us to accomplish our promise not altogether or completely, but very substantially after a previous tryst with destiny. In the middle of the night, while the rest of the world is asleep, India will come to life and regain its freedom. When an era ends, when we go from the old to the new, and when the long-suppressed spirit of a nation emerges, these moments in history are special [1], [2]. The future doesn't contain downtime or opportunities to unwind; rather, it demands ongoing work to help us keep the promises we made in the past and will make in the present. India works to alleviate the suffering of millions of people. It denotes the end of inequality in opportunity, illness, illiteracy, and poverty. The greatest man of all time has committed himself to wiping away every single tear. Even though everything is beyond our control, as long as there are tears and pain, our duty is not over [3], [4].

India attained freedom in 1947 via a procedure known as the transfer of power. However, a significant percentage of what we see in independent India may be attributed to legacies of various types. Independence for India a break from the past or a continuation? India allegedly stepped out of the old to the new, but was this really the case? These are the questions that historians struggle to address because of the clear parallels between governing systems and the underlying ideals. Was the change India experienced after gaining independence only surface-level? There is also the argument that just by virtue of its duration, colonialism's effects on India's culture, economy, and politics seem to have been deeply rooted. As a result, it was almost

difficult for those in charge of deciding India's future during the early stages of her independence for the British Raj to completely destroy the current system of administration. Political liberalism of the British kind persisted as a strong intellectual influence even after the colonial authority withdrew on August 15, 1947. Even when a new age, as Nehru happily put it, begins when the soul of a nation finds utterance, the lexicon hardly changed just because it was stated in the conventional liberal manner. Nehru and his colleagues may have been forced to accept the colonial system of government because it effectively handled the communal unrest that broke out in Bengal and Punjab after the British declared their countries' independence, even though it was unpopular with those who remained outside the Congress fold. It was perhaps the only option available to nationalists at a crucial juncture in India's history when the administration the British left behind proved advantageous to the nation's new ruling class. Therefore, the nationalists made an ideological choice that more-or-less prevented the search for alternatives. This choice was likely influenced by the demands of the circumstances. It is thus incorrect to claim that 1947 marks a total disjunction between the colonial and post-colonial.

Nationalists' use of colonial administration tools may have been affected by the specific circumstances of communal rioting, in which these techniques were advantageous to Indian rulers who lacked experience administering the state and who used them to their advantage. The profoundly engrained administrative heritage of the British Raj means that post-colonial India rarely distinguishes itself from its previous past. The politics of India seem to have been significantly influenced by nationalism, democracy, and colonialism. In order to comprehend Indian politics, it is crucial to comprehend the colonial, nationalist, and democratic articulations of the political even after independence. Two things need to be kept in mind [5], [6]. First off, despite the fact that nationalism and colonialism are intrinsically antagonistic, there is no doubting that the latter fostered the circumstances that allowed nationalism to develop as a strong ideology to represent the interests of the colonised. Second, colonialism accelerated the growth of democracy by gradually including those who had favourable views of the foreign administration. A select group of carefully designated Indian interests received different types of representation from the colonial rulers. It had also ensured that the state had always operated at a level removed from the society it governed. By claiming the executive privilege for itself, the colonial state appeared to stand outside of and therefore free to be arbiter over, social conflict and political competition continued to be conducted in the language of supplication and concession, grants and demands, charters and petitions, grievances and repression. The British were undoubtedly impacted by their own theories of liberalism and self-government.

Through a mix of self-interests and ideological commitments, the colonial power infused representational ideals appropriate for its control into the colonial parliament. The British attitude towards their empire in India seems to be highly ambiguous as a result of their efforts to strike a compromise between their liberal concept of self-rule as the ideal form of government and their vested interests in being imperial rulers [7], [8]. Undoubtedly, the 1935 Government of India Act was a significant constitutional amendment that the colonial authorities deliberately implemented in order to appease the nationalist fervor while maintaining the colonial administrative structure. The British North America Act, 1867, which created the Canadian federation, served as its model. This is an example of efforts to justify rising democratic aspirations of the governed in India by constitutional action. It's noteworthy to note that the 1935 Act's influence on the 1950 Constitution for a free India remained the greatest. Actually, about 250 provisions of the existing Constitution were influenced by the Government of India Act.



Despite the political system's dependence on democratic sovereignty and the universal right to vote for adults, India's governing ideas are undeniably based in its colonial past. The most obvious differences between the Indian Constitution and its 1935 counterpart are the emergency clauses that give the President the authority to repeal democratically elected governments and fundamental rights. Additionally, in independent India, several colonial laws that permitted the preventive detention of anybody thought to be politically subversive individuals are still in force. The controversial Maintenance of Internal Security Act of 1972, the Terrorist and Disruptive Activities Act of the early 1980s, and the Prevention of Terrorist Act are only a few examples of contemporary legislation that takes inspiration from colonial and authoritarian laws. To counter the growing nationalist and democratizing currents, the colonial authorities undoubtedly had to make a significant concession with the 1935 Authorities of India Act[9], [10].

There is little doubt that the colonial methods of doing things were passed down to the post-colonial state in India. The mixed legacies of colonial rule, which also supported the rule of law, bureaucracy, citizenship, parasitic landlords, modern political institutions, and the two-track tradition of protest and participation, also form the basis of this worldview. Colonialism was said to be an intimate enemy by Ashis Nandy because the subjugated appreciated the virtues of being dominated for their own benefit. Because of its capacity to adjust to changing socio-political conditions and the slow but continuous internalization of dominance by the colonial subjects, colonialism in India remained remarkably stable. It wasn't seen negatively by everyone. Nandy argues that the collapse of legal power politics and the subjects' own self-mutilation caused their situation. The rulers saw colonial exploitation as an undesirable unforeseen side effect of a way of life that was compatible with increasingly sophisticated forms of political and economic organisation. Long-term collaborators, the subjects seemed to have embraced the ideology of the system as either actors or antagonists. Whether on purpose or accidentally, the rulers of India wanted this unanimity. They could not possibly preserve their dignity in the face of inexorable injustice other than by doing this.

## **DISCUSSION**

### **Colonialism**

It depended on this cultural understanding, which was further enhanced by creating strategies for avoiding threats and, when necessary, the wrath of nationalists. For instance, when it was discovered that the British form of unitary government was mostly ineffectual for a heterogeneous country like India, the 1935 Government of India Act was the most important institutional move. Despite the fact that the colonial state was barely federal in the traditional sense, the federal structure mandated by the Act seems to have given the colonial state important institutional support. These specific examples illustrate the theory, emphasizing the critical significance of the three ideological components of nationalism, democracy, and colonialism in charting a distinct trajectory for India. The book's argument is based on the dialectical connections between nationalism, democracy, and colonialism throughout the years leading up to and after India's independence. Therefore, it is not intended to imply that political liberation from colonial control left India's polity untouched or to suggest that post-colonial India is just a continuation of her colonial past. India's key political institutions have seen dramatic changes since independence, while having clear colonial roots. Indian institutions have transformed in a distinctive manner to adapt to the changing environment, according to a detailed assessment of how they have developed.

For instance, India's parliamentary democracy, which was based on the Westminster model, was sensitive to the situational ethos and the pre-existing socio-cultural environment rather than being a carbon copy. In other words, both the 2004 elections and the 1977 elections, both of which were called by the BJP and which had shown dictatorial tendencies, were evidence of the deep roots that democracy had struck in the soil of India<sup>10</sup>. The national elections of 1977 and 2004, both of which were called by the current ruling party, which was reportedly hostile to democratic values and procedures, provide no stronger evidence of the deepening of democracy. As a result of the growing politicisation of society's periphery, the elite-centric form of government is fading as people-centric government emerges. This is further evidenced by the shifting socioeconomic profiles of legislative assemblies and the national parliament. The regular switching of political power via elections is a potent sign of the depth of democratic processes, which are not just manifested in sporadic elections.<sup>11</sup> The introduction of adult suffrage fundamentally changed Indian politics. Democracy is now manifested in the everyday struggle that people have when they use their fundamental rights, and it is no longer only about voting in elections.

However, there is a word of caution. India's socio-cultural variety meant that colonialism had an impact on nationalism but did not lead to the creation of a nation-state in that nation. Because the institutions of government, which were significantly affected by British legacy, were already in place when the transfer of power took place in 1947, post-colonial India was thus more of a state-nation than a nation-state. M is the one exception. A. Jinnah carefully avoided adopting nationalist vocabulary that may be fatal since the formation of states in the west was characterised by a lack of cultural and moral cohesiveness in India. The nation as a deliberate political articulation hardly registered in the present political discussion. The basis of Indian nationalism lacked a common language, religion, or ethnicity. A nation was created, but it did so along an entirely independent path that was in no way affected by European sources. The presence of a common enemy, notably British colonialism, may have united men and women from different parts of the subcontinent in a common and shared endeavour. India is a nation that does not place a high priority on any one language or religion. India is not a Hindu Pakistan, despite the fact that the majority of its citizens are Hindu. There were no distinctions made based on religious beliefs in its constitution or the nationalist movement that brought about independence. Even if the battle between Hindus and Muslims was unavoidable, Gandhi's political successors were determined to create an independent India that was a secular republic because they were unable to stop it.

India will never be a real nation-state, but the 1992 demolition of the Babri Masjid serves as an illustration of attempts to unite Hindus under a nationalist ideal, namely religion. Another example of the drawbacks of a strong nationalist ideology is the continued relative insignificance in contemporary India of the political entities who spearheaded the movement for Hindu union. The relative demise of nationalist ideology may act as a check on the rise of regionalists, who seemed to have profited immensely from the public's greater involvement in political processes. By enlisting people from India's periphery in terms of religion, elite caste status, or geographic distance from the centre, regionalists have recreated the language of Indian politics within the framework of coalition politics. Due to the deepening of democratic processes, present Indian political speech standards no longer reflect the goals of the previous Congress era. Instead, they are a product of these processes. By expressing the voice of the regions, regionalists seem to have laid the groundwork for efficient communication between the centre and the periphery. The history of independent India demonstrates a creative articulation of democracy that is sui generis and neither ethnocentric nor an exact replica of western experiences. These regionalists are to

blame for the fact that India's newly formed multi-party democracy is not merely an anomic battle for power and short-term gain, but releasing a pent-up creativity and visions that provide a fertile and cohesive backdrop to the realignment of social forces<sup>13</sup>.

The Constitution of Free India, which was drafted by the Constituent Assembly over a little more than three years, reflects the attempts made by the country's founding fathers to interpret the nationalist and democratic aspirations of an independent polity following colonialism. Even if the 1950 Constitution symbolises continuity, at least in terms of structure and procedure, it was also a clear break from the past since it was based on an ideology that sought to create a liberal democratic government in the aftermath of the end of colonialism. The Constitution is the most obvious example of the founding fathers' commitment to constitutionalism and the rule of law. They created it in spite of severe difficulties brought on by partition. The Constituent Assembly's proceedings show that the commitment to liberal democratic values remained important in the creation of the Constitution. The writers of the constitution reworked the idea of people sovereignty while accepting the liberal representative principle in order to create a Nehruvian statist political order. The phrase popular sovereignty was therefore defined in the Habermasian procedural sense, where popular opinion and will formation in informal and voluntary public spheres could seek to influence the channels of legitimate law-making.

Discussions between nationalist leaders and the members of the Cabinet Mission over a future post-war constitutional structure in India led to the establishment of the Constituent Assembly. The Constitution was adopted on January 24, 1950, after the conclusion of its discussions, which began on December 9, 1946. The national anguish caused by the partition and the violent activities that resulted in the deaths of Mahatma and innocent people during the transfer of population shortly after the proclamation of independence throughout this period of little more than three years significantly reduced the pleasure of freedom. The Indian Constitution, according to Paul Brass, was drafted more in fear and trepidation than in hope and inspiration<sup>15</sup>. This assertion is hard to contest given the circumstances surrounding the start and finish of the Constituent Assembly's proceedings. Therefore, the Constitution was a workable solution to the problem the Assembly faced when it created the guidelines for a free India. The founding fathers practised the art of possibility, as has been correctly pointed out, but they never allowed it to distort their vision of reality.

Even those who disagreed with the emergency measures supported a strong state as a means of containing trends that jeopardised the integrity of the country. The Assembly members were nearly unified in their support for a strong state, despite their respect of India's varied socioeconomic structure. According to Paul Brass, such concerns could only be a reflection of another kind of continuity between the new governing elite and the former British rulers, namely an attitude of distrust of the country's regular politicians and a lack of faith in the capacity of the newly enfranchised population to check the misdeeds. The Constitution's emergency powers were justified on the grounds that disorder or misgovernance threaten India's status as a territorial state. Therefore, R. is true regardless of the situation. Ambedkar's divergent opinions on federalism may come out as absurd. Ambedkar supported a federal system of governance in 1939 due to its political viability in India's multiethnic society. He later expressed a very different viewpoint in 1946 when he said, I like a strong united Centre, much stronger than the Centre we had created under the Government of India Act of 1935. Similarly, Jawaharlal Nehru supported a strong state when he delivered the Union Powers Committee's final report, saying that:

We can all agree that a weak central government would be bad for the country's interests since it wouldn't be able to keep the peace, organise pressing matters of common concern, or successfully represent the national interest overseas. Given the perceived threats to the existence of the young Indian country, it is obvious that federalism did not seem to be an appropriate structural form of governance. The writers of the text argued for a strong central authority since the constitution of a country is meant to satisfy the normative-functional requirements of governance. The constitution was to embody an ideology of governance, regardless of whether it matched the strongly held beliefs of the independence movement that the majority of Assembly members had fostered while taking part in the conflict. G. Alladi Krishnaswamy Ayyar agreed, saying that our constitutional design is relative to the peculiar conditions obtaining here, according to the peculiar exigencies of our country, not according to a prior or theoretical considerations. It is therefore reasonable to assume that the architects of our Constitution were driven by hard-headed pragmatism.

However, the whole Assembly did not write the document. The task was clearly the hard work of the government wing of the Congress, and not the mass party, as evidenced by the fact that the Canning Lane Group, so named because they lived while attending Assembly sessions on Canning Lane, bore the brunt of it.<sup>25</sup> There is another aspect of the Assembly's operation that is instructive. Scholars disagree because, due to the Congress' hegemony in the Assembly, non-Congress members' viewpoints were typically bulldozed. Granville Austin claims that the discussions over various provisions of the Indian Constitution are perhaps a good example of decision-making by consensus and accommodation. Political minority and language were at least two crucial considerations that were willingly relinquished, according to S. Chaube, K. The shrinking Muslim League emphasised its sense of alienation from the assembly by referring to it as a packed house. Even Ambedkar saw the diminished significance of the Assembly since, as he conceded, they had to go to another place to obtain a decision and come to the Assembly on a number of occasions. Austin himself acknowledges that the language issue was resolved with a half-hearted compromise.

It's possible that decision by consensus doesn't accurately describe the deliberative procedures. The proceedings, however, show that there was often near unanimity and that differences among the Congress Party members, who made up the majority, were settled politically. The Congress Party deserves all the credit for the smooth passage of the Draught Constitution in the Assembly, according to Ambedkar: the Congress Party's presence in the Assembly reduced the possibility of chaos to nil by bringing a sense of order and discipline to its proceedings.<sup>29</sup> According to Shiva Rao, on a number of contentious issues, efforts were made to eliminate or at least to minimise differences through informal meetings of the Congress Party's leaders. This is probably because the leaders were aware that the constitution adopted on the principle of majority vote would not last long. As a result, it was not surprising that Rajendra Prasad, the president of the Constituent Assembly, chose to delay discussion in order that everyone might come to an agreement rather than cast a vote that, in his opinion, may have unintended consequences.

The talks that have gone before highlight two significant aspects. First off, creating the Indian Constitution was a challenging endeavor due to the particular social fabric of Indian reality, which had to be reflected in the Constitution, as well as the historical backdrop. The growing tide of violence that was claiming innocent lives soon after partition made everyone in the Assembly defensive. Second, it seems that the founding fathers were fixated on their own interpretation of a united national life. The Constitution was intended to provide India an appropriate ordering framework. Whether you call it a Federal Constitution, a Unitary Constitution, or by any other

name, personally I do not attach any value to the label which may be applied to it, as Rajendra Prasad equivocally said on the Assembly floor. Ultimately, a unitary mind generated an essentially unitary constitution doused with a sprinkling of permissive power for a highly supervised level of constituent units. It doesn't matter as long as the Constitution achieves our objective.

For at least two reasons, the national elections in 1999 and 2004 marked a turning point in modern Indian political history. First off, the 'deepening' of democracy has resulted in significant socio-economic transformations at the grassroots that make it difficult to undo the coalition period that these elections have brought in in India. There is rarely a stable voter base for any of the candidates. Parties don't win or lose in elections based on the ideologies they promote, but rather on the amount of support they can mobilize. Second, the 2004 election marked a new age for voters' estimates of their payoffs by making strategic decisions at a time when mobilization based on caste or ethnic identities did not seem to be as important as it had been in the past. The three Ms of the 1990s, Mandal, Mandir, and Market, barely ever continued to be successful in winning over voters. Hindutva, whether in favor or opposition, has lost its appeal, forcing the BJP, the current governing party, to rely on the India shining campaign, which was ineffective in winning over people. This means that political parties tell a story of gradual withdrawal from links of one's performance and capabilities. Local problems, such as water, power, or roads, had a significant role in determining the results of the election in several seats. This implies that the issue of governance, or more specifically, performance, was what mattered most to voters.

As a result of the splintered election results and trend that the 1999 election reaffirmed, coalitions of parties seem to be the only viable option for forming a government in the 2004 presidential election. However, it would be incorrect to claim that the coalition period started in 1999 since the experiment while brief in scope was carried out earlier in India. Although nine Indian states Punjab, Haryana, Uttar Pradesh, Bihar, Madhya Pradesh, West Bengal, Orissa, Tamil Nadu, and Kerala formed coalition governments in 1967, the Janata Party's victory at the Union level in 1977 marked the beginning of a national coalition government experiment. For at least two primary reasons, the Janata experiment of 1977–1979 stands apart from other similar studies. The non-Congress catch-all coalition governments that were established in 1967 were just state-level experiments with no evident influence on the union government. This was the first effort at building a coalition government at the national level. When it seemed as if the politically widespread Congress system had lost its all-India appeal, regionalization of Indian politics was in some ways prevented. Second, while on a different level, the Janata administration was a continuation in that it not only capitalized on anti-Congress feelings but also pulled parties of all ideologies under its wing in order to achieve a set of shared socioeconomic and political objectives. In bringing together parties and political forces against the Indira Gandhi-led Congress shortly after the 1977 election, the significance of the 1975–1977 Emergency cannot be overlooked.

As members of the union government and national-level parties have a sense of the politics of the state and lower levels, state-level parties with the Janata alliance at their center cross paths with national concerns. The authoritarian regime sought to stifle democratic procedures, which gave the opposition parties a chance to band together against the ruling party regardless of ideology. Therefore, the 1975-1977 Emergency was a turning point in India's post-colonial history, not only because it created the conditions for the formation of the Indian National Congress, but also because it attacked the liberal democratic traditions that had developed alongside the Constitution



since Independence. This alliance of opposition parties seems to have two significant facets. On the one hand, those who opposed Indira Gandhi relied heavily on anti-Congressism, which is loosely defined as a political attitude against the Congress Party. The second aspect was Jayaprakash Narayan's all-out campaign to unite ideologically disparate political groups around a common goal of opposition to the Congress Party. The fact that JP was able to solidify the link raised the potential of political unification across many social groupings despite significant socioeconomic disparities. After the Emergency of 1975–1977, the socialists decided to do this in order to minimize the ideological divide with other constituencies. Even the RSS supported the participation of the Jana Sangha in the Janata experiment because its leader Bala Sahab Deoras understood that to remain in the mainstream of national politics, the RSS should opt for a politics of accommodation by redefining its exclusivist ideological identity.

Furthermore, the Bharatiya Lok Dal's class nature never prevented it from forging a coalition in which the BJS, on the other side of the political spectrum, was a prominent member. As soon as the 1977 elections were announced, Congress, the Jana Sangha, the Bharatiya Lok Dal, and the Socialist Party combined to establish the Janata Party, which decided to run a joint candidate under the same symbol. It was successful for the party to assemble a common list of candidates with other parties like the CPI and Akali Dal in up to 425 of the 539 seats where there was virtually a straight battle between Congress and the opposition. Congress lost, and it's probable that the opposition parties obtained a majority as a result of public dissatisfaction with the Emergency's excesses and the movement JP launched against the authoritarian rule. The Jagjivan Ram-led Congress for Democracy, the Akali Dal, and the CPI all received 8, 28, and 28 seats, respectively, while the Janata Party won 270 of the Lok Sabha's 539 seats. Not only did Indira Gandhi lose in the UP town of Rae Bareilly, but the Congress party also fell across north India. the beginning of history. In India, there has never been a coalition led by the Congress. What was indicated at the state level in the elections of 1967 was translated to the national level in the elections of 1977. The idea of coalition governments however nebulous became an important element of the new national political environment in light of the diminishing relevance of a single party majority in the central legislature.

It is evident that the Janata Party, which ruled from March 1977 to July 1979, was a hastily assembled coalition of quite different opposition parties and groups united primarily by their opposition to Indira Gandhi and the Emergency.<sup>40</sup> In other words, the opposition groups' unity was only maintained because doing so was politically advantageous; however, as soon as the common enemy was defeated, the groups' natural divisions began to show. The Janata Party coalition was controlled by the Congress Party's secularist yet conservative faction. It also had the Jana Sangha, a Hindu Right party that mostly represented middle-class people of high caste living in urban areas of northern and central India. The BLD's principal ideological goal was to redistribute resources from the urban, industrial sector to farms, namely in the Hindi Belt, and to promote the interests of prosperous small peasant proprietors. The Socialist Party, the fourth element, had strong support from both urban workers and some rural impoverished people in north India. Last but not least, a section of the Congress that broke out and gained support among the poor, particularly Dalits in rural India, was the Congress for Democracy.

After their victory, the coalition headed by the Janata Party was only momentarily happy. The leaders' first objective was to keep the party together once the administration was in place. The persistent faction fighting and wrangling inside the party, both nationally and in the states, often rocked the government. The Janata Party was still a coalition of different parties and groups and a

victim of factionalism, manipulation, and the personal ambitions of its leaders<sup>42</sup>. Anti-Indira Gandhi emotions restricted the alliance, which was too diverse historically, intellectually, and even programmatically to work together. The future of the socialists was largely constrained by its inability to spread outside of Bihar, where it had a base and strong organisational support; Jana Sangha, which had 90 MPs, was distinct in its ideology and had clear communal characteristics because of its organic link with the RSS<sup>43</sup>; Congress was secular but conservative, adhering to more-or-less the Congress ideology; and BLD, though secular, was using a rich-peasant strategy and failed to establish itself among the ru.

Even though it was short-lived, the Janata coalition is a significant example of government by ideologically varied but programmatically less incompatible parties. Because the main issue of the 1977 elections was how to stop the authoritarian usurpation of democratic power, the mandate of the restoration of the constitutional regime served as the strongest foundation of support for the Janata coalition<sup>44</sup>. What is noteworthy is the Janata Party government's attempt to adhere to the election pledges as much as possible. This includes a swift end to the Emergency regime, the restoration of the rule of law, and other promises. The experiment was once again conducted in 1989, this time under the Delhi Janata Dal government, although it only lasted for two years when the members separated over various ideological differences. Because no one party was able to obtain a majority in 1996 and 1998, coalition administrations were created in those two years. These two regimes both fell victim to the same fate. Elections were held in 1999, and the National Democratic Alliance, headed by the BJP, gained a majority in the Lok Sabha, the lower chamber of the Indian parliament.

The 2004 election seems to have confirmed a tendency in Indian political theory, namely that coalition government is perhaps the only kind of political structure capable of running the nation. The Congress-led United Progressive Alliance won power in New Delhi by combining opposition parties against the BJP with the assistance of the left-leaning parties in the lower house. The development of regional parties into significant figures in the administration and as being quantitatively important for the coalition's survival in the event that a majority on the house floor can be shown is what is most noteworthy. With the expansion of the dominance of regional political parties throughout the coalition era, maybe as a consequence of the need of coalition politics, state-centric issues have grown considerably more prominent. Therefore, the emergence of regional parties as key system participants has led to political pluralism in the purest meaning of the term. The parties with roots and support in a particular region becoming increasingly prominent in turn enables what I refer to as the regionalization of national politics and the nationalisation of regional politics processes.

Regional parties are increasingly crucial to the survival of the ruling party in the centre. Numerous regional parties' significant contributions to the NDA's establishment and the subsequent contest for supremacy created an impression of regionalization of the national political arenas<sup>46</sup>. Small and regional parties were denigrated for decades as parochial, accused of furthering social and geographic divisions, and referred to be destabilising forces in the single-party political system by all parties, notably the Congress. The national politics that pitted the nation against the regions gave the regional and indigenous elite a legitimate place, and they cannot be overlooked under India's new structure of political power. To put it another way, the political system is forced to base governance on a coalition of small, local parties, which also happens to be a coalition mostly composed of lower and middle castes in the social order. This is due to the preference of local issues among voters. The rare blips in the governing coalition after

the alleged threat from the AIADMK in 2001 show how important each of the alliance's members is.

This compelled adoption of a more federal structure of government than the previous supporters of states' rights had ever achieved. The Indian variety of coalition now offers a more moderate form of government, however, as a result of the 2004 general election, as large national parties were compelled to accept the need for alliances and accommodations with a variety of new and old parties, including the regional parties. Despite a fluid and very dangerous political climate, the erstwhile NDA alliance, headed by the Bharatiya Janata Party, has managed to remain in power. Without regard to the purported ideological purity, the exigency of the situation is what binds the parties and typically maintains the partnership. Despite the fact that the two previous coalition administrations at the centre only existed for a short period of time, the continuity of the NDA administration over a whole term is indicative of a significant change in India's political texture by making coalition inevitable. The region's presence on the national stage is a sign that many marginalised people are becoming empowered. The fact that regional parties have been successful in representing the demands of the Dalits and other backwards castes is probably contributing to their growing importance. These parties remain regional in terms of where they are physically located, but they are national in that they support solutions to issues that the whole country faces.<sup>50</sup> The growing importance of regional parties in the national coalition is an indication of a more competitive and polarised political system. In actuality, democracy is moving towards a more popular form.

As a result, India's coalition government and federalism trials under the NDA and UPA were successful. Instead of merely one party collapsing and the rise of the regional and minor parties, it suggests a crisis of majoritarian political culture built on the dominance of a single party led by a charismatic leader. With the aim of providing an analytical analysis of the growth of coalition politics in light of the fragmented electoral mandate in the nation's previous two elections, this concise chronological summary of India's recent political history. It becomes apparent of two key elements. First, the Hindutva brigade attempted to unify Hindus against the hated other, particularly the Muslims, but it seems that addressing the nation is unsuccessful for securing a majority in parliament. The proclaimed Nehruvian goal of unity in diversity as the cultural cornerstone of tolerant pluralism in India appears to have largely lost its appeal in the wake of the 1992 demolition of the Babri Masjid.

A one-party majority is no longer conceivable. The coalition of parties is maybe the only institutional vehicle that can accommodate conflicting pulls of regional and sub-national identities. The coalition, which is founded on India's deeply established diversity, may lead to the banalization of the concept of nationalism completely by maintaining multicultural nationalism as a crucial component of India's political processes<sup>51</sup>. Second, by clearly expressing social coalitions, the NDA and later the UPA represent an inexorable new trend in Indian politics. Both of these national coalition governments were created as a result of an agreement of several political parties, despite the stark ideological differences between them. The Bahujan Samaj Party, which won a majority in the state legislature in 2007, was founded by the socially antagonistic sociopolitical groups of Brahmins and Dalits. Drawing on Ambedkar's pro-Dalit ideas, the BSP won the Brahmins' support by adamantly opposing the Mandal quota system for other backwards castes. The outcomes of the UP election demonstrate that sociocultural barriers to political mobilisation have been successfully overcome. Brahmins and Dalits could have opposed, if not antagonistic, societal attitudes. However, as the UP-election results shown, they

may band together in order to establish a powerful coalition based on a common socioeconomic agenda.

A thorough examination of Indian election occurrences reveals that the nation is very contentious and that an appeal to the people can never constitute a major ideological goal. It has also been shown that tempering severe ideological overtones is maybe the most effective strategy of political mobilization in India's intensely competitive political environment. Two processes seem to have taken place at the same time since sub-national interests and identities appear to be essential in influencing the outcome of political parties competing for votes. On the one hand, the nation is no longer a reliable electoral platform for swaying public opinion. However, this effectively illustrates the results of the democratic processes that were launched when adult suffrage was instituted in independent India. Thus, Indian politics are a hub for a variety of social, economic, and political activities that are challenging to understand when seen through the prism of ethnocentric theoretical frameworks. Indian politics are not just a site for varied social experiments involving numerous social groups.

Using a social lens is necessary to comprehend Indian politics. There is little doubt that the Westminster model provided the framework for the political system India adopted after gaining independence. However, it underwent a number of significant changes that made the British system of administration unusual. At this point, it is vital that the socioeconomic variables that influenced political growth be expressed and articulated in a distinct manner. In view of this, it is not surprising that three different languages of politics, namely, modern, traditional, and saintly<sup>52</sup> emerges relevant in Indian politics. The rising complexity of politics, which is entwined with similarly complex socio-economic and cultural situations, is the central argument of this work. Studying Indian politics entails examining historical circumstances. This book distinguishes out because it concentrates on the dialectical relationships between politics and society that are unique to certain historical eras. The present exercise also concentrates on those socio-political and economic elements that have had an impact on the creation of the political in its most nuanced articulation since the Indian setting is reactive and reflective, in contrast to previous studies.

The creation and stabilization of a democratic political system as a consequence of colonialism, nationalism, and democracy is the primary subject of the book. These three sources seem to have provided the foundational values upon which the political system is founded. There is no question that colonialism affected India's development, which did not follow either the pure capitalist path of development or any other alternatives. But among other things, colonialism aids in the creation of a critical space for nationalist and anti-democratic forces that are averse to colonialism. Similarly, although originally being derivative, Indian nationalism seldom resembles its European relative. As anti-colonialism gained momentum, nationalism emerged as an ideology that was seen differently by different groups involved in its articulation. Gandhi was drawn to nationalism for its potential to politically bring together the imagined community, whereas Jinnah was persuaded by nationalism's classical form. Jinnah supported the two nation theory on the grounds that homogenizing nationalist ideology minimized the inherent divisions even among Muslims as a result of a peculiar evolution of Islam in the subcontinent.

However, over the course of independence struggles, nationalism not only freed but also reinforced democratic forces. India's post-colonial period is not quite a break with the past because of institutional and ideational legacies. Although the latter also represented the nationalist

vision, which was inspired by ideas of social and economic fairness, political equality, and a respect for diversity, particularly for the impoverished sectors of society, the former is best shown in the continuity of governmental institutions. Given the particular social background and its equally uncommon evolution in the wake of independence, India is unquestionably a singular model that is theoretically original owing to the obvious empirical circumstances in which it has arisen. I shall rely on the critical imagining and re-imagining processes that have taken place in India since its independence in 1947 to accomplish my purpose. The 1946-founded Constituent Assembly provided the newly constituted nation with a plan, but as the nation became more complex, it was insufficient. The goal of the book is to provide an interpretative account of India's shifting political environment as well as the factors that remained essential throughout the whole process. However, there is a word of caution. Contrary to the Constituent Assembly's reinvention, India's contemporary version is now in progress. Instead of being a purposeful process like the Constituent Assembly, it is a contestation and negotiation process. Consequently, it is difficult to comprehend the wonder that is India with only one book. The book focuses on the procedures where ideology also seems to be significant in order to give a contextual interpretation of Indian politics.

## CONCLUSION

In conclusion, Recognising the complexity and diversity of political systems all over the globe, the concept of a unique political reality is proposed. Numerous elements, such as historical events, geographic location, cultural diversity, and economical circumstances, have an impact on the diverse political landscapes of various countries. Understanding and appreciating these unique political realities is necessary to promoting good governance, intercultural understanding, and sustainable development on a global scale. If we are aware of the nuances and complexity of political systems, we may work towards inclusive and culturally appropriate solutions to address the concerns and aspirations of diverse nations.

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## POLITICAL ECONOMY OF INDIA AS A NATION-STATE

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### ABSTRACT:

*The political economy of India as a nation-state encompasses the interplay between political and economic factors that shape the country's development, policies, and socio-economic outcomes. This chapter explores the political economy of India, analyzing the dynamics between the government, markets, and society. It examines key aspects such as economic reforms, political ideologies, institutional frameworks, and social inequalities. The chapter delves into the challenges and opportunities of India's political economy, including issues of poverty, inequality, corruption, and the role of the state in promoting inclusive growth. By understanding the political economy of India, we gain insights into the complexities of its economic development, governance, and social transformation.*

**KEYWORDS:** *Agriculture, Capitalism, Corruption, Democracy, Economic Reforms, GDP Growth.*

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### INTRODUCTION

The backdrop for India's path to independence was established by the 1947 divide. The 1950 Constitution was the consequence of two cultures that were in conflict with one another: one that represented the normative concern for India's multicultural identity, which is fashioned by her distinctive history and geography, and the other that supported their goal for unity, security, and administrative efficacy. The latter witnessed the continuance of the same governmental infrastructure that had consolidated colonial authority in India, while the former culminated in the 1950 Constitution's articulation of federalism and secularism. In the end, a state that was largely dependent on the 1935 Government of India Act arose that was semi-hegemonic. While the new Indian political elites surely carried with them a tradition of governing from their forefathers, W. H. Morris-Jones asserts that they also undoubtedly brought with them a legacy from their own immediate past, from the experience of the nationalist movement. One Independent At least in the beginning, these two legacies were merged into Indian politics.

The nation-alist idea, which was hardly derivative, remained India's future course. Governmental institutions therefore acted in a manner that was suggestive of an independent state, full of optimism for a new beginning, despite their imperial heritage[1], [2]. The influence of the current social order, the polarised social structure, and the covert social tensions on the political process, however, cannot be disregarded. Before British rule, there were also rich civilizational traditions present, and they continued to operate as a uniting force despite the triumph of dividing politics after the foundation of Pakistan in 1947 as a condition for independence from British rule[3], [4]. For reasons relating to the peculiar circumstances under which India emerged in the community of free nations, historical processes continued to be of the highest significance even after

independence. This is without a doubt necessary to understand Indian politics[5], [6]. Therefore, it would be wrong to conclude that Indian politics even after independence stayed the same only because the historical setting underwent considerable changes. Furthermore, even though it was widely derided, the colonial period left behind a major political legacy, so it wouldn't be quite true to say that post-colonial Indian politics were entirely original. As a result, this article serves two purposes first, to briefly discuss the nature of partition and its consequences; and second, to emphasise the political significance of those principles and values that laid the institutional foundation of a decolonized India by addressing the ideological foundation of post-colonial political leadership in India, which had roots in the nationalist struggle.

### **Destruction of the Continent**

The definition of partition is the period of the constitutional foundation of two dominions with concurrent carnage.<sup>2</sup> The Muslim League made its first official proclamation of Pakistan or its separation in the 1940 Lahore resolution, which called for the establishment of a separate Muslim state. Even while Pakistan was not mentioned, the resolution's demand for a Muslim state or states that are independent of one another gave concrete expression to the dream of a totally autonomous Muslim state.<sup>3</sup> The resolution was therefore historically significant for at least two reasons: first, the fact that Fazlul Haq, the most well-known Muslim leader in Bengal, proposed the resolution suggests the League's growing influence in the provinces with a majority of Muslims; and second, for the first time, a clear demand was formally articulated, insisting that the areas in India where Muslims made up the majority. Additionally, it said that because Hindus make up the majority in India's north and east, Muslims in India should be treated equally with the majority in any future constitutional discussions[7], [8].

The colonial rulers grew increasingly sympathetic to the arguments made by the Muslim League notwithstanding their doubts about Pakistan's viability. The League had, by 1945, not only advocated on the division of India as the only solution of the complex constitutional problem of India, but had also made Pakistan the centrepiece of their election campaign. If Muslims voted for the League in the 1946 elections, The League will be entitled to ask for Pakistan without any further investigation or plebiscite.<sup>6</sup> Additionally, throughout the election campaign, Jinnah identified the areas that make up Pakistan. He thought that Pakistan inexorably owned those areas where there was a certain percentage of Muslims. In turn, Pakistan received Sind, Baluchistan, the North West Frontier Province, and Punjab in the north-west of India, as well as Bengal and Assam in the north-east of that country. The next elections, according to him, will settle the issue once and for all, and after they are over, Pakistan will become an immediate reality. They reportedly exploited the religious sentiments of Muslim voters in Punjab by emphasising that the question a voter is called on to answer is are you a true believer or an infidel and a traitor.

The results of the vote demonstrated that the 1946 election served as a referendum on the League. The League's performance in the 1937 first provincial election was poor, even in the areas where Muslims were the majority. But nine years later, in 1946, the League won the majority of the polls, if not all of them, at or close to its peak natural strength, becoming the exclusive voice of Muslims. This achievement was noteworthy in terms of planning and leadership. The Muslim League easily won the 1946 elections in the provinces with a majority of Muslims, drastically altering India's political landscape and making the League a more powerful party in negotiations with the British during the last phase of the transfer of sovereignty[9], [10]. The historian continues to be interested by the contradictory character of the actuality of August 15, 1947, even

more than 50 years after India was partitioned. Despite the fact that independence had been gained, it came with the agony of division and the accompanying instability up until the real transfer of control was announced. Thus, the independence of India represents a significant historical paradox. Although it contributed to independence, the nationalist movement was unable to halt the divide. Consequently, the success of the nationalist movement also led to its demise. Why did that happen? The answer rests in still another paradox, namely Gandhi and his Congress allies' accomplishments and failings in leading the anti-imperialist campaign. In its struggle with the colonial authority, the Congress faced two obstacles: bringing together various classes, towns, and organisations into a country, and achieving independence for this young country.

While the Congress was effective in organising the nation against the British, which ultimately resulted in the British Empire's departure from India, it was mostly unsuccessful in welding the diversity into a nation and particularly failed to integrate the Muslims into this nation. The root causes of the independence paradox—the success and failure of the nationalist struggle—were associated with the Great Divide of the Indian Subcontinent. According to one scholar, independence and partition were but a reflection of the success or failure of the strategy of the nationalist movement. The 1947 split significantly altered the subcontinent's identity since it aimed to categorise its constituents according to the political boundary established after the transfer of power. 1947 signified the freedom of the Muslims from both the British and the Hindu ruling elite, thus it wasn't only about partition. For instance, it made the Hindus in Bengal feel at ease, safe, and at home.<sup>12,13</sup> Even while it was without a doubt a significant event in many respects, not everything in India was permanently changed as a result of these two related occurrences— independence and partition. At least for the first several decades after becoming independence, India's colonial past continued to control it.

## **DISCUSSION**

The political economy of post-colonial India is an unusual fusion of the two, neither purely capitalist nor purely feudal. Because of this, India's path of development, much like the development of India as a nation in the years after independence in 1947, can never be easily described. The Preamble to the Indian Constitution created the socialistic social system, in which the state remained the most significant stakeholder. Because of this, it is emphasised in the Directive Principles of State Policy that the goal of the Indian polity is not unrestrained *laissez-faire* but rather a welfare state where the state has a responsibility to positively ensure to its citizens social and economic justice with individual dignity in accordance with the unity and integrity of the nation. By making these principles fundamental to governance and making it the laws of the nation and the duty of the state to apply them, the founding fathers made it necessary for future governments to strike a balance between individual liberty and the public good, between protecting the property and privilege of the few and bestowing benefits on the many, in order to liberate the powers of individuals equally for contributions to the common good. This new institutional structure comprised a regulatory regime that mandated the expansion of the public sector, adaptable controls over markets and the conduct of private businesses, and stringent limitations on imports and foreign exchange. The last was founded on economic nationalism, while the first two were founded on the socialist doctrine. Together, they represented the activities of the recently established nation state.

The Planning Commission, which was founded in January 1950 over fierce objections from Gandhians inside the Congress Working Committee, was the most crucial instrument in this kind

of state-directed growth. However, in the cabinet decision that finally led to the creation of the Commission, three major themes were emphasised as precise terms of reference, which largely dispelled concerns. These principles included the following: that all citizens, both men and women, have the right to an adequate standard of living; that ownership and control of the country's material resources are distributed in a way that best serves the public interest; and that the operation of the economic system does not result in the concentration of wealth and production resources to the detriment of the general welfare. To further underline the nation's ideological commitment, the 1948 Industrial Policy Resolution (IPR) was passed. The Government of India aims to establish a National Planning Commission to draught development programmes and monitor their execution since doing this requires careful planning and coordinated efforts across the whole spectrum of national activity.

The 1948 Industrial Policy Resolution therefore mandated that the government play a gradually more active role in the development of fundamental industries, such as those producing iron, coal, steel, aircraft, shipbuilding, and oil, as well as critical industries, such as those producing arms and ammunition, atomic energy production and control, ownership and management of the railway transportation sector, and basic industries, such as those producing iron, coal, and steel. This resolution was reiterated in the Congress's 1955 Avadi session with the addition that, given the stated goal of a socialist social structure, the state should take a significant role in planning and development. The Second Five-Year Plan and Parliament's acceptance of a socialist pattern of society as the goal of social and economic policy in December 1954 and 1956's adoption of the Industrial Policy Resolution, respectively, marked the next significant development that established the intention of an activist state. P. Creator of the scheme C. The private sector might not be able to raise enough money for these capital-intensive industries, and even if it could, it would exercise a monolithic level of control that was thought to be detrimental to social welfare, according to Mahalanobis, who argued for state-controlled economic development to accelerate private sector development. The government would also be sure to succeed in its objectives by distributing the output of the basic and heavy industries in line with societal priorities. The Nehru-led government anticipated a stronger role for the public sector and the importance of planning in the general development of the country in order to realise the objective of a socialist social structure.

### **Planning for Development: Success Or Failure?**

Planning seems to be a potent operational tool for organising the state's operations in line with its ideological tenets. Therefore, planning is not only a tool for economic recovery; it is also directly related to the political preferences of the administration. Instead than conceptualising the link between planning and the ideological tilt of the regime in a deterministic way, it is important to emphasise the complex interdependence, which entails the simultaneous interplay of many pulls and pressures in a constantly shifting social fabric. Planning is therefore an exercise in instrumental rationality. Despite the critical importance of planning, Aseema Sinha argues that the developmental project in India was and continues to be constrained by the pattern of mediation between the centre and regions. Furthermore, centralised planning also led to the expansion of regionalism in India, probably as a result of haphazard and unequal development. Regional differences and politico-economic issues stemming from a centrally planned system continue to play a large role in post-independence India's political economy, in addition to international pressures after globalisation.



Congress has already been persuaded by the arguments in favour of preparing for development. In contrast to Gandhi's explicit opposition to planned development, the Congress Party has demonstrated considerable interest in socialistic methods such as planning and heavy industrialisation since 1929, arguing that they are essential to make revolutionary changes in the present economic and social structure of society and to remove gross inequalities. Within two years, a resolution demanding state control of key industries and services, mineral resources, railways, waterways, shipping, a. However, in a resolution passed in 1934 in Banaras, the Congress Working Committee emphasised that large and organised industries are in no need of the services of Congress organisations or of any Congress effort on their behalf. Jawaharlal Nehru, who was critical of the foregoing, rallied support to reformulate the resolution in order to win Congress support for industrialisation and planning, which, in his opinion, was the only way to achieve significant economic growth. In September 1934, the Congress Working Committee met in Bombay and came to a compromise formulation. As a consequence, little cottage businesses received a lot of attention. Nehru was inspired by the party's modest support and, despite the Congress's lack of organisational or financial support, he spoke passionately in favour of heavy industrialisation and the meticulous structuring of human resources in his 1936 presidential address at Faizpur.

Planning seems to have been a platform for the former members of Congress to voice their differing ideologies. Gandhi opposed industrialism because he believed that it would not only subject Indians to more severe forms of exploitation but also lead to a general degradation of human life. Nehru supported industrialism in accordance with their opposing ideologies. Contrary to his militant colleague Subhas Bose, Nehru and Gandhi sometimes argued, but they never allowed their differences to cause a schism within the Congress. Even if doing so had unfavourable ideological repercussions, practical Nehru eagerly supported Gandhi's freedom campaign because he saw that gaining independence came before ideologies. Gandhi and Nehru's disagreement on planning and industrialisation was just a foreshadowing of the coming conflict given the Congress's efforts to create an anti-British platform that included even opposing viewpoints. There is little doubt that Nehru's support for planning and industrialisation ushered in a new era in the struggle for Indian independence.

The previous in-depth examination of the development of planning reveals Nehru's unshakeable faith in it, even if he acknowledged that planning needed to be motivated by what he termed integrated planning. He said that in view of this, Planning Commission has performed an essential task; without which it could not have progressed. Due to our federal framework, the many states have joined together to have coordinated planning. It was only natural that planning would be important in India's development once he assumed the position of prime minister because without it, the federal government would not have been able to carry out its duties because there would have been immediate worries that it was violating the rights of the states. At this time, Meghnad Desai enters the discussion and presents a strong argument for why planning was detrimental to the development of capitalism in India. Planning was basically the state's political tool for mechanically interfering with economic processes, which may or may not always run according to plan.

According to the author, the Green Revolution, and the owner-cultivation context in which it made its impact, brought capitalism irrevocably to the country side. In India, where capitalism suffered a lopsided ascent for a variety of historical reasons, it saw the gradual but continual decline of planning as a vehicle for rapid economic expansion. This important structural transition

in the Indian economy came independently of planning. Desai concludes that the capitalist social relations in the Indian economy would be the driving force and that planning no longer holds the driving seat it once did. Instead of utterly rejecting participatory and predictive economic planning. It won't be comprehensive; it will be tactical. It will start off at a certain growth rate. The growth rate that emerges from the interactive predictive quinquennial exercise will define a practical limit. More iterative and counterfactual work with the present models will be required to establish if a bigger development path is viable and, if so, what obstacles need to be removed. This is the main thrust of Desai's case for reorienting economic development instruments, such as planning for a clear strategy based on the tenets of capitalist growth as put forwards by traditional Marxism. Planning must instead take into account the new material circumstances brought on by the escalating importance of the global economy, particularly the non-state entities like the IMF, World Bank, and other transnational donor organisations.

Planning is thus designed for an insulated national economy...is not appropriate. Since it is hard to ignore this new environment, national economies must adjust to it as best they can. The key to sustained economic development is thus a rapid integration of the Indian economy into capitalism. This approach has shown to be very successful in China, Taiwan, and Korea, where capitalism is not just non-discriminatory but also pro-people. The main objective of socialism was not accomplished in India. The poor continued to experience hardship. Due to the fact that the Indian economy had grown too slowly to qualify as a capitalist economy, the mixed-economy strategy, which also aimed to promote state-led capitalist growth, mostly failed. Desai responded to the claim that India by its failure to reduce inequalities had forfeited any claims to being socialism by arguing that India's problem is not so much capitalism but that it is stuck with a backwards version of capitalism<sup>29</sup> and that economic growth is rooted in a complete overhauling of the economy, supported by a strong political will endorsing, for example, various anti-poverty programmes and cutting the subsidies to the rich.

According to Desai, it is true that there is no replacement for economic reform. It is also true that without a solid political base, economic improvements lack actual substance. The same Indian political elite that had defended the former system now backed the new one. According to Desai, who wonders if this is a genuine change or electoral window dressing<sup>30</sup>, the future of economic reform in India does not seem as hopeful as it does in South-East Asian countries or China. One of the essential requirements for a long-term reform programme is an administration that is ideologically compatible with a sufficient number of MPs. The political system now seems to be unable to pursue economic improvements in a continuous manner since elections happen much too often. There is no magic recipe; Desai regrets that an unreformed political system is an obstacle to fundamental and irreversible economic reform. Because it is quite clear that India must liberal-ize in order to achieve long-term economic success, it is vital to embrace a new attitude. Desai contends that it is elite interests in India, not the poor, who are opposed to liberalisation. The industrialists in the organised sector, who benefited from the protectionist approach and are now scared of competition, are in charge.

The state is crucial given the recent changes in the scenario. Since state ownership has been proved to be ineffective and growth-decelerating, it must be eliminated. However, reform is a touchy subject since India is not a reformer that is passionate about it. However, as the South-East Asian examples demonstrate, change is undeniably a certain strategy to promote economic advancement. In India's terms, clinging to liberalisation is a resumption of history, when the nation was a commercial and industrial powerhouse capable of competing on a worldwide scale

for cotton textiles before to independence.

### **Changing Economic Forecasts**

With the introduction of macroeconomic reforms in the 1990s, the state-led development plans seem to have lost their validity, since non-state actors were instrumental in redefining the state agenda. India may have been extremely conservative in its change-making. It's virtually hard to dismiss the theoretical case for government intervention in a transitional economy. There are several causes. Even if socialist principles may have lost favour, the state's contribution to the social sector cannot be overstated until a convincing substitute is offered. Since economic liberalisation was mainly seen as unavoidable in order to prevent the serious balance of payment crisis in 1991, developments occurred in India by stealth<sup>34</sup>. Second, India's growth strategy, based on economic nationalism, is seriously undermining the fundamental assumptions of the earlier social consensus regarding the development strategy.<sup>35</sup> The first was the fall of the former Soviet Union and its east European satellite states, which completely abandoned the model of planned economic development and moved towards a market-oriented economic system.

However, it is important to recognise the relevance of the contemporary politico-institutional context while analysing the consequences of economic transformation in India. On India's post-reform prospects, the institutional legacy of a well-entrenched state has a significant bearing. One commentator claims that India's bureaucratized regime the license-quota-permit raj has had major, unintended consequences on post-transition patterns: all governments and central regimes continue to rely on state-led reform strategies; there is no 'Washington Consensus' or 'neo-liberal' route to reforms in India. There is little question that India's political economy underwent significant adjustments as a result of economic reforms. However, the antiquated regulatory framework from a previous age continued to have a big impact on how liberalisation developed and turned out. Thus, state-guided routes to liberalisation are becoming common across India rather than market fundamentalism, as shown by the blatant inefficiencies in the economy. Based on her research and other pertinent information, the author of an empirical study of Andhra Pradesh asserts that two economies -- one affluent and the other predominantly agricultural economy -- are emerging. The rural sector is still in decline, and people affiliated with it have little expectation of a better future remain preoccupied with the daily struggle to secure a livelihood,<sup>38</sup>. In the current economic climate, the city-centered, export-oriented economy is booming. Every aspect of India's social and geographic environment demonstrates this split.

In an attempt to encapsulate the typical Indian response to liberalisation, the 1991 Industrial Policy Resolution made many recommendations to unshackle the Indian industrial economy from the cobwebs of unnecessary bureaucratic control, while staying under the general authority of the state. Four specific actions were recommended. The industrial licencing policy was initially abolished by the government, with the exception of a few areas related to security and strategic matters, social concerns, hazardous chemicals, and significant environmental aspects. Second, the government backed direct foreign investment up to 51 percent foreign equity in high priority industries. To avoid bottlenecks, a reform to the 1973 Foreign Exchange Regulation Act has been recommended. Third, in order to ensure that those working for these state-sponsored businesses are held accountable, it was also decided to remove protection from the sick public sector units and to place a greater emphasis on performance improvement. Last but not least, the 1991 Policy sought to eliminate the threshold-old limits of assets in respect of those companies functioning under the MRTP Act.

Since globalisation looks to be a pact with the devil in its present form, Joseph Stiglitz claims that it may not be a good strategy for economic progress in a developing country like India. For historical reasons, the Nehruvian socialist model of society cannot be so readily abandoned. Although a tiny percentage of individuals may have benefited financially from more integration into the global economy, for the majority of people, it has brought greater volatility and insecurity, and more inequality<sup>40</sup>. Thus, economic liberalisation is a double-edged sword that has benefited some Indians while leaving millions of others untouched. The Buddhist proverb that the key to the gate of heaven is also the key that could open the gate to hell can be used to sum up economic liberalisation in India has thus been rightly highlighted. Economic transformation is in reality rife with opportunity and danger, and for the majority, the journey to the promised land may very quickly turn into a dreadful nightmare of poverty and escalating inequality.

### **Public Administration In India**

The Macaulay Committee Report, published in 1854, was a turning point in the growth of bureaucracy in India and clearly showed the influence of British colonial rule. Since the system was created in the middle of the nineteenth century, India's bureaucracy has changed significantly throughout the course of its lengthy history. The Committee recommended a civil service based on merit in an effort to replace the venerable patronage system of the East India Company.<sup>43</sup> Supporting the idea of a generalist administrator, or all rounder, the Committee portrayed the ideal administrator as a gifted layman who, moving from job to job irrespective of its subject matter, on the basis of his knowledge and experience in the government. Those in the ICS were consequently cut off from the others due to their high class, caste, and educational backgrounds. In other words, they had the special social status that Weber thought was required for a true bureaucracy. Given their peculiar personalities, British officials in India developed a highly distinct sort of society with no organic linkages to the community they were intended to serve. Nevertheless, the Indian civil service was essential to the administrative system that flourished throughout the colonial era. In the House of Commons in 1922, Lloyd George acknowledged their immense relevance in maintaining the empire by stating that they are the steel frame of the whole structure. Whatever material you choose to build it with, it will break apart if the steel frame is removed.

In independent India, the Indian Administrative Service took the place of the ICS. Despite its imperial heritage, the Indian political elite chose to preserve the ICS's organisational structure, probably due to the ICS's success in carrying out Indian administration in accordance with predetermined rules and regulations that favoured a particular regime. Thus, even though there was considerable debate in the Constituent Assembly when this issue was being discussed, their past experience made them more likely to favour its continuation. Its continued existence was opposed on the grounds that it backed imperialism. They stabbed our country when we were battling for freedom by turning us into their slaves, according to The Steel Frame of the Civil Service. Vallabhbhai Patel was arguably the most vocal proponent of the ICS and its steel frame, and the argument is that we shouldn't perpetuate what we have criticised thus far. Without the ICS, Pax Britannica would not have been conceivable, he knew.

He also realised that because of the state's many responsibilities, independent India needed a dedicated bureaucracy even more. Because the British bureaucracy was patriotic, loyal, sincere, and able, Patel was persuaded to defend their continued existence, especially during the period of unrest after the end of colonial control. In order to reach a consensus over the future of what was

then known as All India Services, he convened the province's Premier's Conference in 1946. Due to their extensive experience in public administration, officers of the AIS are most well-equipped to deal with new and complex tasks. He subsequently firmly asserted in the Constituent Assembly that you will not have a united India if you do not have a good all India service that had the freedom to express itself and valued privacy. They will serve as a conduit between the Provinces and the Government of India in addition to being useful instruments, adding some bravado and vigour to the administration of the Centre and the Provinces. He also tied the success of the Constitution to the presence of an all-India service, saying, If you do not adopt this course, then do not follow this Constitution. This Constitution is meant to be worked by a ring of service which will keep the country intact. According to Patel, I need hardly emphasise that an efficient, disciplined and contented service, assured of its prospects as a result of diligent and honest work, is a sine qua non of sound administration under a democratic regime even more than under an authoritarian rule.<sup>51</sup> From this, Patel concluded that I see nothing but a picture of chaos all over the country if you remove them.

No civil servant shall be dismissed, removed, or reduced in rank except after an enquiry in which he has been informed of the charges and given a reasonable opportunity to be heard<sup>53</sup>. Even Jawaharlal Nehru, who harshly criticised the ICS for maintaining imperial rule in India, seemed persuaded and backed its continuation for the security and stability of India, including coping with the slaughter and its aftermath in Punjab, crushing opposition in Hyderabad, and containing it in Kashmir. Furthermore, its continuance posed little challenge to the ruling classes who continued to control India following the transfer of power in 1947. The new civil service, according to a former bureaucrat, was actually the continuation of the old one with the difference that it was to function in a parliamentary system of government, accepting the undeniable primacy of the political executive which, in turn, was responsible to the people through their elected representatives in the legislature. In addition to its structure, which is essentially an expansion of the steel frame, the continuity in the new civil service also refers to its internal organisation.

The steel frame was maintained in a more-or-less undamaged state and also had a functional purpose since, as B. According to P, the top civil officials that the Congress leaders who seized power acquired from the colonial state had the same socioeconomic background as them. This claim was made by IAS officer R. Vithal, and as a consequence, Nehru felt at ease while speaking with prominent government officials, for example. In a similar spirit, Rajagopalachari, when serving as the Prime Minister of Madras, favoured certain Congress Party groups above the ICS representatives who were brought to him. Political processes after independence resulted in more significant and quick-moving changes in the social composition of the political executive than in the civil service. In contrast to the political executives, who were generally from rural and semi-urban areas and had acquired a vernacular education, those in the steel frame were often urban-based and English-educated. The growing divide between the class backgrounds of the political executive and the civil servants led to frequent disputes between administrators and politicians under the Westminster parliamentary system, where politicians were essential in the formation of a new nation.

Since independence, the range and depth of government functions have increased. With the emergence of the parliamentary system of government and the formation of people's institutions all the way down to the village level, expectations have inexorably expanded and the gap between expectations and performance has widened. People's institutions were set up in order to create



self-governing institutions at the village level. The end result will always look far. Additionally, they associated independence and the Five Year Plans with prosperity, liberation from famine and persecution, and economic and social justice. Because they could see hope and promise in the future, people in the early planning era did not complain much about the shortages they valiantly confronted. They were far from the promised land of honesty, plenty, and happiness, and as time passed, they started to feel as if their hopes had been destroyed. The spirit of self-governance, decentralisation, and community development was greeted with tremendous élan and enthusiasm. The recently passed seventy-third and seventy-fourth amendments to the constitution aim to further the idea of self-governance by establishing regular elections, limiting the use of administrative fiat to repress Panchayati Raj organisations, and establishing mandatory distribution of funds from the state fiscus. For instance, the urban local councils and the three-tiered Panchayati Raj system were created as properly interconnected networks of institutions to hasten the development process.

However, for a variety of reasons, the political process became what might be described as reversed, and highly centralised and individualised systems of government emerged both at the central and state levels. According to Kuldeep Mathur, the objective is to reduce the margin of political and administrative discretion and to allow the decentralised institutions to gather strength on the basis of people's involvement. The press, the legal system, the political parties, the democratic procedures for party governance, even the Parliament and legislative institutions, have all deteriorated significantly. Rajni Kothari has made an effort to make sense of an odd situation where public administration seems to be entirely disconnected from the core institutions of the democratic system that has flourished in India since independence. The crises and breakdown of institutions, according to her analysis, are the natural and expected consequences of a political process that has undermined both the role and authority of basic institutions.

Both during the British rule and shortly after, India's history led to the development of a public administration that was unsuitable to the needs and ambitions of the citizenry. Finding the causes is not difficult because research has demonstrated that bureaucrats who were raised and trained in the colonial administrative culture are wedded to the Weberian characteristics of hierarchy, status, and rigidity of rules and regulations and are mostly focused on maintaining order and collecting taxes. Although this organisation was perfect for the colonial government, the development-focused administration has completely changed the environment in which it must perform its tasks. The role of the government in India's democratic system has altered as it became the key institution for growth. The bureaucrat, also referred to as the development administrator, is characterised by tact, pragmatism, dynamism, flexibility, adaptability to any situation, and willingness to take rapid, ad-hoc decisions without worrying too much about procedures and protocol. Their sole objective is to emphasise results, rather than procedures, teamwork, rather than hierarchy and status, flexibility and decentralisation, rather than control and authority.

## CONCLUSION

In conclusion, the intricate and dynamic field of India's political economy as a nation-state deals with the relationship between political and economic concerns. In order to implement effective policies, promote equitable development, and address socioeconomic challenges, it is essential to understand the complexity of India's political economy. It is possible for India to move towards social justice, sustainable development, and improved living circumstances for all of its citizens by understanding the connections between politics and economics. The political economy of India

presents both opportunities and challenges. Chances for fair and sustainable development are offered by the nation's flourishing civil society, many business opportunities, and demographic dividend. However, to address the problems of poverty, inequality, and corruption, significant policy reforms, institutional adjustments, and effective governance are necessary.

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## GOVERNANCE AND THE FIFTH PAY COMMISSION

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### ABSTRACT:

*The governance of a nation plays a crucial role in determining the well-being of its citizens and the overall socio-economic development of the country. The Fifth Pay Commission in India, established in 1994, holds significance in the context of governance and public administration. This chapter explores the role and impact of the Fifth Pay Commission on governance, examining its recommendations, implementation, and consequences. It analyzes the factors that influenced the formation of the Pay Commission and the implications of its recommendations on the public sector, government employees, and the overall fiscal health of the country. The chapter also discusses the challenges and opportunities associated with the governance aspects of the Fifth Pay Commission and its relevance in the context of public administration.*

**KEYWORDS:** *Compensation, Grade Pay, Government Sector, Governance, Inflation, Pay Scales, Pension.*

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### INTRODUCTION

For two very important reasons, the Indian government's establishment of the Fifth Pay Commission in 1994 which highlighted the new public administration regimewas a key intervention in redefining the role of politics in public administration. The Commission started the experiment at a time when it looked that globalisation had considerably altered, if not moulded, human existence. Without a doubt, the majority of developing countries requesting loans from international organisations see the governance paradigm as a critical point of reference for public service reform. The primary goal of public service, according to the Commission, is to understand customer needs[1], [2]. Based on this primary concern, the Commission's mission statement66 reads as follows: a make the organization's goals clear in management's minds; b explains to staff the purpose of their jobs in achieving the organization's goals; c explains government policy to ensure that staff correctly interprets it; d foster a sense of pride in belonging to the organisation; and e provide targets to aim for, against which results can be evaluated.

This section serves two purposes: first, to identify the sociological underpinnings of the Fifth Pay Commission, which was established following India's adoption of the New Economic Policy in 1991; and second, to determine whether the recommendations are merely contextual and unaffected by the neo-liberal trends of the international forces, or whether they are unmistakably influenced by the so-called international actors and largely, if not entirely, devoid of national roots. It is obvious that some reform measures for the administration were started even before liberalization began. Post-liberalization efforts are generally driven by external factors; hence these initiatives have their roots in quite distinct socioeconomic issues from the period. There has been a clear trend towards the government taking a reduced role in all countries. In the words of

the Fifth Pay Commission, Thatcherism in the UK and Reaganomics in the USA tried to pull the State out of the muck of over-involvement. The fall of communism in Eastern Europe has sped up the trend of economic liberalization and decreased investment in firms in the state sector. The Commission admits as much when it says that India could not have remained unaffected by these global trends, and as a result, the drive to reduce the role of the government was external. However, the deep economic crisis of 1991, which pushed on to a new path of development, was the most significant factor in the entire process.

Government should confine itself to the core functions that the market cannot perform. For everything else, the private initiative must be employed. It should be clear that the Fifth Pay Commission emphasises the diminishing role of the government in a new path of development expressed by the commission. The Commission designates a wide range of responsibilities for private firms while designating a few core functions for the government, criticising the over-involvement of government. The Commission proposes reform packages to modernise the Indian civil service in an effort to combat the neo-liberal tendency in public administration while conceptualising government within the governance paradigm. As a result of the government's withdrawal, private operators are now able to execute duties that were previously done by it for the public good. By redefining the role of government, the Commission seems to have provided the state with the resources it needs to keep up with change in a connected world[3], [4].

In light of the aforementioned well-intentioned goals, the Fifth Pay Commission's proposals are another important step in the right path for public sector reform. The Fifth Pay Commission has recommended reducing the size of the government through the corporatization of tasks that involve manufacturing of goods or the provision of commercial services, as well as through the privatisation of tasks where the government does not need to play a direct role and the contracting out of services that can be conveniently outsourced to increase transparency, openness, and economy in how the government is run. The suggestions given during the 1996 Chief Secretaries Conference are consistent with those on this list[5], [6]. According to the Pay Commission, it would be improper for the public sector to continue to be an island of inefficiency and inertia, hence it recommended the central government go ahead with a 30% reduction in public service headcount. The typical procedure of voluntary retirement should continue after twenty years. The Commission also recommended a particular voluntary retirement programme in the departments with identified surplus personnel. There should be a framework for selective retirement of people in certain circumstances, with the government always taking the lead and for a golden handshake[7], [8].

The second crucial recommendation made by the Commission has to do with openness in government. The Commission emphasises openness, which it defines as giving everyone the right to have access to information about the various decisions taken by the Government and the reasoning behind them, in favour of repealing the Official Secrets Act of the old colonial days. Nothing should be hidden only to serve the interests of some bureaucrats and politicians, even while it is permissible to withhold information that is detrimental to the national interest, the state's security, or its commercial, economic, and other strategic aims. Every important government action that involves a shift in policy must always be accompanied by a White Paper that is in the nature of an explanatory memorandum. A key element of public sector reform, according to the Commission, is the development of an efficient grievance redressal process. The Commission insisted that this mechanism must be effective, speedy, objective, readily accessible, and easy to operate. The Commission put out the idea of a Citizen's Charter,

which would outline the rights of those who utilise government services and programmes. The Commission used Malaysia, Canada, and the United Kingdom as effective examples of successful models for grievance redressal cells. The Commission's recognition of the citizen's right to information and the associated procedures is crucial for debureaucratizing and making government more approachable for the populace. The 1997 Conference of Chief Ministers adopted an action plan to improve public access to government, encourage transparency and the right to information, and take efforts to clean house and reinvigorate the civil service, which prominently emphasised the Pay Commission's concerns.

## **DISCUSSION**

### **Public Administration In A Network Society**

The Fifth Pay Commission marks a turning moment in the evolution of India's public administration for a variety of reasons. Since it also attempted to restructure the bureaucracy in line with contemporary global trends, notably in the aftermath of the demise of the Soviet Union, this is not a pay commission in the conventional meaning of the word. The Commission proposes significant changes to the administrative system, putting the need for debureaucratization into action. There are two immediate effects. It reorients our attention away from the steel frame and towards other groups that are as significant to the public service but do not yet have official accreditation. The Commission therefore makes a strong case against Weberian bureaucracy, which is mostly status-quoist and very hierarchical. By recognising the importance of civil society organisations in public administration, the Commission establishes an official framework for cooperation between these organisations and the federal bureaucracy. This collaboration was probably hindered by the sanctity of the governmental sphere, where the state bureaucracy seems to be the only authorised institution for doing tasks on behalf of the state. By aiming to incorporate several non-governmental organisations, the Fifth Pay Commission has redefined Indian bureaucracy and broadened its field of influence.

The importance of these organisations was never acknowledged under conventional conceptions of public administration. The significance of non-government and allied organisations, as well as those on the periphery of the government, is brought out by this [7], [8]. The Indian government's structure is plainly affected by colonialism, as noted by the Fifth Pay Commission. The Commission is unambiguously in favour of decentralised administration, which creates room for institutions that aren't entirely part of the government, while criticising hierarchical Weberian administration. From a structural perspective, decentralised administration highlights the importance of multiple levels of the decision-making process. Public administration in post-colonial India is crippled by overregulation, which is a cause and an effect of bloated public employment and the surest route to corruption, according to a World Bank document. In addition to contracting out of the state, the World Bank suggests several specific measures to motivate civil servants through a combination of mechanisms to encourage internal competition.

Despite this, the civil service did not encounter major difficulties, perhaps as a result of its structural significance to the government. There doesn't seem to have been much of a change in the atmosphere within the context of the connected global system. This could be connected to the way in which India has reacted to globalisation, which has been impacted by her particular socioeconomic and political condition. On the one hand, there are indications of a burgeoning free market in India, despite the fact that the Indian state is still extremely interventionist and the Indian economy is still relatively restricted to goods, money, and investment from other countries.



It is perhaps appropriate to interpret the present policy trend as a rightward drift in which many people are left out in the cold while the embrace of the state and business continues to get warmer. The Fifth Pay Commission's ideas were undoubtedly inspired by the neo-liberal theoretical tendency towards globalisation, whether they constitute a rightward swing or not. Sadly, the context in which the recommendations are to be implemented is missing, and the Commission has raised issues that are critical to rethinking its job in the new governance environment, acknowledging that bureaucrats in impoverished countries are also rent-seekers. India is perhaps the country that best exemplifies the peculiar mix of posts in public administration that have a decidedly colonial flavour owing to their obvious historical antecedents.

The implementation of the state-run planned economy resulted in a significant alteration of the Indian bureaucracy, notwithstanding its Weberian organisation. Due to the new issues that governance presently brings, the Fifth Pay Commission is aiming to reorganise the Indian public sector. The majority of the Commission's recommendations may not be relevant or beneficial given India's bureaucratic past. There is no doubting, however, that the Commission has made a contribution to history by highlighting both the negative aspects of an established bureaucracy and the advantages of critically assessing it in the social, economic, and political circumstances induced by globalisation. The Fifth Pay Commission has partially restored the Wilsonian division between politics and administration, whereby administration is considered as a wholly technical endeavour. Administration without politics is similar to a fish without water, regardless of whether this argument, which has its beginnings in a Woodrow Wilson thesis from 1887, has a conclusive conclusion.

Administration is a guided activity. Values thus seem to be crucial for their articulation and embodiment. The Fifth Pay Commission does not seem to have given this component of public service reform enough thought. Instead, it has essentially accepted the governance concept in its initiatives. The Pay Commission's recommendations are without a doubt historically significant because they roughly correspond with neo-liberal values, but they are also ahistorical because they are unrelated responses to a situation where globalisation is still resented for a number of valid socio-economic and political reasons. Despite having a common colonial heritage, independent governments in South Asia have developed very different administrative methods. For instance, Pakistan and Bangladesh have not maintained democracy beyond brief periods, but India has. Analysts find it remarkable that democracy has not spread to Bangladesh, Pakistan, or Pakistan while being quite strong in India. Therefore, the question is why democracy is so strong in India but not elsewhere in South Asia, despite the fact that they both got very similar concepts from British colonisation. Elections have recently taken place in Bangladesh and Pakistan, but the ritual of voting should not be confused with the building of a true democracy based on each person's social and economic rights.

The political systems of Pakistan and Bangladesh remain imprisoned by high state inequality. The persistence of disparities inside state institutions as well as between them and civil society eliminates the likelihood of a significant redistribution of political power and economic resources in the near future. Discovering the reasons is simple. India was historically in a better position than her neighbours in at least two significant ways: First, India's democratic transition owed a lot to the Congress Party and its leadership, who respected the nationalist legacy; second, religious

divisions were crossed by numerous regional, linguistic, and caste cleavages as well as the apparent decline of Muslims as a significant factor in political decisions. The strength of the Congress organisation and its electoral success after independence unquestionably provided the party leadership with access to a superb political resource. Its parliamentary majority gave it the freedom to make hard decisions in the immediate aftermath of decolonization, and its elite profited from significant influence throughout the process of crafting the constitution of independent India.

This idealised portrayal of consensus politics under the Congress system seemed to be disconnected from a far more complex reality that was characterised, among other things, by very low levels of political awareness among the lowest castes and social strata. Given the endurance of the primary political institutions that continued to exercise colonial power even after independence, it is also reasonable to claim that politics throughout the Nehru era as a whole is fundamentally a continuum with the Raj. Regardless of the social structures the Congress party encountered in the various provinces, its leader, like the British before them, did not attempt to change the social order, but to adapt to it is also likely legitimate to argue that Indian politics in the first two decades after decolonization was based on a kind of consensus based primarily on elite accommodation. The system was accepted without resistance due to its closeness to the mobilisation of the national movement and the implicit trust that existed between its leadership and the populace.

It was a consensus founded on discourse rather than ideological positions.<sup>82</sup> Shortly after Nehru's passing, the system started to disintegrate; this process was especially noticeable starting in 1969 when Nehru's successor, Indira Gandhi, rejected the principle of consensus in favour of the majoritarian principle.<sup>83</sup> Since she carried the masses with her, she disregarded the party, which had lost its democratic mainspring. In spite of its early view as an instrument of purposeful interventions by cohesive and disciplined elite, centralisation soon became suicidal to the prevalent party system and the federal structure and wider affiliations that were built through them. Recent significant changes in India's political environment are shown by the adoption of the 1991 New Economic Policy and the rise of coalition politics. While the latter is certainly a product of the growing democratisation of the politically excluded and economically deprived parts of the Indian people, the former seems to have permanently dissolved the Nehruvian socialistic framework of society. By embracing the market-oriented economic reforms, the pan-Indian parties, including Congress, have redefined their ideological platforms and mapped out a new course for India's economic development.

Regional parties that are essential to the Congress and the BJP, the two major all-India parties, in establishing the federal government, seem to have more-or-less accepted the neo-liberal economic agenda as a fait accompli. Because of the failure of the state-led development paradigm in India and elsewhere, as well as the emergence of new social constituencies looking to redefine the role of formerly marginalised groups in society, it is reasonable to argue that coalition politics and economic reforms appear to be mutually supportive and that they cannot be undone. The political cannot be understood just in terms of its expression due to the obvious challenges in its articulation in this new environment. Understanding Indian politics as complex systems with roots in the nation's contemporary socio-economic and political situations, which are layered and governed historically, is vital. The present endeavour makes an important addition to conversations about understanding India's complex political terrain, which cannot be completely grasped by received wisdom or derivative discourses based on ethnocentric theoretical

frameworks.

### **The National Language**

The political is always reassembling itself and changing its characteristics to fit its surroundings. At the same time, it is institutional and not institutional. As a result, everything that is articulated in the well-established political institutions has its roots in wider socio-economic processes that are mostly external to the governmental institutions. Political behaviour is significantly influenced by the processes discussed below, if not totally determined by them. First, the political may be found in both organised human actions and the historical settings that shaped them. The dialectical interaction of human values and attitudes within a certain sociopolitical setting is essential to understanding the process that is fundamental to the development of politics in a particular manner. Therefore, in any critical analysis of human behaviour, institutions other than the political continue to be crucial in conceptualising and also articulating the political. By responding to three important questions that are crucial to comprehending modern Indian politics within the parameters of this parameter, this offers a unique model that may be relevant under socio-economic situations similar to those of India. Start by defining Indian identity and outlining its many manifestations. Second, can India be thought of as a country given its inborn and historically justified diversity?

Third, if India is a collection of nations, what do a large and diverse continent like Europe have in common? Additionally, this is an attempt to comprehend the social and political aspects of the Indian identity, which may not necessarily match the description that is generally recognised within a traditional liberal democratic framework. As an example, consider the 2006 controversy over the national anthem Vandemataram. There is little doubt that the independence warriors admired this song for its powerful ability for mobilisation, since millions of Indians were moved by its stirring words and captivating imagery to support the nationalist effort in spite of unfavourable consequences. However, it also generated controversy even during the nationalist period due to the mostly religious imagery and anthropomorphic concept of the Indian nation, leaving many people uncomfortable with its recognition as a national hymn. While there was a lot of opposition when it was decided to have the song played in schools, including madrassas, on the day of its centenary, there was also a lot of support for the choice because it expressed national sentiments and served an important historical function during the struggle for freedom. Although they were referred to as the hated other in the song, Muslims in modern-day India are split.

### **Conceptualisation of Identity**

The current era provides a variety of identities that vary on nation, location, class, gender, language, and citizenship, therefore identity is continually contested amid a flow of varied influences. As a result, our identity has both ontological and epistemic components. Epistemological refers to what we know about ourselves, while ontological refers to who we are. Individual identity can never be permanently fixed but is instead in constant flux for socio-cultural and political reasons. The modern subject is thus defined by its insertion into a series of separate value spheres each of which tends to exclude or attempts to assert its priority over the rest. One of the best instances of a radical change in identity came as a consequence of the split politics shown in the partition of the Indian subcontinent in 1947. Amartya Sen said that people's identification with the Hindu, Muslim, or Sikh sects seemed to overtake their sense of self as Indians, Asians, or members of the human race. The mainly Indian of January was swiftly and unmistakably replaced by the broadly Hindu or sensitively Muslim of March. Uncritical herd

behaviour, in which people 'discovered' their new divisive and violent identities without critically analysing the process, was primarily to blame for the destruction that followed. The same people abruptly altered.

The contemporary debate about community identity is driven by two complementary concerns. The first is the worry that Indians as a group lack or have lost their identity, or that it has been muddled, corroded, corrupted, or lost. Thus, the obvious problem is how to sustain, improve, or sustain the sense of identity as a corollary to the first. This highlights the belief that identity consists in being different from others and is always diluted by intercultural borrowing, that identity is historically fixed, that it is the only source of political legitimacy, that the state's primary duty is to maintain it, and that national identity establishes the limits of acceptable diversity.

Because community identity is not a single object but rather a collection of inclinations and ideals that must be regularly reinterpreted in light of historically acquired qualities, present demands, and future goals, the aforementioned argument does not appear to hold true. It is erroneous to use metaphors like preserving, keeping, defending, or losing one's identity since identity is not something we have, but rather what we are; it is not a property, but rather a mode of being. A community's identity must, by its very nature, be constantly reconstituted in response to larger historical dynamics; as such, it can never be an chapter, sterile, or essentialized category.<sup>5</sup> For example, contact with the west was a major factor in the development of modern Indian sensibilities. It would be counterproductive to stereotype Indian sensibilities because the consequences, expressed in new ways of thinking, feeling, and acting, were very different from their counterparts in the Indian past or the contemporary western experience. In the Indian context, for example, both the appeal to shared experiences and the drawing of parallels with other cultures acted as a catalyst, setting off responses and reactions that took on a life of their own.

This is probably due to the fact that, despite being frequently used as a tool for inclusion, the appeal to shared experiences frequently invoked the experiences of one specific group, such as upper castes, Hindus, or the political elite, which were then made to serve as authoritative markers of identity. Additionally, the obsession with boundaries has stoked tension and frequently led to heated arguments. The term communal used to have many different connotations in north and south India before 1947, but it today often refers to religious division, particularly the division between Hindus and Muslims. In the south, for instance, the same word was used to describe caste distinctions or groups of castes, particularly the distinction between Brahmins and non-Brahmins, in expressions like Communal Award or Communal G O. The 1927 Communal G. O., which established a scheme of reservation that lasted until 1947 when it was revised, codified caste quotas. The Constituent Assembly, though it was only interested in a Thus, the only three distinct categories of communities that were prominent in its discussions were caste, religion, and language. Even after decades of India's successful experiment with electoral democracy, religion, caste, and language continue to be likely the most effective factors in political mobilisation.

### **The Position**

Because identities are dynamic and susceptible to processes of formation and reinvention, certain identities are more politically salient than others at a particular time in history. As a result, it is crucial to first situate the emergence of Indian identity within the larger social processes that were taking place in the nineteenth and twentieth centuries. The two most obvious of them are

nationalism and democratisation. The context of the first prompts serious reflection on the questions of Why do communities seek to redefine themselves as nations? and What rights are lost to a society and its citizens if they do not assert their nationhood? What defining characteristics do nations possess? After all, groups' need to proclaim their national identity or to identify India as a nation is historically conditioned. In other words, after the late nineteenth century, every claim to any kind of self-government that was not presented as a demand by a nation was shelved. The rejection of India's national status was a component in the basis of colonial sovereignty. Instead of focusing primarily on traits that elites felt would define others in their image, the nationalist movement sought to identify and emphasise the distinctive features of a populace to support its claim to nationhood[9], [10].

Indian nationalism was considered as historical fact based on western philosophies. India lacked the essential elements of the traditionally conceptualized idea of country, making it impossible to even create a loosely defined nationhood in India. There was a selective appeal to history in order to recover those elements that cut through the internal split among those who were marginalized by colonialism, but it was also an emotionally charged reply to the rulers' allegation that India never was and never could be a nation. An attempt was always made in a systematic manner to highlight the unifying elements of the Indian religious traditions, mediaeval syncretism, and the strand of tolerance and impartiality in the policies of Muslim rulers. Therefore, the colonial environment had a significant role in the processes that gave rise to a certain manner of conceptualizing a country in a multiethnic setting like India, which is extremely distinct from perspectives based on western experience. The political sensitivities of Indian nationalism were deeply involved in this very rare act of visualizing.

## CONCLUSION

In conclusion, The Fifth Pay Commission has had a considerable impact on Indian politics and public administration. Its recommendations, execution, and results have all had a substantial influence on the public sector, government workers, and the nation's overall fiscal health. Striking a balance between the need for fair compensation, fiscal discipline, and the development of efficient public administration is still challenging. Understanding the governance concerns raised by the Fifth Pay Commission provides insights into the challenges of managing the public sector, the relationship between pay and performance, and the importance of compensation in attracting and retaining talented individuals in government service.

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## COMMUNAL IDENTITY AND THE HISTORICAL CONTEXT

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### ABSTRACT:

*Communal identity, rooted in religious, ethnic, or cultural affiliations, shapes individuals' sense of belonging and group dynamics. This chapter explores the concept of communal identity and its historical context, examining how historical events and social structures influence the formation and transformation of communal identities. It analyzes the role of communal identity in society, including its impact on intergroup relations, conflict, and social cohesion. The chapter delves into case studies from different regions and periods to illustrate the complex interplay between communal identity and historical context. By understanding the historical context of communal identity, we gain insights into the complexities of group dynamics, intergroup relations, and the challenges of building inclusive societies.*

**KEYWORDS:** Colonialism, Communalism, Cultural Diversity, Discrimination, Ethnicity, Identity Politics.

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### INTRODUCTION

In addition to colonialism, the independence movement had a crucial role in assisting India in establishing itself as a political entity. It is thus not a stretch to suggest that the national liberation struggle was the point at which the Indian consciousness as we know it now crystallised. This means that in India, national is a political and not a cultural referent. This may have led the nationalist leaders to see that creating a nation-state in the classic sense of the term would be challenging given the complexity of Indian society. Partha Chatterjee questions Benedict Anderson's definition of modular forms, acknowledging the fundamental tenet that national identities are primarily invented and that print capitalism significantly contributed to their spread and consolidation. This is due to the fact that it overlooks the reality that nothing can be envisaged if modular shapes are made accessible. There is no denying that the non-Western leaders who took part in the liberation struggle were significantly influenced by European nationalist ideals [1], [2].

These ideas were aware of their limitations in non-European socioeconomic environments because of their foreign roots. As a consequence, they began using local lingo from the beginning of the 20th century as they organized the fictitious community for a primary political objective. Although they incorporated elements of European nationalism, they also greatly indigenous zed it by locating or inventing local parallels and giving it fresh meanings and nuance. This was perhaps the justification for Gandhi and his comrades' decision to prioritise swadeshi above nationalism during the anti-British uprising in India. Gandhi avoided nationalism in large part because he was aware that Muslims and other minorities, as well as certain Hindu lower castes, were frightened off by the Congress's fleeting flirtation with nationalism during the first quarter of the 20th

century. This appeared to be the most sensible proposition one could conceive in a country like India that was not united in terms of religion, colour, culture, and shared historical memories of oppression and struggle.

Consequently, Gandhi and his fellow Congressmen preferred the relaxed and chaotic plurality of the traditional Indian life to the order and homogeneity of the European nation state, believing that the open, plural and relatively heterogeneous traditional Indian civilisation would best unite Indians. By incorporating values important to the Indian people, the Indian liberation struggle developed its own modular structure that stands out as being unique from that of the west. The Indian subcontinent's Great Divide was articulated in terms of religion in 1947, but after Bangladesh was founded in 1971, the nationalist narrative that relied on Islam's exclusivity was no longer able to defend Pakistan[3], [4]. The desire for identity as the second broader context seems to have been greatly impacted by the democratisation of society. What kind of 'unity' is essential to democracy? After all, a hallmark of liberal ideology was the notion that democracy could not flourish in multiethnic societies[5], [6].

The major distinction between Jinnah and Savarkar is that both men used the liberal defence of why a united country is necessary for modern democracy. Then each gave their own justifications for how this was to be carried out. Second, democracy makes the representation problem more challenging[7], [8]. What constitutes being, and under what circumstances? After all, the battles between the Congress and Muslim League were driven by issues of representation. However, this does not imply that the state created two separate communities, and that these communities arose as a result of the politics of representation, as the relationship between identity and democracy is much more complex and nuanced than it is typically understood in contemporary discourses on South Asia[9], [10]. Identity politics seeks to generate new forms of collective agency while also expressing individual agency. By doing so, it supports the democratic ferment, in which people look for ways to express their unique identities. This process will occur at all levels, and there will be a complicated relationship between the levels.

Democracy is also both inclusive and exclusive. In essence, it is a participatory project that seeks to integrate all sectors of sociopolitical and economic life. It is inclusive because it initiates a process that involves everyone, regardless of class, clan, or creed. Consequently, democracy as a movement obliges us to show much more solidarity and commitment to one another in our joint political project than was demanded by the hierarchical and authoritarian societies of yesteryear, contends Charles Taylor. This is also the reason why democracy has a tendency to exclude individuals because of the need for a high degree of consistency. People that vary in several ways are not included. In contacts with significant others, who are often projected with an inferior or demeaning image, the possibility that a collective identity may be constructed or incorrectly formed is offered to us. Charles Taylor argues that since it is based on social categories that are universally recognised, social recognition was already a component of the identity that was gained from society in the past, making the politics of exclusion a wholly modern phenomenon. Internally formed, individualised, original identity has the drawback that it is not innately accepted. It needs to exchange for it.

The modern world has altered the conditions under which acknowledgement may fail, not the requirement for it. The need is now recognised for what it is for the first time. People didn't speak about identity and recognition in pre-modern times, not because people didn't have identities or because those identities didn't depend on recognition, but rather because these ideas were too

unproblematic to be thematized as such. In some respects, the political platforms that Hindus and Muslims were both brought together under subsumed their own autonomous identities. On another level, this action marks a turning point since the two groups continued to be at odds while collaborating on a very political objective. As a consequence of the politics of inclusion, the communities that defined diverse political goals to mobilise people also faced exclusion. Nationalism and democratisation both seemed to have been significant elements in the development of local identity. In addition to bringing people together, nationalism as a conscious endeavour was extensive in that it brought together social and political groupings that seemed to be unconnected in order to confront an imperial force.

The anti-British political movement underwent modest but significant changes as a result of the involvement of people from various socioeconomic classes, geographic areas, and linguistic groups. The word nation has changed as well. The nation now contained several villages that had, up until that moment, remained outside the political realm established by the independence struggle, in addition to its large cities and small towns. Regardless of the formats, the core concept is the growing awareness of people contributing to nation-building both during and after the anti-imperial struggle. It is important to view the development of communal identity in this context because those who seemed to be endangered by the present socioeconomic structures wanted nationhood and/or a distinctive place within the nation. Our religion, culture, history, customs, economic system, and laws are all distinct from those of the rest of India because of the basic differences in our principles about inheritance, succession, and marriage. The differences go beyond the essentials, far from it. Even the simplest details of our lives are covered by them. We don't socialise or get married to one another. Even our clothing, food, dates, and traditions are unique to our nation.

Since we have a distinct and unique nationality from the rest of India, where the Hindu population exists and has every right to reside, we deserve and must seek the acknowledgement of a different national identity by the issuance of a separate Federal Constitution. Despite Rahmat Ali's unambiguous declaration that Muslims should have a separate national status, the 1916 Lucknow Pact seems to be the first organised attempt in this direction. In his former life as a member of the Congress, Jinnah emphasised the distinctiveness of the Muslim community by advocating for separate electorates for Muslims as the sole mechanism to reduce conflicts across populations. In his address to the Bombay Provincial Conference in Ahmedabad in October 1916, he cautioned his fellow Congressmen, Rightly or wrongly, the Muslim community is absolutely determined for the present to insist upon separate electorates. Therefore, given the present circumstances, I would advise my Hindu countrymen to seek to win Muslims' confidence and trust. If they are determined to have separate electorates, nothing should be done to oppose their demands.

To preserve the Muslims' distinct identity, these Muslim leaders were definitely in favour of Muslim and Hindu electorates remaining separate. The British chose a course of action that led to the 1932 Communal Award because it was easier for them to do so. The Award's founder, British Prime Minister Ramsay Macdonald, emphasised the distinctive features that separate the two communities, saying: The contrast between these intermingled population extends far beyond a difference in religious faith: differences of race and of history, a different system of law, widely opposed social observances, and absence of intermarrying, set up barriers which have no analogy in the distinctions that may exist between religious denomina- In order to ensure that they have a sufficient number of individuals who share their ethnicity and religion, separate representation that is, the grouping of a certain kind of voters in geographical districts by themselves has been

preferred.

In addition to being a tool used by the British to split Indian communities along religious lines, the Communal Award was also an obvious choice given that Indian society is essentially a congeries of widely separated... communities with divergencies of interests and hereditary sentiments which for ages have precluded common action or local unanimity.

The Muslim leadership undertook a number of attempts to ascertain the community's uniqueness and, therefore, how distinct it was from the Hindus, which led to the creation of the 1932 plan. In the context of the new administrative structure that followed the passing of the 1935 Government of India Act, the communal tensions seemed to have had a significant influence on the course of India's freedom struggle. A. K. Ghuznavi, a well-known Bengali Muslim leader, warned the Simon Commission in his memo to them in 1927 that further extensions of parliamentary institutions without proper and definite safeguards would place the Muslims permanently in a position subservient to the Hindus. He emphasised that the Muslim community lagged behind the province's Hindu population in terms of education, economic development, and political influence. To be more precise, the Fourteen Points Programme of Jinnah was a copy of the aforementioned. One of these requests was that all legislatures in the country and other elected bodies should be reconstituted on the definite of adequate and effective representation of minorities in every province without reducing the majority of any province to a minority. Separate electorates will continue to be used for communal group representation. Since Muslims were a distinct group with a distinct identity, their desire for a separate status inside British India looked most reasonable. As a result, the 1932 Communal Award was merely a well thought-out argument to defend this viewpoint.

## **DISCUSSION**

Communal identity has a variety of faces and textures. But when one looks at how the British saw community identity as it was codified in the communal award, they are struck by how simplistic it was since it was exclusively defined in terms of religion. Hindus, Muslims, and other religious groups were so neatly divided into their respective categories. The colonial authorities conflated these identities by accord-ing equal standing to all religion. The Bengal Pact, which sought to incorporate educated Muslims into the Hindu-dominated white-collar sector, was an attempt by the Congress, the main political party, to quell rebellion in 1923 after realising that Hindus and Muslims had quite distinct identities. The argument took on a new dimension with the Poona Pact of 1932, which for the first time granted the underprivileged classes a separate identity and placed them at the centre of Indian politics<sup>35</sup>. Since that time, the scheduled castes have consistently come up in conversations about national identity. Ambedkar emerged as a powerful leader for the scheduled castes, but they remained a politically important minority with constrained social, economic, and political goals. Ambedkar fulfilled the historical role of dissent not only to question hateful religious dogma but also to unbuckle the consolidating ambitions of the secular state within which former religious orthodoxies are subsumed. What is notable is that he attempted to chart a stable path between a secular state within which old religious orthodoxies are subsumed while opposing Hindu orthodoxy, which was represented in the caste rigidity of which he was a victim.

The scheduled castes were originally recognized as a distinct category within Hinduism in the 1932 Poona Pact; its development as a distinct political identity had a big impact on the provincial elections that followed the 1935 Government of India Act. The rise of the scheduled castes, which



had previously been glossed over, revealed the complexity of the future course of Indian history, which had previously obscured the deeply ingrained identity fragmentation among both Hindus and Muslims, aside from Muslims, who had already asserted their existence as a significant community. The Pakistani demand, which was based on Jinnah's two nation theory, really rests on the distinct identities of the two main communities Hindus and Muslims despite the fact that they coexist in the same socioeconomic and politico-cultural environment. The demand for a sovereign and independent Muslim state made sense to Jinnah and the Muslim League because Muslims constitute a separate nation with different religious beliefs, social mores, and literary traditions than Hindus and Muslims. For nationalists, the idea of distinct Hindu and Muslim identity had no natural basis, and the two communities were also politically divided through the actions of communal forces and imperial divide et impera. The Hindu equivalent of this logic was put forth by V. D. Savarkar, who argued vehemently for a separate Hindu identity due to characteristics separating Hindus from Muslims, though its origins can be found in the eighteenth century when English writing on India clearly provided the Hindus with a distinct identity in racial, religious, and cultural terms.

In order to establish the Hindu identity, Savarkar also emphasised the Hindus' deeply ingrained cultural uniqueness. Savarkar defined a Hindu as someone who regards his land of Bharatvarsha from the Indus to the Seas as his fatherland as well as his holyland, and he listed the following four characteristics that set them apart from Muslims all sects of Hinduism are non-Muslim; all Hindus are male; they do not practise polygamy The Hindu Rashtra was therefore more of a territorial than a religious nationalism because Hindus have a synthesis of cultures that is more of a secular-rationalist than a religio-fundamentalist construction. Despite its clarity, the formulation has elements that could be used for other purposes given the attempt at cultural homogenization of multifaceted nations.

He claimed that pitribhumi and punyabhumi could only exist among Hindus, defining a Hindu as someone who can recognise India as both pitribhumi and punyabhumi. Savarkar then changed his focus to Hindu sentiments or culture, emphasising the significance of a particular territory that he envisaged via the idea of pitribhumi in the creation of a Hindu country. M was present, and S. Golwalkar utilised this justification in an effort to establish a Hindu society, highlighting the distinctive culture of those who have set standards Golwalkar argued against the objective of composite nationalism by asserting that: To put it another way, the non-Hindu people must either adopt Hindu culture and language, learn to respect and revere Hindu religion, and entertain no idea other than the glorification of the Hindu nation, or they must give up their attitude of intolerance and ingratitude towards this land and age-old traditions and learn to cultivate the positive attitude of love and devotion.

What makes this exercise unique is the effort made by Golwalkar and those who support Hindu nationalism to portray Muslims as the Hindus' binary opposite. Projecting Muslims as traitors, Golwalkar stated: they have grown to feel an affinity with the enemies of this land, some foreign countries are revered by them as sacred locations, they refer to themselves as Syeds and Sheikhs.. They continue to believe they came here to conquer and build their kingdoms. In terms of the conceptual framework used to express Hindutva, there is some continuity between Golwalkar and Savarkar; he developed a formula based on what he calls the five unities of territory, race, religion, culture, and language; religion, culture, and language are tied to punyabhumi, while territory and race are related to pitribhumi.

Though the substance of Golwalkar's concept of Hindutva is unchanged from Savarkar's, conceptually speaking, they both produced approaches that sought to address the threat posed by doctrinal diversity and fragmentation within Hindu identity by making use of a framework that was tenable in the context of partition and its aftermath. The idea of integral humanism by Deen Dayal Upadhyaya appears to encapsulate Hindutva in the altered environment when the threat of partition did not seem to have such a strong political impact. Integral humanism is influenced by a number of key ideas, including the need to develop a typical Indian answer to contemporary issues, the need to uphold Hindu nationalism's core values in politics, and the importance of dharma in preserving harmony between individuals and various institutions in society, including the family, caste, and state. Integral humanism is, as is obvious, an attempt to reinterpret Hindutva by integrating certain Gandhian principles into Hindu nationalist ideology. It is remarkable considering that Bharatiya Jana Sangh and other supporters of Hindu nationalism were eager to work with other anti-Congress political parties in the 1970s to unseat the Congress Party when Deen Dayal developed his concept. In other words, when Hindutva seemed to have lost steam for historical reasons, integral humanism was an adaptation of Hindutva to drastically changed socio-political conditions.

### **Building One's Identity**

Immediately after the transfer of power, the partition debate featured prominently the claim that Hindus and Muslims are fundamentally different, and that the causes of the 1947 Great Divide must therefore be found in the Hindu-Muslim chasm.<sup>52</sup> The Constituent Assembly, which was only concerned with ascriptive communities, further emphasised the significance of ascriptive identity. If we take a look at the discussions the Constituent Assembly had over minority rights, everything will be in order. Here, understanding the disputes that ultimately led to the repeal of preferential policies in favor of recognized minorities is the goal. Indian society is inherently diverse, maybe as a result of divisions that are socially encouraged and culturally protected. The British government agreed to a separate electorate for Muslims during the colonial era as a corrective measure, but nationalists saw this as a component of the divide et impera policy. However, in its 1928 report, the Motilal Nehru Committee made the following suggestion for a distinct electorate. There shall be joint electorates throughout India for the House of Representatives and the provincial legislatures.

Except for Muslims in areas where they are a minority and non-Muslims in the North Western Frontier Province, there should be no reservations for members in the House of Representatives. A fixed percentage of the Muslim population in each province where they are a minority as well as the non-Muslim population in NWF provinces would govern this reserve. Where reservations are permitted, both Muslims and non-Muslims have the right to request extra seats. There will be no seat reservations in the provinces for any community in the Punjab or Bengal; however, there will be population-based seat reservations for Muslim minorities in other provinces, with the right to run for additional seats; and similar non-Muslim seat reservations in the NWF Province, with the same right to run for additional seats. Where permitted, reservations for seats must last 10 years.

There was a lengthy history of preferential government policies at the time the Constituent Assembly gathered to establish the Constitution for a free India, and the Congress had also given its support. The Constitution's drafting conditions underwent a significant transformation, making the decision challenging. Certainly a major consideration in the discussions for minorities'

constitutional protection was the country's division. Additionally, the Congress was no longer had to bargain with the powerful Muslim League supported by the British. Most significantly, the political groups pushing for special treatment for minorities were in disarray and so 'unable to show a cohesive front in challenging the removal of protections'. A significant political argument that gained traction was that if minorities were given specific protections under the Constitution, they would also serve to perpetuate the separate consciousness of the minorities to work against the basic desire of the Congress to strengthen Indian national unity<sup>57</sup>. However, if minorities were given no protections at all, the Congress would have been accused of being unrestrainedly majoritarian in its actions.

B says that. According to R. Ambedkar, the persecution of minorities by the majority amounted to the age-old torture, hence providing them with explicit constitutional protection was morally justified. He mockingly said that Indian nationalism had given rise to the idea of the divine right of the majority to rule the minorities according to the wishes of the majority. In line with Ambedkar's beliefs, the Minorities Sub Committee advocated a minority commission, separate electorates, and reservations in governmental departments, offices, and the judiciary, military, and civil services. Disagreement was passionately condemned after the split since it was seen to be to blame for the creation of two nations as rival political blocs. Disagreement was forcefully expressed throughout the subcommittee's discussion of this idea. Separate electorates were eventually abandoned because they sharpened communal divisiveness. Reading through the discussions surrounding group preference policies reveals that the nationalist position prevailed over other factors. For example, Muslim representatives argued in favour of separate electorates because they would ensure minorities' appropriate and proper representation in the public sphere.

Three main arguments were made: first, minorities needed special protection because they were socioculturally distinct from the rest; second, they needed their own segregated electorates. The Assembly, however, rejected them because they were unpersuasive in the new political environment, despite the Muslim League's robust arguments. Separate electorates did not seem to be significant while India was being envisioned as a country, which is why the arguments were rejected. Separate electorates, it was suggested, gained support when India was described as a conglomeration of distinct communities rather than a country. Furthermore, the 1947 partition of India was based on this same notion, which also shaped Jinnah's two-nation theory; hence, its continuance would undermine efforts to forge a national political community.

It was argued that electorate separation violated the secularism principle since it involved the introduction of religious consideration into the political sphere. In a contemporary nation-state, representation based on religion was just abhorrent. Separate electorates formed a system without organic roots in the altered political conditions of 1947 and its aftermath due to the embrace of traditional liberal concepts such as democracy, secularism, rights, and justice in defining citizenship in independent India. This principle was to be diluted by temporary retention of reservation to redress the age-old social discrimination suffered by the Scheduled Castes and Tribes<sup>64</sup>. Vallabhbhai Patel-led Advisory Committee on Minorities made the decision to eliminate the reserved representation for minority religious groups in May 1949. Patel believed that this decision would lay the foundation of a true secular democratic state<sup>65</sup>.

### **Other Aspects of Identity**

Although religious identification served as the main foundation for grouping individuals and identifying minorities, the urge to divide areas according to a common language has had a

considerable impact on identity creation since Bengal's Swadeshi Movement in the years 1905-8. The idea of regrouping Indian provinces based on language was well received when it was proposed at the 1928 All Parties Conference, though its implementation was likely to complicate the situation by resulting in new majorities and minorities within each province. For instance, Telugu and Oriya are both spoken in the Oriya cities that border Andhra Pradesh, but Oriya speakers make up around 60% of the population, relegating Telugus to a minority status. Linguistic reorganization thus blurred the line between the majority and minority since people used to seeing themselves as a majority could, in a different location, be reduced to a minority.

There are areas where religious majority and minorities came to be redefined in the context of these regions. The 'nativist movements,' which support the claims of the 'sons of the land,' started at the same time as movements for the linguistic separation of provinces. These movements, which were quickly propelled to the top by a staggering wave of popular sympathy, were articulated by the Shiv Sena in Maharashtra and the Assom Gana Parishad in Assam. These movements also captured the aspirations for regional identity<sup>70</sup> that drew on linguistic, religious, and ethnic sentiments of the people concerned. Paul Brass claims that ethnic elites increasingly stress the variety of ways in which the members of the group are similar to each other and collectively different from others in the movement to foster greater internal cohesion and to press ethnic demands against rival groups. By asserting the distinctive characteristics in relation to the other, the search for identity has led to a process of what S. J. Tambiah refers to a modern phenomena known as the politicization of ethnicity that is primarily linked to election politics. According to Tambiah, the capabilities of the mass media, radio, television, and print capitalism, so effectively deployed in our time, make present-day ethnic riot crowds very different from the crowds of pre-industrial Europe.

Underscoring the relevance of ethnicity as a determinant in the establishment of a community that transcends national borders is the steady consolidation of the Sikh identity throughout the final two decades of the twentieth century. The importance of ethnicity as a potent determinant of identity is undoubtedly refreshing in the sense that it represents a break from the past, when the basic thrust of the debate revolved around caste as the only ascriptive denomination of human existence in India. Numerous studies have firmly established that ethnicity is a broader concept because it accommodates within itself the unifying characteristics of both religious and linguistic distinctiveness. Although caste continues to be significant in Indian politics, the focus seems to have shifted from the upper castes to those classified as the Other Backward Castes. This is not meant to diminish the significance of caste as an important marker of one's identity, but rather to increase its viability as an explanatory tool in conjunction with other factors. The Mandal Commission Report from 1980 identified 37 OBCs in India using the ascriptive identity. In addition to highlighting the complexity of the caste system, the report is eye-opening because it reveals the close connection between social backwardness and poverty, which remained likely the most significant issue in Indian politics after the Mandal Commission's reservation plan was accepted.

The setting seems to be an important factor in the formation of both personal and collective identity, as was discussed above. The formulation clearly violates the stereotypical perception of the phenomena by highlighting the diversity of tribal identity in the subcontinent. Since tribal identity is closely tied to several other, far-off external factors, it is very difficult to identify the so-called common qualities that are relevant to diverse tribal communities dispersed over the subcontinent. Additionally, the shifting character of tribal identity reflects the many effects of the

outside world. In other words, the socio-cultural environment that Indian tribal groups deal with on a daily basis must be the basis for the explanation of their distinct character. In order to understand the obvious influence of the dominant socio-economic and political forces on identity, the process that is articulated in its shaping must be contextualized rather than focusing on the so-called fundamental characteristics of tribal identity. This could explain why Jharkhandis prefer to be accommodated in the nation-state while some of their northern counterparts engage in armed conflict for an autonomous existence. Therefore, it wouldn't be entirely incorrect to claim that the rise of political Hinduism, regional voices, and caste identities - some of which were created by constitutional law and others worn as a defiant badge of historical oppression - has given the sometimes-lethal vitality to the question of who is an Indian.

## CONCLUSION

In conclusion, Intergroup relations and social cohesion are significantly impacted by the complicated interplay between community identity and its historical context. Understanding the complexities of community identity requires an appreciation of historical events, social structures, and the diverse experiences of numerous communities. To build inclusive societies, it's critical to right past wrongs, increase dialogue, and foster a sense of common humanity and identity. Knowing the origins of community identity aids in the development of diverse, socially fair, and peacefully coexisting communities.

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## INDIAN DEMOCRACY LIBERALISM IN ITS REINVENTED FORM

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### ABSTRACT:

*Indian democracy has evolved over time, and in its reinvented form, it incorporates elements of liberalism that align with the values of individual freedoms, rights, and equality. This chapter explores the concept of Indian democracy and its reinvented form of liberalism, examining the intersection between democratic principles and liberal ideals in the Indian context. It analyzes the impact of constitutional provisions, legal frameworks, and social movements on the promotion and protection of liberal values in Indian democracy. The chapter delves into case studies to illustrate how Indian democracy has embraced and reinterpreted liberalism, considering factors such as social diversity, historical context, and contemporary challenges. By understanding the reinvention of liberalism in Indian democracy, we gain insights into the complexities of balancing individual rights with collective goals in a diverse and dynamic society.*

**KEYWORDS:** *Citizenship, Constitutional Rights, Democratic Institutions, Equality, Free Speech, Gender Equality, Human Rights.*

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### INTRODUCTION

Democracy guarantees adult voting rights while also establishing the groundwork for civic participation. Has India been successful in this regard? It is difficult to draw a firm conclusion because of the apparent contradiction one meets while conceptualizing Indian democracy. On the one hand, it is challenging to function as the guardian of both the democratic process and its value system since public passion, which sometimes reaches the point of frenzy during elections, often entirely vanishes once politicians come into power[1], [2]. Perhaps much more worrisome is the systematic dismantling of the institutions essential to democracy in the classical liberal sense. The election system's perversion exposes a serious weakness in the political order that was pushed onto India using feudal emotions and illogical allegiances, leaving the forces opposing its very existence unrestrained. India has not seen the true development of democracy, a western ideal.

Or, given its little history, it's possible that India's democracy is in the midst of a change and may eventually succeed[3], [4]. Or, since democracy is essentially linked to current socioeconomic priorities and because India's socioeconomic position differs so much from that of the west, India is likely to redefine democracy's nature and dimensions. Although there is a great deal of linguistic, religious, cultural, and ethnic variety in India, it may be the only country that can demonstrate how to establish, construct, and protect a functioning democracy in a country that is still relatively poor. It is particularly noteworthy since multiethnic countries cannot sustain democracy, according to conventional liberal discourse. One opponent claim that democracy in India is a phenomenon that by most accounts, should not have existed, flourished, or, indeed, long endured. The growing consolidation of democratic processes may be blamed for the development

of complementary social and political institutions, which were encouraged and upheld by a watchful people despite the rising tide of communalism and other polarizing ideologies[5], [6]. The is dedicated to understanding how Indian democracy is evolving and seldom matches any copybook definitions. Since India's political system is always being updated to reflect the most recent experiments in a non-Western socio-political environment, it is appropriate to claim that India is a creative democracy.

### **Democracy and Its Manifestation**

The experiment in Indian democracy exhibits originality in both content and articulation. Within the more broad framework of liberal democracy, the political institutions that support democracy are continuously reorganised in light of how society and the economy are growing, giving them distinctive regional qualities. Parliamentary elections, which in the past were centred on a simple message that could appeal to a large segment of the voters regardless of caste, class, or faith and effectively became a single issue referendum, translate democracy into an increase in political participation. The Rudolphs label this phenomenon plebiscitary politics and attribute its rise to the de-institutionalization of Congress. The Congress' victory in terms of electoral and mobilizational strategies is credited to its tactical return to populist or plebiscitary politics. In contrast to parliamentary elections, the Lok Sabha elections held so far since 1971 have been decided by a single slogan: in 1971, it was *garibi hatao*, in 1977, *Emergency hatao*, in 1980, *Janata hatao*, and in 1984, *Desh bachhao*, which took on a new majoritarian connotation after Indira Gandhi's assassination.

The plebiscitary strategies Congress adopted to preserve its political dominance have clearly resulted in the long-term regionalization of oppositional politics. Regional characteristics of oppositional politics were shown by the growing consolidation of ethnic movements for autonomy and the creation of new parties with a purely regional platform. Additionally, Congress disintegrated into regional splinter parties because it was unable to account for the new interests that emerged at the local level at a particular historical juncture. However, politics at the national level continue to be controlled by a small number of political parties that are pan-Indian in terms of electoral and organisational parameters. As a result, the party system is now severely fractured because there is hardly a dominant pattern in the many regions that make up India. The various regional socio-economic elements are increasingly defining the structure of the party system in the Indian provinces, influencing not only the parties' electoral strategy but also their mobilizational techniques[7], [8].

Despite India's successful history with democracy, the rising level of violence, particularly before and after elections, which is probably a result of the criminalization of politics a phenomenon undermining democratic processes and securing muscle power in politics is alarming. Communal riots are a common occurrence that had an impact on India's destiny in 1947 when the government changed. Gandhi was killed as a consequence of the process begun when the Great Divide was acknowledged[9], [10]. The 1952 presidential election went through without a hitch because of the enormous euphoria that followed the declaration of independence. Voting rights were enthusiastically utilised by voters. Urban and rural women alike experienced a new awakening, and the disadvantaged and illiterate started to assert their newly won rights in large numbers.6 The situation is different right now. The electoral process is becoming dirtier. Through legal or illicit means, all political parties want to take over the executive branch or get a seat in the legislature. As a result, the electoral process is progressively turned into a farce. So sometimes

the word election is used to disparage democracy.

The 1950s saw the emergence of the criminalization of politics movement in north India. This may have been the consequence of conflicts between the feudal forces in power and the newly developing middle-caste peasants, who were feverishly trying to benefit from post-independence and maintain the status quo. The upper castes, who held all of the wealth, power, and prestige, continued to preserve their dominion by indulging in these behaviours. The upper castes also used the increased political opportunities, and their bodyguards were very beneficial. They overran polling locations to ensure that the candidate or party of their choice earned a sufficient number of votes, in addition to using physical force to coerce others to cast ballots in favour of their followers. In order to keep their clout, politicians shielded those who the law believed to be criminals. With the participation of the musclemen in parliamentary and state assembly elections people who before had only a shaky relationship to politics the phenomenon of the criminalization of politics has become more apparent than ever.

The higher castes controlled rural India prior to the rise of the so-called backwards castes, who saw economic prosperity after the green revolution and its concomitant social benefits. Additionally, the government's plan to lower the land tax boosted prosperity. The middle castes found their ideological leader in Ram Manohar Lohia as the process of ensuring their economic stability grew closer to their goal of attaining political domination. By battling for preferential treatment, Lohia made the middle castes aware of their role in Indian politics. In actuality, the social justice defence of preferential treatment for the middle castes under the Janata rule in 1978–1979 ignited the discussion concerning reservations for the backwards castes. These movements challenged the dominance of the upper castes in the white-collar sector while also fundamentally altering the traditional power structure. The battle between the top castes and the others changed when the economically successful castes, who had hitherto been disregarded politically, abandoned the tradition of emulating upper-caste culture and started preparations for direct political fight for their due share of politics. In the face of such a well-organized opposition, the traditional upper castes, who controlled access to government positions and economic resources, resorted to political tactics that were not quite constitutional. This blatantly undermined the fundamental tenets of India's democratic system and was a major factor in the growth of the criminalization of politics. In light of the escalating violence, the so-called popular verdict that was obtained via elections can seem deceptive. More glaring is the lack of interest in the whole electoral process, which hardly modifies the political climate of the country in any noticeable way. The tenets of India's democracy, which some have equated to a functioning anarchy, are severely called into doubt by this. Political conflict is decided by naked physical force rather than reason as a result of the rising tide of violence and the disturbingly enormous emergence of the anarchical element. The process that was thus launched over time resulted in the debasement of our legislatures and the prospect of the gun and intimidation replacing the ballot box in a distressing number of constituencies, among other negative effects.

## **DISCUSSION**

### **Electoral Dynamics**

For a variety of factors, the 1991 Lok Sabha election marked a turning point in comparison to all prior national elections. First, Rajiv Gandhi's death put a stop to what was perhaps the longest election ever. Even though it was heinous, the assassination of a Congress leader gave the party additional political clout, especially considering that it was at least losing support in the Hindi

heartland. Second, despite not having an electoral coalition, the opposition parties had the upper hand against Congress because of the two critical issues of Mandal and Mandir. Third, the 1991 election was particularly remarkable since it took place at a time when Indian officials were generally in favour of neo-liberal structural adjustment programmes.

The major political parties released their election manifestos on the eve of the 1991 election, which included promises that had just a passing relationship to the key issues raised throughout the campaign. Stability, which for many in the electorate is merely a euphemism for unchecked power, and Mandal, which for a sizeable portion of the population refers to the caste card, were the obvious issues on view for a while. Mandir is perceived as a fundamentalist twist to a faith and inciting Hindu-Muslim rivalry to the point of pitting one community against another.<sup>9</sup> The political parties involved in the campaign concentrated significantly on a particular issue that seemed to be effective in persuading voters in the context of polarising tendencies and social cleavages, while making mention of a number of other pledges. The Janata Dal prioritised the implementation of the Mandal Report in an effort to capitalise on the caste card, while the Bharatiya Janata Party deftly organised the Rath Yatra to mobilise Hindu support throughout the nation for the building of a temple of Ram in Ayodhya.

Under the leadership of its assassinated leader, Rajiv Gandhi, Congress made an effort to fulfil its campaign promise to establish a government and then promote general economic growth. The party also advocated for tighter administration in order to accomplish the stated goal. The stability card seems to have appealed to a broad cross-section of the population, as seen by the overthrow of two consecutive non-Congress administrations that had assumed power after the Rajiv Gandhi-led Congress was failed to secure an absolute majority in the 1989 Lok Sabha elections. The popularity of plebiscitary politics caused a fall in the party system. Instead of the party, which was seen as being insignificant in elections, individual leadership appeal became far more vital to garnering votes. But the Congress Party remained an important political force supporting India's democracy from 1947 until Jawaharlal Nehru's death in 1964. Nehru saw the Congress Party as the fundamental reality of India, defending the party that won independence against temptations that would undermine its democratic structure. The Congress Party's organisation in India was so strong and well-established that it created the appearance that it was the only option capable of successfully governing the nation.

Commentators like W. H. Morris-Jones and Rajni Kothari attributed the longevity of the one party dominance or the Congress system to the party's historical involvement in the freedom struggle and its ability to mediate between various competing interests that dominated the modern political scene. According to James Manor, the party held India's democracy in safe custody because it was a huge, hierarchically structured party, broadly rooted throughout the country side, apparently provided the mechanism by which a plurality of elites, sub elites and groups could both voice their claims and attempt to realise them.<sup>11</sup> The Congress may be able to arbitrate and settle these many, sometimes contentious matters simultaneously. If necessary, it could rely on the widespread respect for the ruling party, which had fought for independence, as well as the firm conviction in the legal and constitutional institutions. As a consequence, the majority of people would support whatever the Congress Party and its leadership decided. The celebration included concerns from other organisations as well. The principle of consensus aided the efficiency of the Congress system over the first two decades after independence.

Soon after Nehru's passing in 1964, the Congress system started to disintegrate; this process



became especially evident from 1969 onwards, when Nehru's successor, Indira Gandhi, rejected the principle of consensus in favour of the majoritarian principle, when faced with rising opposition. The legitimacy of the party and its organisation was replaced by a completely new and necessarily ephemeral legitimacy of individuals. She ignored the party since she was taking the bulk of the guests with her, but the celebration rapidly died down. Centralisation, which was formerly seen as an instrument of purposeful interventions by a cohesive and disciplined elite, is a danger to the broad party system, the federal structure, and bigger attachments that were built via it. A number of new institutions, both political and non-political, were also created as a result of the demise of the Congress system, and these institutions grew in power during the period of popular politics. As a statesman, Nehru was not without flaws, but the Congress party he headed accepted new demands and tried to pave the road for their fulfilment. The party's decline as an institution and the system's unwillingness to create new institutional modes of the masses made it impossible to bridge the gap that had been created between the party and the people.<sup>14</sup> The study states that the result was the politicisation of the people beyond the specified and constrained framework provided by the Congress.

Since it left the party without seasoned national and state party officials and caused a large concentration of power in the hands of the central leadership, the deinstitutionalization of the Congress party made a major contribution to the disintegration of the party's federal structure. Even worse was the coterie's tenacious attempt to substitute loyalists and favourites at the state and constituency levels for party officials and candidates with local knowledge and support, according to the leadership. The growing consolidation of personal politics under Indira Gandhi's leadership also diminished the need for an institution capable of engaging with society, assisting and directing the political community, and participating in elections. She was able to make a direct and unmediated link with the people who had transported enormous faith in her charisma and her image as a deliverer and secular messiah, which allowed her to neglect the party as a means of creating her own constituency.

A combination of her populist rhetorical skills and the adoption of a number of bold policies contributed to Indira Gandhi's ascent in India. It implies that she confidently presided over India's destiny for so long despite her inadequacies as a prime minister, maybe because she built legitimacy for her power. In the process, she mostly depended on the sinews of the state as opposed to changing the party and influencing the populace in its framework and composition. Despite using populist language, she was not really interested in restructuring the government or its decision-making process for actually redistributing power, wealth, and opportunities. In the end, she was able to transform the state into a top-heavy and increasingly insensitive structure, so that all that remained was herself. The adage Indira is India, India is Indira perfectly captured the essence of Indira Gandhi's administration; as a result, the state, as well as the party associated with her, in a way lost its independence.

Indira Gandhi was likely able to maintain her position of power because of the division of the opposition and the effective repression of grassroots political movements at a time when the country was distressingly divided by its peculiar socio-cultural environment and exogenous influences, which are alleged to have instigated and nurtured divisive tendencies within it. Through her direct communication with them, regardless of caste, class, or creed, Indira Gandhi successfully transformed into the voice of the people. She developed a substantial support base thanks to her reputation as the ciliator of conflicting interests, which she rapidly extended outside of the party. She had become an unstoppable political force by the beginning of the 1970s,

however less as a consequence of the failure of her competitor parties than as a result of her adoption of opposition politics based on the demands of the oppressed communities. By passing laws to improve living conditions for landless agricultural labourers and the working class, as well as a number of other poverty-eradication initiatives, particularly for the underprivileged, scheduled castes, and tribes, she showed her dedication to achieving the well-known socialist goal. The plea for the poor's help proved to be the most convincing since it meant survival to the majority of the populace in a plebiscitary democracy. The status quo was successfully maintained by Rajiv Gandhi's well-planned entry into politics, regardless of the organisational structure of the appeal as a matter of policy.

The tragic passing of Rajiv Gandhi's mother, Indira Gandhi, propelled Rajiv Gandhi, who had been reluctant to join politics, into the front of Indian politics. During the still-plebiscitary democratic process, Indian voters were convinced by the slogan *Desh bachhao*, which gained popularity in light of the consolidation of fissiparous tendencies. As a result, the Rajiv Gandhi-led Congress won the Lok Sabha with 49% of the vote. Rajiv Gandhi garnered more support than Jawaharlal Nehru or Indira Gandhi ever did, therefore this was a great victory for the Congress Party. Rajiv Gandhi was lauded as someone who would restore democracy by attacking corruption and patronage, reinstitutionalizing the Congress, halting the erosion of other institutions, and promoting healthy two party competition between the Congress and the opposition parties at the centre. His unabashed desire for modernisation was the cause of this.

Despite the country's amazing technological advancements during his term as prime minister, Rajiv Gandhi failed miserably in his efforts to change the political system, which continued to give priority to antiquated values, idioms, and styles, as is typical in a transitional society like India. It allegedly draws attention to the fact that, in advanced western capitalist countries, just adopting political institutions necessary to democracy scarcely modifies any political system's structure without simultaneously establishing an appropriate political culture. Rajiv ignored the reality that, instead of adjusting to the computer age, the communities were divided more by antiquated concepts like caste and religion than by class competition because of his management style in politics and remote control working style. The formation of a powerful clique formed of persons removed from India's daily realities around the prime minister, who began to depend on them for advice more and more, destroyed the possibility of a whole new style of politics. Since the Congress Party relied heavily on the Nehru-Indira Gandhi family owing to institutional flaws, Rajiv Gandhi's position as leader wasn't in any actual threat. Factionalism, however sometimes serious-seeming, never came to be very deadly.

The ninth general election, held in 1989, adhered to the plebiscitary democracy model. The current prime minister, Rajiv Gandhi, stood for reelection on the promise of giving power to the people via *panchayati raj*. In the aftermath of the suspected participation of the senior leadership of the Congress in the Bofors affair, he faced a united opposition made up of numerous groups with opposing ideologies that capitalised on the phrase *corruption hatao*. For either of the opposing parties, none of the campaigns was effective enough to win over the majority support. The Congress was unable to get a unanimous vote, and despite losing almost all of its support in the Hindi heartland, it nevertheless managed to win the most seats in parliament. As a result, it was unable to lay its claim to form the government. Despite having serious ideological differences with the National Front's members, the BJP soon agreed out of political necessity, giving the National Front the potential to rule India with a majority. The Rath Yatra and its aftermath show how much the BJP exploited the interim time to gear up for the last assault on the

forces threatening Hindu unification, making the party's decision to back the National Front government in parliament a strategic one.

## CONCLUSION

In conclusion, Indian democracy has reinterpreted liberalism by adding elements of individual liberty, rights, and equality into its legal and constitutional frameworks. The evolution of liberalism reflects the shifting goals and aspirations of Indian society and takes into consideration the complexities of a complex and quickly changing nation. Although there has been progress, barriers still prevent liberal concepts from being fully implemented in everyday life. The pursuit of inclusive governance, social justice, and the preservation of individual liberties will continue to influence liberalism in India's democracy. However, there is still work to be done before the Indian democracy can fully embrace liberalism. Problems like social and economic inequality, caste discrimination, intercommunal conflict, and restrictions on free expression serve as a reminder of the need for continuing efforts to establish liberal values in reality. For Indian democracy, it is crucial to address structural inequalities and strike a balance between individual liberty and societal peace.

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## POLITICAL OVERVIEW: PLEBISCITARY DEMOCRACY AND POLITICAL OUTCOME

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### ABSTRACT:

*Plebiscitary democracy is a form of political governance that emphasizes direct participation and decision-making by the people through referendums or plebiscites. This chapter explores the concept of plebiscitary democracy and its political outcomes, analyzing the advantages, disadvantages, and challenges associated with this form of governance. It examines how plebiscitary democracy can impact the decision-making process, representation, accountability, and political stability. The chapter delves into case studies from different countries to illustrate the varying experiences and consequences of plebiscitary democracy. By understanding the political outcomes of plebiscitary democracy, we gain insights into the complexities of citizen engagement, democratic legitimacy, and effective governance.*

**KEYWORDS:** *Decision-Making, Direct Democracy, Electoral Participation, Executive Power, Government Legitimacy, Mandate.*

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### INTRODUCTION

Three issues that have come up in the discussion so far must be carefully considered in order to properly understand the expanding scope of India's democracy. First, despite considerable internal obstacles and the consolidation and success of anti-democracy forces in the neighbouring states, India's experience with democratic systems of politics and administration has been mostly successful[1], [2]. The Congress Party had a crucial role in upholding the democratic ideal from the start, at least institutionally, even if the British democratic tradition made a significant contribution to India's democracy. The resolute Congress members did more than only adopt democratic values; they also helped to establish democracy's credibility in general. The general issue is less with the real substance of political authority than it is with the processes, including elections, representation, and a mandate won by adult suffrage. They receive support from the 1950 Constitution, which lays out a clear framework for political life by allowing and encouraging popular participation in the political system within a framework of rules, rights, structures, and processes which must broadly be respected by both rulers and ruled. The democracy of India, which has developed a new strategy of legitimacy to retain itself in the face of attacks from both within and without its borders, likely finds its strength in this[3], [4].

The fact that the party never identified as being on the left, despite the fact that both Nehru and Indira Gandhi had overt socialist tendencies, demonstrates how important the centrist doctrine was in comparison to other considerations. It also demonstrates how well the party's moderate image was handled when it is claimed that right-wing elements exploited the party as a potent weapon to further their interests. According to an analyst, centrism in the context of India shows

that the only political formations with a possibility of winning the general election are those that can appeal to a variety of classes and castes. This has represented a wide programme that tries to be consensual and avoids a close affiliation with either the left or the right, as well as the potential for ideological flexibility rather than a lack of ideology[5], [6].

Second, it may appear nonsensical to maintain the Congress Party's position as a centrist force by claiming that it can mobilise the public by advancing a wide consensus agenda in light of the constantly changing political environment. This is due to the fact that it is no longer accurate to state that the Congress vote-bank, which predominantly comprises of upper caste and core minority, is still intact. The BJP has strengthened its support among the upper castes through its deft campaign for the construction of a temple at the contentious site in Ayodhya - a demand that is likely to incite fervent Hindu fundamentalism. The V. P. Singh-led Janata Dal has succeeded in gaining support among the backwards by offering to implement the divisive Mandal scheme. The Congress Party incorporated new demands that were made in the wake of Mandalism and Rath Yatra by accepting pledges in the election platform supporting soft Hinduism, soft Mandalism, and the Kapoori Thakur formula. This was done in order to hold the centre position in Indian politics.<sup>25</sup> Instead, it has highlighted the fact that the centre of gravity of Indian centrism has shifted from what it was and even now has not got fixed largely due to the fact that the realignment of forces at the ground level has not yet been completed. The process of the parties' adjustment to the shifting socio-political landscape does not demonstrate a significant deviation from a generally centrist viewpoint. since a result, the assertion that centrism is in decline is not supported by any data, since what has really happened in the process is not the decline of centrism so much as its search for redefinition[7], [8].

Last but not least, in a plebiscitary democracy, individual leadership has surpassed party organisation and the ideologies it upholds. This is largely true of the Congress Party, which has presided over India's destiny under various guises since the 1947 power transfer with just two brief breaks. Nehru's leadership issue was amicably resolved thanks to Gandhi's assistance. When engaged in politics, Nehru seemed menacing, perhaps as a consequence of his ability to mobilise the populace. He quickly rose to become the only capable and successful Congress leader after the death of his equally charismatic and accomplished colleagues, notably Vallabhbhai Patel. The Congress won both the national and provincial elections while Nehru was in charge, making the party dependent on a single individual due to his amazing ability to win over supporters. The party seemed unnecessary in the absence of a charismatic leader, starting a process that grew significantly over time. Indira Gandhi became the head of the Congress following Lal Bahadur Shastri's tragic death, despite the fact that Nehru did not intend for her to do so.

The Congress syndicate, which included notable Congressmen like Atulya Ghosh, K. Kamraj, and S. Nijalingappa, supported her because they felt she would advance their objectives more effectively than other candidates. By being transparent with the public, Indira Gandhi reduced the Congress Party to nothing more than a name. The popularity she gained as a populist leader who won over the electorate contributed to her party's victory in the 1971 Lok Sabha elections. In essence, it was the general opinion of her crisis leadership skills[9], [10]. In 1971, Indira Gandhi seemed untouchable in her position after winning the election. The election also signalling the beginning of plebiscitary politics, which opened direct relation- ship between Indira Gandhi's personalised leadership and individual voters rather than of an issue-oriented politics that mobilised classes and interests in support of Congress programmes and candidates. The party and the individual tended to converge on one route to political success and personal advancement with



Indira Gandhi as its most valuable asset. As a result, the party was transformed into each individual's fiefdom, and efforts were made to maintain family leadership by training her son Sanjay Gandhi to succeed her. The party, which depended heavily on Indira Gandhi to survive, saw the young Gandhi as the future prime minister of the nation. Regardless of faction, Sanjay Gandhi appeared among the Congressmen very early, possibly showing how much the Nehru-Gandhi bloodline dominated other aspects in terms of leadership. A significant chunk of the rise to power of Congressmen, both within and outside the party, may be attributed to Sanjay Gandhi. Because of her incredible capacity to appeal to the public, there were not a single protest against Indira Gandhi's deliberate attempt to establish a dynastic administration by projecting her youngest son.

She lost, but the polarisation of politics was less to blame than the excesses of the emergency in 1977. Her election result in 1980 lends credence to the idea of plebiscitary democracy. The plea for stability was useful given the turmoil of the Janata administration from 1977 to 1979. The Nehru-Gandhi lineage continued after Rajiv Gandhi entered national politics and what at first seemed to be a brief break in it in 1980 with the unfortunate death of Sanjay Gandhi, who had been picked as Indira Gandhi's successor. Rajiv Gandhi was overwhelmingly selected to succeed Indira Gandhi after her untimely death in 1984. This choice seems to have been made with the assumption that if the Congress remains the central fact of India, has become the central fact within it.<sup>29</sup> Due to Indira Gandhi's horrific assassination and the rising tide of divisive tendencies, *Desh Bachhao* was the most successful vote-catching slogan in the 1984 election. Rajiv was seen as the legitimate winner after receiving a record 49% of the popular vote, proving the importance of the individual leader rather than the party in gaining support.

There is little doubt that Rajiv Gandhi's untimely and unexpected death left the Congress without a strong leader. Sonia Gandhi was given the opportunity to serve as the Congress's leader, but she declined. The brutal murder of the party's leader may have been a calculated attempt to gain political advantage by promising the grieving wife of the slain leader would be helpful during the election campaign; alternatively, it may have been a calculated attempt to avoid an internal power struggle that was unavoidable given the internecine feud within the party. The dreadful state of affairs inside the party, which gave the appearance that it was completely in disarray without the leadership of the Nehru-Gandhi family, seems to be explained by resolutions supported by various provincial Congress committees in favour of the idea. The party's seeming death is undoubtedly obvious because by the time organisational elections were eventually conducted, which were long overdue, it had transformed into a collection of submissive camp followers.

Because of this, it became clear that the only people in politics who shone at court were either those who had no home base from which to draw strength, or flunkies who were able to assist the leader in a secretarial capacity.<sup>30</sup> The coalition that the Congress cobbled together to become a majority was nonetheless a minority coalition. Narashima Rao managed the construction of a minority government that was led by the Congress and was picked by the Sonia-backed Congress High Command as leader because he lacked a political foundation and wouldn't threaten the party's power. Although Rao was the prime minister of a Congress-led minority government in 1992, his administration will be remembered for its failure to prevent the Hindu right wing from demolishing the Babri Masjid. Even though there were clear signs of the vandalism that would take place on December 6, 1992, Rao seems to have responded cautiously, maybe in a bid to win back Hindu support for the Congress.

## DISCUSSION

### The Mandal Recommendations

Similar to how the demolition of the Babri mosque profoundly changed the texture of Indian politics, the establishment of reservation in public employment for the Other Backwards Castes brought about substantial changes in how the political was conceptualised in the Indian context. The Mandal Commission report from 1980, which recommended a quota for OBCs, is essentially a plan for affirmative action for socially disadvantaged groups in society. The Mandal recommendations continued to be the most significant contribution to what is euphemistically referred to as the deepening of democracy. The V. P. Singh administration successfully took up the cause of the OBCs, who make up 52% of the population, by opting to implement the Mandal Commission Report, which was delivered to the Indian government in 1980. There were various attempts to provide reservations to persons who were regarded as OBCs, even though the government accepted the proposals in 1990.

As indicated by Article 340, the Indian government established the First Backwards Classes Commission, sometimes referred to as the Kaka Kalekar Commission after its chairman, in 1953. 32% of the population were found to be caste-identified backwards according to the Commission's 1955 findings. In addition, the Commission classified 23 castes as backwards. Except for the fact that nearly all states established their Backwards Commissions and legislated reservation in state-run public services and educational institutions, reservations seemed to have lost their lustre. However, Kalekar rejected the report when he submitted it for the president's approval, arguing that it would have been preferable to judge backwardness based on principles rather than caste. Interest in creating a national strategy for OBCs was revived in 1978 by the Second Backwards Classes Commission, popularly known as the Mandal Commission.

The commission claimed that since OBCs made up 52% of the population of the country, they need specific accommodations to rectify the social imbalance. The Supreme Court, however, mandated that more than 50% of jobs be held exclusively by persons of colour. As a result, the Commission reluctantly opted to accept 27% of the employment for OBCs, despite the fact that they make up more than half of India's population. Since the commission stated clearly that candidates belonging to OBCs should not be adjusted against their reservation quota of 27% when they were chosen on the basis of merit in an open competition, there was also a requirement. The Mandal formula, as is clear, is based on two tenets: the OBCs make up a significant portion of India's population, and their representation in the public sector is appallingly low. Therefore, the recommendations guaranteeing 27% representation in the public sector are insufficient. If the commission's recommendations are implemented, it implies that individuals who could not be hired on the basis of merit would occupy 50% of the positions in the public sector and colleges, provided they come from the right cast. The Kalekar Commission Report did not change the original philosophy of reservations; in contrast, the Mandal Commission Report changed it by clearly identifying the potential of cultural identity as a key strategy for enhancing political influences and, by extension, seeking subsidies and favours for the entire caste/group.

Reservations arose as a result of the desire to redress injustices that prevented certain groups from moving up the social scale. Reservation is also a means by which the state, governing a polity divided into many communities, tries, instead of dissolving the communities into one, to construct a supplementary community, according to one political analyst. The post-independence Indian leadership favoured policies of discrimination as tools to offset the advantage, enjoyed by some,

and to equalise opportunities at the starting line. Lower castes will consequently get a greater portion of the already meagre employment cake if they are promoted. The violent student protests that broke out following the announcement throughout the whole north of India appear explicable given the seeming danger to upper-caste predominance in the white-collar sector. The majority of South India remained untouched, perhaps as a consequence of the long-standing non-Brahmin movement there.

The present unrest over the controversial plan's extension demonstrates how abhorrent the idea of reservation has become to the self-assured upper castes. Immediately after independence, quota was declared necessary for the scheduled castes and scheduled tribes since it is designed to advance social and economic equality<sup>39</sup>. In 1977–1978, Karpoori Thakur, the chief minister of Bihar, put 26% reservation for the OBCs into effect. The formula<sup>40</sup>, which utilised economic deprivation as a reservation condition, caused a bloody insurrection that is believed to have killed 118 people. A fatal riot and arson were started in 1985 when the Madhya Pradesh government raised the quota from 28% to 32%. Because of how critical and bad the situation was, the government had to change its mind. After implementing reservation in promotions of posts in medical colleges in 1985, the Madhavsinh Solanki government in Gujarat met the same end. These instances demonstrate how north India lacks a consensus, which may be the reason why the Mandal Commission Report was received there with indignation that verged on panic.

Whatever advantages the Mandal formula may have, it is meant to maintain the equilibrium of India's caste-based socioeconomic order by setting aside funds for lower castes and religious minorities. The Mandal recommendations should be applauded for attempting to strike a balance between the wealthier upper castes and the OBCs, who have hitherto received insufficient services. In reality, however, the richer castes of the OBCs would gain at the cost of the more deserving castes. Let's look at north India's caste dynamics as support for the assertion. Up to the 1950s, the AJGAR group controlled rural areas. After the Green Revolution, their material riches increased noticeably, and they all made a smooth transition into the modern economy. The Kurmis, Koeris, Lodhas, and other intermediate castes also benefited, but not evenly, and as a consequence, each of these castes displays a large amount of social and economic variation.

The Mandal definition of backwardness does not appear reasonable since it blatantly ignores the social and economic diversity among OBCs. As a result, the benefits meant for the OBCs' backwards members are likely to be dominated by the wealthier and more powerful members of these castes. Apparently, M. According to N. Srinivas, the rhetoric of reservation is addressed to the mass of underprivileged, but their rewards are reserved for the affluent upper castes of the OBCs. In other words, when a certain caste has political clout it should be excluded from the backwards class list; otherwise, the richer members of the higher groups among the backwards classes. Therefore, it is obvious why political concerns were raised. The ruling elite probably approved the Mandal recommendations because of a well thought-out plot to win over the OBC elite. L. There is little question that the V. P. Singh-led National Front government's decision to follow the recommendations was driven by political reasons, which undoubtedly played a role despite the apparent economic benefits for the OBCs. R. Because he thought the proposals would benefit the dominant landowner castes among the OBCs rather than those who remained on the periphery of this social group, Naik, the sole Dalit member of the Mandal Commission, refused to sign.

1. A populist voting ploy given that obcs make up the majority of voters

2. Indian population.
3. In an effort to cast doubt on Devi Lal, the Haryana politician who was endangering the public.
4. Polarised coalition between rural and urban regions, led by V. P. Singh.
5. To deflect attention from the Ram Janmabhumi scandal, which by itself strengthened the BJP's support base, especially during the October Rath Yatra.
6. Knowing that, in the event of a fait accompli, none of the National Front's allies could openly criticise the government.

Due to their prominent place in OBC society, wealth, relatively high level of education, and domination in most caste councils, the OBC upper crust is regarded as the most significant power brokers in the Hindi heartland. The Mandal formula, which was developed to ensure social justice, is primarily a strategy to establish and keep up a solid support base for the National Front government. Additionally, due to the fact that votes are now tallied during the election process, all political parties, regardless of philosophy, strive hard to win the support of caste groupings by making electoral commitments that stir up hostility amongst castes. Caste has thus been given new life in independent India, partly as a result of its expanding usage in politics. Implementing the Mandal Commission's recommendations is just another effort to win elections by effectively using caste tensions. The Commission is hence referred to as a caste commission and is seen as a passport to power.

Whatever the results of the quota system, the Mandal formula has severely polarised the current political forces. Therefore, just embracing modern secular political idioms does not ensure their longevity in a culture that thrives on feudal emotions and primitive ties. It follows that the use of caste calculations in election administration and the selection of candidates based on caste ratios is not unexpected. As a consequence, patronage is likely to be distributed based on caste, and governmental policies are also likely to be biased in favour of the caste support base. Despite the scathing criticism and violent student wrath directed at the Mandal Commission Report, the formula deserves careful examination since it seeks to redress the historical harm that the discriminatory varna system has done to the underprivileged for millennia.

The socioeconomic change in India, a nation with a long history of colonialism, is likely to benefit the relatively affluent parts of the OBCs rather than the really disadvantaged. Therefore, under the prevailing circumstances, the Commission's objective of attaining more equity for OBCs as a category will surely fail. Accordingly, it seems that the NF reservation decision was primarily a tactful response of a desperate regime to the struggle for empowerment by the oppressed sections of society<sup>49</sup>. Unless, and notwithstanding B, the Mandal formula is included in a comprehensive development plan. Sincerity and commitment on P's behalf to the OBC cause. In a situation where the reservation system is primarily employed for political objectives, mandals hardly make sense. However, none of the main parties are allowed to criticise the resistance strategy owing to unfavourable political implications and also the political costs of opposing it,<sup>50</sup> as stated in the article.

### **Mandal II: The reserve of social justice or the expropriation of the creamy layer?**

In August 2005, the Supreme Court invalidated all caste-based reservations in independent, private colleges; this ruling is known in the academic community as Mandal II. The Lok Sabha

overruled the Supreme Court ruling on December 21, 2005 by inserting a new section to Article 15 that provides reservations for Scheduled Castes and Scheduled Tribes as well as other backwards groups in private unaided educational institutions other than minority institutions. The UPA administration made the decision in 2006 to introduce 27% OBC reservations at institutions funded by the government, including the Central Universities, All India Institute of Medical Sciences, Indian Institute of Management, and Indian Institute of Technology.

In other words, the intended design intends to impose a 27% quota on all institutions of higher learning. The 1992 Supreme Court ruling in the matter of *Indira Sawhney v. Union of India*, which sustained 27% reservations subject to the exclusion of socially advanced individuals/sections from among the OBCs and was rendered on November 16, 1992, conflicts with this broad guarantee of reservations. The court also ordered the government to establish standards for detecting this creamy layer. The government created a commission in response to the Court's directives, and its suggestions included class I officers, colonels and higher-ranking defence specialists, as well as the progeny of individuals holding other constitutional posts. The use of children whose parents make more than Rs 100,000 a year was also forbidden. The maximum was increased to Rs 250,000 later, in 2004. The recommendations were adopted and sent to all Union and state government ministries and agencies in September 1993, allowing reservations to go into force.

### **In the long run, Mandal II is a natural conclusion to Mandal**

According to the Mandal II paradigm, V. P. Singh defined Mandal as a macro-process that has acquired its own dynamics. No matter which party forms a government, it must advance the process of transfer of social and political power to majority communities. It would not be overstated to say that quota politics have taken centre stage in Indian politics. Whatever the implications, reservation through quota actualizes protective discrimination. Protective discrimination in India is defined by quotas and less stringent qualifying requirements, in contrast to the United States, where it is defined by quotas and more stringent requirements.

### **The justifications of Mandal II**

A multicultural society may have laws that discriminate in favour of one set of citizens over another. Thus, the concept of recognition is plainly political since it is justifiable in light of a certain kind of power dynamic. The state must offer resources to the disadvantaged on nonmarket principles free education, assured income, nutritious food and health in order to reduce inequality. Can reservation be an acceptable strategy to provide recognition to groups who have traditionally been marginalised? perhaps, yes. Though technically, citizenship is universal, hence a politically liberal society opposes social discrimination. As a result, ascribed identities are completely discarded when defining citizens. Theoretically, this position may be supported. However, this strategy may not make sense considering how weirdly cultures have developed in various socioeconomic and political contexts, just because identical rights for everyone are not enough to protect cultural diversity.

We thus seek special advantages for minorities who are categorised as disadvantaged groups. Multiculturalism theorists develop the idea of differentiated citizenship on the basis of the argument that, for obvious reasons, different groups should have distinct rights as citizens because people are differentiated and so unequal. This conceptualisation has two significant implications. First, differentiated citizenship explicitly defends discrimination in favour of cultural minorities



as justified, in contrast to universal citizenship of the liberal variety. Second, by emphasising cultural distinctiveness as a common denominator, proponents of differentiated citizenship contest efforts to homogenise communities with obvious socio-cultural differences.

A historical element is also present. In many communities, several social churning processes take place. A culture that prioritises universal citizenship over differentiated citizenship aims to push the latter to give up their uniqueness and merge with the majority. As a consequence, some are privileged while others are marginalised. This is how civilisations develop. According to the multicultural viewpoint, this approach reeks of cultural imperialism, since the lens through which a culture is often seen insists on treating equals equally. The ingrained character of the favoured majority's norms and values make them conspicuous, and any resistance to them alarms people who typically ignore the role that historical events played in separating mankind, making this clearly a case of cultural imperialism. Therefore, there are strong arguments in favour of reservations in a diverse country like India. However, problems arise when communities or groups worthy of reserves are chosen based on a certain identity, such as caste. With the exception of the 1931 census, caste was never taken into account while categorising the Indian population. Therefore, if caste is a defining category, the 1931 index is still significant. This isn't very compelling since the 1931 census may not have truly reflected India's demographics because it was influenced by colonial ambitions. Furthermore, since the definition of backwardness is historically conditioned, it is debatable whether it is still applicable in the twenty-first century.

In a manner similar to this, the concept of reservations in higher education seems to be a hollow platitude given that seats for scheduled castes and scheduled tribes remain vacant as a result of a dearth of applicants. Despite the fact that some communities have had reserves for more than 50 years, the number of beneficiaries is pitifully low. Discovering the reasons is simple. The most current educational statistics available from the Union Ministry of Human Resources Development shows that scheduled tribe students drop out at a greater rate than scheduled caste students (73% drop out before taking the class X final exam). It's noteworthy to observe that children in grades I through IV see reduced dropout rates. SC kids drop out of school at a rate of only 37% compared to ST children, who do so at a rate of 59%. When compared to the typically high Gross Enrolment Ratio, which is 83% for SCs and 86.3% for STs, drop-out rates show the unfavourable socioeconomic situations that force students to take on odd jobs for survival. Since agriculture is the primary source of income for the majority of SC and ST people, these children are recruited into farming when they are between the ages of 10 and 12.

Given this reality, concerns about higher education are ludicrous as long as the alarmingly high rates of school dropout persist. In order to carry out the plan, it is vital to fervently pursue the literacy mission, especially among the disadvantaged, by creating situations in which the benefits of going to school outweigh those of being obliged to work in the fields for mere survival. Otherwise, reservations continue to be granted in an uneven way to those who may benefit from them. With these concerns, the strategically placed group in the back section would do better. The advantages could only be reaped by the creamy layer. The social justice agenda will thus always be far off. To begin, one might seriously take into account the Supreme Court's decision regarding the creamy layer, unless they decide to consider whether it is appropriate to extend reservation to the creamy layer generation after generation. It is difficult to put forth a convincing plan to resolve the impasse surrounding the reservation issue. It makes little sense if the children of IAS officials, for instance, get reservation purely because of their assigned social status, even though they are socioeconomically better off than their upper-caste peers. The argument is that to permit

the undeserving to benefit from reservation is to deny protection to those who deserve protection.<sup>58</sup> Is it better for social justice if reservation is restricted to first-generation students or extends further? It is quite successful to use differentiated citizenship as a strategy to advance social justice. However, if it is not understood in the context of affirmative action rather than granting a broad pass to those who are exceptional just by virtue of birth, it results in significant social distortion.

## CONCLUSION

In conclusion, Plebiscitary democracy, which places a strong emphasis on engaged citizens, has advantages and disadvantages. Although it promotes democratic legitimacy and gives voters a greater sense of power, it also raises concerns about oversimplification, divisiveness, and potential contempt for minority rights. If plebiscitary democracies are to accomplish effective governance, they must pay particular attention to the mechanisms that promote informed decision-making, protect minority rights, and ensure political accountability. Understanding the political outcomes of plebiscitary democracy enables us to research how to strike a balance between efficient governance and public engagement, contributing to the current discussion on democratic practises and institutional design.

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## AN OVERVIEW OF CHANGING POLITICAL PARTIES

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### ABSTRACT:

*Political parties are fundamental to democratic systems, representing the interests, ideologies, and aspirations of the citizens they aim to serve. However, political parties are not static entities; they undergo changes and transformations over time. This chapter explores the concept of changing political parties, examining the factors that drive party evolution, the implications of these changes, and the challenges they present to democratic governance. It analyzes various examples and case studies to illustrate the different dimensions of party change, including shifts in party platforms, leadership, and membership. By understanding the dynamics of changing political parties, we gain insights into the complexities of party politics, electoral competition, and the evolving nature of democratic systems.*

**KEYWORDS:** *Membership, Multi-Party System, Opposition, Party Platform, Political Campaign, Political Participation, Policy Agenda.*

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### INTRODUCTION

Despite inflaming the sensibilities of both socially advantaged and disadvantaged segments of society, the Mandal project is a powerful contribution that has resulted in substantial changes in Indian culture and politics. On a basic level, political discourse in contemporary India now includes the grammar of entitlement. Contrary to the earlier phase of reservation, which represented the politics of caste assertion or the politics of identity, the second phase of quota under the Mandal Commission is one in which castes are asserting their right to power. According to Mandal II, this is a well-founded demand: Retooling of the normative subjectivity of formal democracy includes significant reformations of the institutions of public and private life and demands whole new frameworks for the responsibility of the government to the people.<sup>59</sup> The fact that power is being transferred, on the whole peacefully, from the upper caste elites to various subaltern groups the relative calm [1], [2]. It is mainly due to the fact that the entire process is incremental is suggestive of a silent revolution. All political parties concur that the 93rd Amendment Act's affirmation of discrimination at all institutions of higher education is reasonable and truthful, even if they may disagree on the best approach to implement the judgement.

The establishment of the Oversight Committee in 2006 as recommendations for steps to enhance the OBC quota without adversely affecting the balance in admission to institutions of higher learning was a strategy to lessen social discontent in the country. The 2006 discussion, however, also showed how deep runs the hostility to change in areas where it matters the most. The Mandal conflict, however, has significantly altered how the general public views reservations. Caste was no longer the basis for the underprivileged's united fight for social and political equality after

Mandal. It is now seen to be an empowering tool to enhance one's meagre entitlements in society. Thus, the transformation included reinterpreting the nationalist goal of creating a more fair and equitable society by empowering the disadvantaged, recognising socially stigmatised groups, and reducing socio-economic inequalities. The intellectual basis for the redefinition, according to Rochana Bajpai, comprised a relocation of equality in proximity to democracy on the one hand, and by distancing from national unity on the other.

Regardless of how one views the Mandal issue, the reservation policy has continued to solidify itself as the fixed point of Indian political life[3], [4]. This is due to the fact that different groups support it for varied motives. Due to their reluctance to carry out deep-rooted changes in society and preference to opt for increasing the constituency for reservations in a contracting state sector and in a failing educational system over transforming ownership of resources in the country, the political elites see it as a weak option. To put it another way, Mandal II is a way to avoid taking steps that would really enhance access to opportunities by achieving the legally needed quotas for the OBCs. Bhikhu Parekh worries that social justice is currently mostly defined in terms of research and that the vast redistribution programme necessary to address the root causes of historically accumulated disparities has been neglected. Instead of advocating for such a programme, politicians from the scheduled caste, scheduled tribe, and OBC use their constituents as a vote bank to further their own careers[5], [6].

A critic claims that the Congress' primary motivation for choosing to implement the Mandal II reservation plan is to lure back the traditional voter reservation has dammed all to do with balancing society; it has everything to do with winning elections.<sup>67</sup> The left-wing political parties support the reservation plan because they believe that it is better to stick to the constitutionally guaranteed and politically accepted policy of reservation in the absence of a radical redistribution programme. According to Bhikhu Parekh, the quota policy has evolved into a touchstone of social conscience and an integral part of Indian politics as a result of the unique socio-economic circumstances that have given it more than simply a broad-based support. The churning of Indian politics and society that followed Mandal has petered into an endlessly involuted conflict of one sub-caste with another, despite the fact that most anti-caste initiatives end up being fundamentally anti-upper caste activities against those below them[7], [8].

## **DISCUSSION**

### **The Changing Political Parties**

Indian politics have become much more complicated over time. Both the Mandir agenda and the Mandal formula seem to be crucial for remaking Indian politics. It is challenging for political parties that control the live wire of representative liberal democracy to ignore the new ideological concerns that are pervasive in contemporary India[9], [10]. The change seems to have begun with the demise of the federal and coalitional pillars of the Congress Party, which allowed for the growth of smaller parties with local roots. The technique attracted a lot of interest, according to the results of later national polls, especially in the 1990s when there was a propensity for a divided mandate in elections. Therefore, it is not difficult to envision scenarios in which numerous political parties promote a certain socioeconomic group or class. As a result, the assertion that a party or group of parties have a social base may not always be substantiated. The fact that not all of the parties vying for social constituencies are equally successful is startling, and here is where the answer for why one party shines and others do not in certain situations resides.

However, when many parties are competing for the same vote bank while supporting more or less comparable topics despite the ideological differences among themselves, it makes perfect sense to question the idea of traditional vote banks. The coalition may be the best theoretical model to explain this moment in Indian politics, when political processes don't seem to be uni-directional at all. In addition to showing the trends towards redefining Indian politics, this time period also identifies the variables that affect them in the new local and global social and economic context. Indian politics are coalitional and regionalized. The results of successive surveys demonstrated that the era of a one-party system was finished. In the thirteenth Lok Sabha, the National Democratic Alliance accomplished a great achievement by preserving a cooperative attitude among up to twenty-four different parties that were only fundamentally hostile to the Congress. The process that began with the 1967 state assembly elections seems to have taken root in Indian soil in light of the NDA government's success in holding onto power for the whole five years of its mandate despite periodic setbacks. Following the fourteenth Lok Sabha election in 2006, a coalition government headed by the United Progressive Alliance was formed, continuing the trend.

It is evident that the parties have failed to put together a majority on their own, leaving coalition as the only practical choice. This is supported by the rising relevance of coalition in creating administrations. Indian parties thus represent, in the words of Paul Brass, a unique blending of Western and modern forms of bureaucratic organisation and participatory politics with indigenous practises and institutions. It also illustrates the tenacity of community identities, in the form of caste and religion, as groups struggle to construct majorities that rule at the Centre. The opposite viewpoint emphasises on the emergence of distinct outfits when the caste group splits apart due to class interests, differences in wealth, career opportunities, and cultural traits.

The trend is backed by India's political evolution. For instance, in the first election following India's independence in 1952, the all-powerful Congress Party faced opposition from four ethnic parties at the pan-Indian level the Ram Rajya Parishad, the Hindu Mahasabha, the Bharatiya Janata Sangh, which was vying for the support of the Hindu majority, and the All India Scheduled Caste Federation, which was attempting to win the support of those castes that were recognised by the constitution. Due to their failure to garner enough electoral support, three of these four parties disintegrated. Because it was limited to north India and unable to build a national reputation, the Bharatiya Jana Sangh was never able to succeed in challenging the Congress Party. The demise of the Congress Party paved the way for the creation of ethnic groupings. In an apparent effort to rally the Hindu majority against the Muslims, members of the Bharatiya Jana Sangh created the Bharatiya Janata Party in 1984. Later, groups like the Bahujan Samaj Party and Janata Dal were founded, among others, to unite lower caste Hindus and Muslims against them. The bulk of these parties, however, gradually lost support as a result of taking a moderate position on problems and being sympathetic to other groups that they had previously detested on the basis of morally solid ideological principles. The most obvious example is the BJP, which has brushed under the rug every controversial pro-Hindu and anti-Muslim agenda for political purposes.

The similar issue exists in the states where ethnic parties' power has grown over time. The Dravida Munnetra Kazagham was the first party to exploit ethnic harmony to capture power in opposition to other parties, as Kanchan Chandra noted. It was then followed by its branch, the All India Anna Dravida Munnetra Kazagham. The Akali Dal was able to survive in Punjab at the outset of its existence and benefited from Sikh ethnicity in terms of electoral strength. The party has significantly toned down its anti-Muslim rhetoric in recent years, perhaps realising that doing



so would drive away even moderate Hindu voters, much like how the Shiv Sena in Maharashtra came to power on the backs of Hindu voters in 1995 by adopting a highly aggressive anti-Muslim language. Another distinctive feature of Maharashtra is the significant bulk that the two main castes of Maharatta and Kunvi constitute in elections. Because of this, the opposing sides are continuously vying for their support. The party that is effective in gaining support from these ethnic groups stands out in elections. The succeeding elections showed that the Maharatta-Kunvi combination is always necessary for any party wanting to form a government. Therefore, the parties' primary concern shouldn't be ideology but rather how to best express the doctrine in order to get the support of as many different ethnic groups as possible, which would subsequently lead to votes.

### **Event Ethnification**

It is evident that caste-based ethnic identity appeals continue to play a significant role in Indian electoral politics. Even the Congress Party, which bore the heritage of the nationalist movement, does not appear to be different. Political parties often depend on identity basis for mobilisation, although emphasising measures relating to the economy in their individual manifestos. The history of electoral democracy in India is therefore characterised by contradiction. With the probable exception of the left-ruled Tripura, West Bengal, and Kerala, every major party seeks to gain in the bulk of the states by appealing to the populace on the basis of ascriptive categories. However, caste politics may change depending on the circumstances. The continuance of the top castes in positions of power was made feasible by a win-win agreement between them and the numerically dominant lower castes in the 1960s, as with the Rudolphs. Lower castes acquired access to the opportunities and resources that support for higher-caste leadership might provide, while upper castes needed the numerical power that support from the lower castes supplied. With the introduction of secret ballot voting in elections, the upper caste's ability to mobilise lower castes significantly decreased, but the former still held the key to political power, probably because the latter posed little threat.<sup>78</sup> The situation, however, dramatically changed in the 1990s with the growing consolidation of parties representing the numerically lower castes. Mayawati's rise is largely attributed to her capacity to define her appeal to the people in overtly ethnic terms, similar to how the Bahujan Samaj Party grew in Uttar Pradesh.

The 2007 assembly election in the state of Uttar Pradesh is noted as a turning moment in recent Indian political history for two reasons: first, because the people backed the Mayawati-led Bahujan Samaj Party and rejected the existing administration. First, despite forecasts of a hung parliament, the election surprised both political pundits and pollsters, demonstrating how astute Indian voters can be. Second, it is apparent that the Congress Party is no longer a general-purpose party that can support the rainbow coalition, based on the notion of traditional vote banks. The notion that Muslims and middle castes have a positive attitude towards Congress is ridiculous. They have surely worried upper caste supporters in Uttar Pradesh who are already dissatisfied with the Bharitya Janata Party because of their support for the OBC quota. Similar to how the Dalits generally left the Congress after finding their saviour in Mayawati, the Congress' Muslim voter base has now become very fragmented. The state's electoral system has altered, as seen by the assembly election of 2007 that almost entirely destroyed the Congress.

The BSP was a pioneer for two key reasons: first, the motto brahmon jodo was a brilliant move that produced impressive results; second, voter opinion on the day of the election made it clear that the BSP had a significant advantage over other competing political parties in Uttar Pradesh,

which is sometimes described as India's most happening state. Mayawati's inclusion of former attorney general and Brahmin Mr. Satish Chandra Mishra into the party was the party's first big effort towards putting the slogan into practise. Mishra often held Brahmin mahasammelans, which helped the BSP gain significant ground among the Brahmin community. In her speeches at these mahasammelans, Mayawati regularly told the Brahmins that the BSP is opposed to Manuwadi, or the Brahminical discourse for lower castes, but not against Brahmins.

Such mahasammelans were often organised to win back the other forwards castes. The majority of these mahasammelans drew large crowds, but it was questioned whether this would tip the scales in the BSP's favour given that the upper castes disliked the BSP for their clearly defined anti-Manuwadi platform and forwards castes do not appear to be so easily amenable to change given the historical roots of caste barriers. However, the BSP's success in forging ties with castes and groups that are connected by a similar history of exclusion is largely to blame for its victory in the majority of the seats. The second aspect was the persistent effort made by party members to build a widespread organisational network throughout the state. Similar circumstances exist in West Bengal, where the Left Front has used a well-known organisation to create a kind of political grip. Unlike other political parties in the race, the BSP began its election preparation more than two years ago by selecting candidates for the majority of the seats and connecting with voters in person. The High Command exercised rigors control over each of the twenty-five sectors that made up each constituency. To encourage and organise female voters, a nine-member committee with at least one woman was designated to monitor each polling location, which may hold up to 1000 voters. Behanji, as Mayawati is called in the state, made every effort, as was suggested by the arrangement.

The BSP's organisational efforts seem to have been effective on the surface given the considerable support it received among the higher castes. Given the BJP's failure to deliver, it is impossible to tell whether this was constructive criticism of the party or the best course of action. But it is clear that the BJP is losing the support of the higher castes. They complained in a voice that was more or less constant about how the BJP conveniently put the Ram mandir mudda under the carpet, as one teacher in Allahabad described it. Additionally, Mulayam Singh's state government, which was in charge at the time and was accused of unduly pampering the Muslim populace, infuriated them. The outcomes of the election have been explained in two ways first, the BSP's success is often attributed to Mayawati's social engineering project, which is euphemism for an alliance of the Dalits, Brahmins, and to a lesser extent, the Banias. To put it another way, Mayawati's victory may be attributed to a rainbow coalition, echoing the Congress system that prevailed in India until 1967, even if she was unable to win the support of Muslims and OBCs to the degree that the BSP president had expected.

The public prefers one-party majoritarian governments, according to the second reason, since coalition governments have failed to rule without regard to caste, class, or religion. It's difficult to determine if the poll findings represent a widespread anti-coalition sentiment. However, it cannot be denied that a strong anti-incumbency factor favoured BSP. Unhappiness was only to be anticipated given the valid grievances of the typical voter in Uttar Pradesh, who has a per capita income that is less than half that of the whole population of India.

One in four Brahmins in India are estimated to reside in Uttar Pradesh. As a consequence, the state has the largest Dalit population in all of India. Since the social coalition headed by Congress in the first two decades after independence collapsed, the BSP political platform represents the

first new attempt to unite socially opposite groups in politics. Undoubtedly, the BSP's new political platform, which supported Ambedkar-inspired ideas and criticised the Mandal quota scheme for OBCs, helped the party's electoral goals. Despite the fact that they were obviously at conflict with one another in the traditional social caste structure, the Dalits and the superior castes were brought together by this ideological group. Ambedkar's pro-Dalit ideology and the BSP's anti-Mandal stance were politically attractive because they formed a friendship across castes that always ended up being a deciding factor in the election.

A peculiar caste dynamic that drove the partnership between Brahmins and Dalits had a big impact on Mayawati's win. By bringing together the traditional upper castes and the Dalits, the BSP leader has done far more than just returning to the social pyramid that underpinned the previous Congress administration. In Mayawati's social compact, the lower castes as opposed to the upper castes, who persisted in being the driving force during the Congress administration are the agents of change. In this view, the BSP victory signifies a paradigm shift in Indian politics. Mayawati has been successful in forging a social coalition that subverts the caste/class structure by uniting a rainbow alliance of socioeconomic categories, which is now dominated by the Dalits, the biggest underclass of all. But the BSP is far from being the ideologically consistent party it once was, as its leader seems to have redefined it by highlighting Sarvjan's contribution to building a comeback. Therefore, the BSP's success cannot be explained by our old belief that caste is the key factor in Indian politics. The BSP did use caste, but only as a metaphor to build innovative grassroots alliances, which demonstrated that the concerns of other communities mattered as much as those of dalits, according to the party.<sup>80</sup> Whether this strategy will work elsewhere in India is in question; it worked in Uttar Pradesh specifically because the Dalits were already a consolidated political force and the combination with the forwards castes put the BSP in an unassailable position that none of the other castes could challenge.

The victory of the BSP signifies more than simply a change in the balance of power in UP; it also heralds the formation of a new social coalition that will probably become stronger over time. By providing a unique formula that pulled together both the upper castes and so-called untouchables, the BSP developed a solid social compact that is caste diverse but politically cohesive. Neither the BJP nor the Congress have been able to broaden their purported traditional bases of support. The new government in the largest state in India also articulates a pattern showing a clear shift in the centre of gravity in Indian politics: power has been spreading itself lower and lower in the caste structure. Perhaps a silent revolution is taking place, one that neither pollsters nor the major party strategists had predicted. The silent revolution in India is contrasted with the rise of the BSP in politics. Instead of participating in a Marxist class fight, Jaffrelot claims that the result is accomplished by returning to Ambedkar's project of uniting ascriptive groups which were victims of discrimination rather than only those who suffered from economic hardship. The political environment in India has been significantly impacted by this.

The fragmentation of the social basis seems to have reduced the political attractiveness of the appeal to a larger electorate. The caste system, geographical divisions, and religious differences separate Indian society. The political kaleidoscope seems to have a pattern despite the volatility of politics. Given the high level of politicisation of oppressed groups among the Indian people, the silent revolution concept is supported by being characterised as supportive of the maturing of Indian democracy.<sup>82</sup> There is, however, an altogether different position. For example, Kanchan Chandra offers a pessimistic perspective by referring to India as a patronage democracy, where the stakes are high and the outcome of an election directly affects the lives of elites and non-elites

alike, and where the general public's growing involvement in electoral politics represents less a normative commitment or a spirit of celebration and more the intensification of a struggle over scarce resources provided by the state. This has a double-edged effect since, while the fact that politically viable ethnic groupings based on numbers cannot ever be removed, it will also, given its clear benefits, lead to manipulation of the terms used to define ethnic groups.

This relates to another topic. Undoubtedly, the BSP and other parties speaking out for disadvantaged communities substantially altered India's political environment by including those groups who had previously had a little role in political decision-making. The parties that aim to democratise Indian politics are paradoxically the least democratic internally for two reasons: first, the organisation, which is highly individualistic, remains confined to the centralised leadership and is therefore unresponsive to the democratic impulses at the grassroots; and second, as a result, the choice of candidates during elections is always made by the leaders in the upper echelons of the party hierarchy. As a consequence, elected officials often fail to recognise the importance of their position in representative democracy and act as the voice of the ruling class. Thus, it seems that high politics, as it is represented in the legislature, is at conflict with the needs and ambitions of the populace.

### **As A Political Platform, Hindutva**

India has a rich cultural heritage that needs to be critically assessed and appropriately mobilised because no country can build-up its self-confidence and self-respect by living on imported ideas alone.<sup>86</sup> According to Hindutva, the country's cultural heritage should not be overlooked or discounted just because it does not meet modern standards. The most harmful component of the whole conceptualisation is the drive to homogenise Indian culture and identity. Hindutva seems to be an effort to suffocate diversity in order to create unity rather than to create a social coalition of diverse groups. One of the major impacts on Indian culture is Hinduism. It is the outcome of lengthy interactions between civilizational ideals and is not a cohesive whole but rather a loose federation of several thought and activity systems. According to Bhikhu Parekh, Hindutva cannot unite all Indians because to its animosity towards minorities; hence, any attempt to do so is fundamentally flawed and does it great harm. It cannot even unite all Hindus since it emphasises just one view of Hindu history and culture. In reality, it distinctly distinguishes between good or true Hindus and pseudo or confused Hindus.

Hindutva will never be widely accepted by the general population as a consequence, most likely as a result of the societal restrictions connected to Hinduism's inherent plurality. If nationalism is seen as a concept used to homogenise a group of people into conforming to predefined ideals, then Hindus cannot possibly be nationalists. Perhaps the greatest impediment to at least some of its more radical agenda items is this <sup>90</sup>. But assuming that the Hindu nationalist movement is losing support just because it covers a bigger geographic region than the BJP would be erroneous. These are ideas that are manifested in a wide range of political actions and articulations because they overlap and interact with other significant discourses concerning Indian society, culture, and identity. Therefore, according to John Zavos, the political impact of Hindutva needs to be measured in terms of its continuing activism where politics is manifested not in terms of formal state institutions, but as a contest for power in a network of localised institutions and practices.<sup>91</sup> Concurrently, there is also an enormous increase in their popularity, especially in the Hindi heartland, with the rise of caste groups and caste-based parties. Since it entails the transfer of power from upper-caste elites to various subaltern groups, the process is in fact so powerful

that it has been dubbed a silent revolution.

How did the BJP gradually increase its base of support? The national objective should be kept in mind in addition to avoiding difficult issues like abolishing Article 370 and enforcing the universal civil code while presenting the BJP in a different perspective. The presence of its political allies has helped the BJP create a foothold in new regions. One observer claims that the BJP's expanding support has been intertwined with a distinct three-tiered growth in its social appeal. The first tier of this growth is the BJP's growing capacity to influence groups other than its traditional base of upper-caste Hindu followers. In the Hindi heartland, the scheduled tribe is the only other group that has been organised except its core constituency, the upper castes.

The second tier is made up of the OBCs, a considerable group that backed the BJP partly as a result of its electoral alliance with those regional parties that had a significant organisational presence in specific states. Here, the BJP's alliance with these parties assisted it in winning over the OBCs, who up until that time had only served as a byproduct of its goal. The first victim of this confluence of lower caste mobilisation and regional assertion is the Congress' hegemony at the state level, according to Page 94. The scheduled castes and Muslims make constitute the third tier of the BJP's support base, which is the most important part of its growing social base. During the most recent national election, the BJP expanded its presence in these regions via its allies in the secondary states where it had previously been hardly present. Parties like Telegu Desam, AIADMK, Trinamul Congress, and to a lesser extent, the Biju Janata Dal, possessed the largest organisational bases in the regions to which they belonged, while the BJP remained a nonentity.

The BJP benefitted from the electoral agreement with these political parties because it prospered by association and without would most likely have been marginalised, the statement reads. Because of this, one analyst asserts that modern Indian politics provides a dual framework for investigation. On the one hand, backwards caste politics become noticeably more prominent while the BJP and its frontal organisations try to use their old Hindutva line to achieve political advantage. The opposition to the two main political parties, the Congress and the BJP, forms the basis of another framework. In this context, the parties' coalition is founded on antagonism to both the Congress and the BJP. In this coalition process, regional parties seem to be an important factor in beginning a democratic upsurge involving women, tribals, dalits, lower castes, and rural voters.

It is obvious that the BJP has benefited more than any other political party since the Congress Party lost its dominance as India's leading force, and that this has been made possible by its capacity to project itself into new geographic areas and social groups as a result of holding centre stage and rising to prominence on the national political scene. At all tiers of the political system, there is, nevertheless, constant discussion over the extent of this spatial and social progress. The BJP is unique in this way since it is attempting to rebuild a new kind of national hegemony via the adoption of a highly adaptable ideology. An analyst claims that the election campaign's emphasis on bijlee, sadak, and pani rather than mandir, masjid, and mandal is a symptom of India's politics having undergone a considerable change in the previous fifty years. Despite ideological differences, a reformed BJP that is staunchly committed to maintaining in power at the centre is the main cause of the pre- and post-election agreement with regional parties. In light of this, what may seem to be an ideological softening appears to be a conscious choice by the BJP to renegotiate with the rapidly evolving socio-political and economic realities in India in a



completely different manner. Instead of following the ideological orthodoxy in which the party formerly presented its vision, the BJP seems to have maintained a pragmatic posture that acknowledges the continuously altering national profile. It was therefore not surprising that by the 1990s, the BJP had made a name for itself as a strong contender for the center-right position in Indian politics, despite suffering one of its most catastrophic electoral setbacks at the hands of Congress in the election of 1984. In other words, the BJP was able to preserve its reputation as a moderate party despite the limitations of coalition rule due to its improved organisational capacity for large-scale mobilisation. The effort has benefitted the party and its coalition partners electorally and made it feasible to develop a political alternative to the Congress in the middle by creating a national system of political hegemony.

Given that the regional parties' willingness to form an alliance with the BJP, which agreed to ignore the contentious issues for coalition maintenance, and the fact that the national parties were unable to win a majority in parliament, both of these factors appear to be significant in the BJP's rise to become the coalition's leading partner. Programme consistency, not ideological consistency, was thus crucial for the partnership. As a consequence, the BJP, which is accused of being behind the controversial 1992 demolition of the Babri Masjid in Ayodhya, had succeeded in building a powerful coalition by pursuing a cause that was not blatantly partisan but rather politically relevant in a multicultural environment. Is it realistic to characterise the BJP based on factual facts if such is the case? Maybe, but there's always opportunity for the hidden agenda motive that appears to have preserved the essence of the original idea despite its obvious surface dilution for political advantage. The rationale for the BJP's continued growth must be couched in terms of politically crucial anti Congressism Ram-Manohar Lohia popularised this phrase. The Congress was brutally defeated in the Hindi heartland and West Bengal in the 1967 Assembly elections.

### **The Majority's Worldview Is Deteriorating**

The Hindutva faction that promoted the majoritarian argument seems to have lost its cutting edge, as seen by the results of the 2004 national election. The BJP, which relied on the Hindu nationalist agenda, had to drastically reduce its ideological attraction even for retaining the national coalition government that was founded in 1999 in order to forge a link among the ideologically incompatible coalition partners. As a result, Hindu nationalism seems to have been fundamentally damaged by the growing importance of coalition politics. Given India's strongly rooted socio-political plurality, it is unquestionably almost impossible for any political party with extreme ideas to attain power on its own. According to Subrata Mitra's analysis of the policies towards minorities, particularly Muslims, the National Democratic Alliance was potentially a potent public statement on the non-threatening image of Hindutva that was mostly cultural and less political.

Once in power, the BJP, for example, decided that continuing the Haj subsidy was politically wise in an effort to shed its reputation as an organisation with a blatant anti-Muslim prejudice. Like the NDA's reliance on regional parties explained its appreciation of federalism as possibly the most suitable form of government that, according to Katharine Adeney, treated the constituent states as equal partners, the BJP was successful in redefining India's ideological objective in accordance with its priority in two areas. By adopting a nuclearization agenda, the NDA hoped to build a unique Indian stance in the international world. Similar to this, a worldview that aspired to build a nation based on a majoritarian religion was backed by the standardised design of school

textbooks, which were developed with the ideological objective of transmitting a certain kind of knowledge.

Despite its claim of India shining, the Hindutva march was defeated in the 2004 presidential election. The defeat in 2004 was primarily about jobs, roads, water, and electricity, not about supporting or rejecting Hindutva and fundamentalism, according to studies, and the decline of the BJP's numerical strength in the national parliament is also attributed to a fundamental difference between the core supporters and the pragmatic office seekers that undoubtedly robbed the party of its majority. A situation where the Narendra Modi-led BJP did well for the party despite criticism from its frontal organisation, including the RJS and VHP, is the Gujarat election result in 2007. The Gujarat election results provide a paradigm for explanation that is based on individual charisma, albeit it is questionable whether this is an exception or not.

## CONCLUSION

In conclusion, Political parties often evolve, reflecting societal changes, evolving ideologies, and fluctuating voter preferences. This is a fundamental feature of democratic politics. Party changes may increase democratic responsiveness, but they also endanger party cohesiveness, stability, and public trust. Flexibility and the necessity for ideological consistency must be balanced for effective government. Understanding the dynamics of altering political parties can help us better navigate the complexities of party politics, electoral conflict, and the evolving nature of democratic institutions.

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## COMBINATION OF PARLIAMENTARY SYSTEM AND FEDERALISM

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### ABSTRACT:

*Parliamentary federalism is a form of governance that combines the principles of parliamentary democracy with the framework of federalism. This chapter explores the concept of parliamentary federalism, examining the interplay between parliamentary systems and federal structures in diverse countries. It analyzes the advantages, challenges, and implications of parliamentary federalism, including its impact on governance, representation, and the balance of power between central and regional authorities. The chapter delves into case studies from different countries to illustrate the varying approaches and outcomes of parliamentary federalism. By understanding the dynamics of parliamentary federalism, we gain insights into the complexities of democratic governance, decentralization, and the distribution of authority in federal states.*

**KEYWORDS:** *Central Government, Cooperative Federalism, Decentralization, Federal Constitution, Federal Government, Legislative Powers, Member States.*

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### INTRODUCTION

The most significant advancement in India's constitutional history has been the construction of a parliamentary system of government that mainly follows the Westminster model. Unrelated to parliamentary administration, which in its conventional form flourished inside a unitary system of government, the growth of federalism in India is as extraordinary. In contrast to Britain, which is seen as a traditional form of parliamentary government, the United States is often touted as the ideal example of federal government. In accordance with their respective philosophies and socioeconomic requirements, each of these political systems have created distinctive constitutional processes[1], [2]. It is largely explicable why particular forms of government were established in both the United States and the United Kingdom under historically comparable circumstances. In the United States, the component units' choice to unite in favor of a powerful political system resulted in the emergence of a union with the authority to uphold the federal arrangement that developed during the 1787 Philadelphia Conference.

In contrast, the British parliament became the supreme body, representing the desires of the people as expressed via a well-designed form of electoral democracy. This does not, however, entail that the theoretical ideas of parliamentary sovereignty and federalism are irreconcilable. Federalism does not always imply divided sovereignty, just as parliamentary administration does not always aim for unfettered majority rule, which makes it incompatible with the notion of parliamentary supremacy. Historically, it wasn't until the early 1900s when the Dominion Constitutions were written that parliaments were elevated to the status of supreme body. Instead, the Constitution used judicial review to wield the ultimate authority[3], [4]. This is a common pattern under parliamentary federalism, where constitutional supremacy is perhaps the most

effective weapon for averting majority rule distortions. Canada was the first federation to implement parliamentary responsible government, which merges the executive and legislature. Later, this combination of a federal and parliamentary form was recognised by Australia's 1901 Constitution. The majoritarian structure of parliamentary federal institutions has had a significant influence on the dynamics of federal politics in both Canada and Australia[5], [6].

As a parliamentary federation, Australia evolved the executive federalism institutions and practises, most likely as a consequence of the deeply rooted British parliamentary institutions and executive federalism traditions. Previously, responsible cabinet governance was implemented at both the federal and state levels and integrated federal and legislative institutions. Because the Constituent Assembly thought executive federalism was appropriate for a significant governmental authority, it was chosen as the form of administration for independent India. Recent radical changes in India's political landscape have significantly altered parliamentary federalism, and the growing importance of the country's constituent states in national governance has opened the door for legislative federalism, which advocates equal and meaningful representation of the units in federal decision-making. The history of parliamentary federalism in India may thus be characterised as a dialectically constructed political-constitutional framework in order to provide meaningful governance in India, which is socioculturally and ideologically diverse. As a result, there has been a discernible shift since 1989 from a system that is highly federalized under a multi-party system with coalition government to one that is mostly parliamentary and controlled by the Congress.

The main topic of this article is the history of India's peculiar constitution, which is both parliamentary and federal. How did the founding fathers support parliamentary federalism in spite of what would seem to be a contradiction between the two? The notion of parliamentary governance, which is fundamentally unitary, is the opposite of federalism. This riddle must be understood in the context of a certain historical period. The writers of the Indian constitution continued to make several references to the British parliamentary system. The institutional framework provided by federalism seems to have allowed for consideration of India's pluralist sociopolitical structure. The founding fathers believed that parliamentary federalism was perhaps the ideal institutional form for Indian governance, notwithstanding its philosophical incompatibility. As a result, parliamentary federalism is a novel institutional solution to democratic governance that is suitable for India's particular socio-political context. Its resilience may be attributed to a series of contextual changes that strengthened and expanded its capacity to withstand challenging circumstances.

## **DISCUSSION**

### **Demystifying the Indian polity**

India has a complex political system. The hybrid system combines elements of two conventional models: British customs and parliamentary sovereignty, as well as American ideals that uphold the supremacy of a written constitution, the division of powers, and judicial review. The two theories are incompatible because parliamentary sovereignty and constitutional supremacy cannot coexist. There is little doubt that both British and American principles have had an impact on India's constitution. In other words, with the adoption of the 1950 Constitution, India created a completely new political and constitutional framework that combines features of both British and American constitutional traditions. The peculiarity lies in the fact that, despite being parliamentary, the Indian political system does not entirely accord with the British system simply



because it has embraced the federal principles; it can never be entirely American since India's parliament continues to maintain its sovereign status. India's hybrid political structure has contributed to the development of a political system called parliamentary federalism, which has never been seen before in the history of constitution-making.

Because it is based on both parliamentary practices and federal principles, India's political system sheds light on previously unexplored facets of the socio-political history of nation-states that embraced British traditions[7], [8]. While the Constitution was being written, political institutions were chosen with care. In their eagerness to create a modern India, the founding fathers seem to have entirely disregarded traditions, seeing ancient beliefs and customs as erroneous in line with the usual Enlightenment attitude. This was not the case, as shown by the real political experience in India, and traditions continue to be expressed in a variety of ways in the political articulation of democracy. Additionally, they maintained the false notion that all that was needed to rescue people from tradition, their intellectual and practical habitats, was simply to present a modern option; people's inherent rationality would do the rest.

Thus, rather than eroding with the introduction of elections based on universal suffrage, caste and religion, for instance, continue to reinforce the bond between voters both during and after the election. The fundamental argument being made here is that a political system that was heavily influenced by both British tradition and American ideals was ultimately the consequence of a convoluted set of circumstances. To understand the current complexities and potential futures of the Indian political system, one must go beyond the models of Europe and America. Instead, it's critical to appreciate the process' underlying historical logic. This highlights the relevance of historical events as well as social, cultural, and regional variety in shaping India's political system following the transfer of power in 1947 given the deeply ingrained constitutional oddities and how they have grown[9], [10].

### **Scholarly Contributions**

The primacy of national law and the authority of the parliament serve as the cornerstones of the Westminster model. A. describes the idea of parliamentary sovereignty. V. Dicey, means that Parliament has the power to adopt or repeal any law in accordance with the English constitution. The English constitution forbids any individual or organization from introducing legislation that conflicts with or departs from Acts of Parliament. There is no denying that because the Queen, the House of Lords, and the House of Commons make up parliament, which is sovereign, it cannot be overruled or even enforced by the courts, according to Dicey. According to Dicey, who is quoted in the conclusion of *The Law of the Constitution*, By whatever avenue we get around to the same conclusion that federal state is a political device meant to combine national unity and authority with the protection of state rights, the formation of a constitution with the ordinary powers of sovereignty elaborately divided between the common or national government and the separate states serves the purpose of fixing the fundamental nature of federalism, as it fixes the fundamental division of powers between the federal government and the states.

If the aforementioned idea is accepted, then the written constitution, which is safeguarded by an independent court, supersedes parliament, and the various powers of government are distributed among bodies with limited and coordinate authority. Dicey concludes by stating that the three main characteristics of fully developed federalism are the supremacy of the constitution, the distribution of the various powers of government among bodies with limited and coordinate authority, and the authority of the courts are accepted.

Arend Lijphart, who supports what Dicey suggests, argues that consensus models are the best options for diverse communities, pointing out that the Westminster model of fusion of power inside the cabinet is an insufficient form of governance for countries with significant geographic, cultural, and linguistic diversity. According to Lijphart, the consensus model not only establishes constraints on majorities but also affirms and protects the rights of minorities. In order to support his theory of consociational democracy, he adds that the approach is not to abolish or weaken segmental cleavages but to recognize them explicitly and to turn the segments into constructive elements of a democracy.<sup>9</sup> In further developing the model, Lijphart identifies the following characteristics: executive power-sharing and grand coalitions; formal and informal separation of powers; balance bicameralism and minority representation; and a multifaction of political parties. Assuming that political power should be distributed and shared in a variety of ways, Lijphart also cautions that the consensus model is a more difficult model to apply than the simpler majoritarian model it contains the great advantage that the consensus model can be adapted to suit the special needs of particular countries the constitutional engineers the option of building onto existing legitimate traditions.

Federal principles both firmly define the relative power of the component units, which can only be eroded at the risk of the federal state, and maintain segmental autonomy by legally acknowledging the value of the segments for the whole. According to Lijphart, parliamentary federalism may be effectively implemented in a plural society via the use of a consociational method as well as a mechanism for multi-layer government. The evident prospect of the development of an institutional framework that draws on the British traditions of parliamentary democracy and federal principles is what makes Lijphart's idea noteworthy. To put it another way, parliamentary federalism is a hybrid form of government and likely a special constitutional arrangement to guarantee segmental autonomy. It has characteristics that depend on the socioeconomic setting in which it establishes roots since it is a hybrid system. Thus, much like its counterpart in Canada, the Indian political system is distinctive and has distinctive traits that articulate the unusual unfolding of its politico-constitutional framework, which also has colonial antecedents.

The Indian Union's character and its contributions to the constitution. Due to specific historical circumstances, the Constituent Assembly came to the conclusion that a union should have a powerful central authority. Arguments were marshaled in favor of a parliamentary system of government, and the colonial experience served as a continual point of reference. The founding fathers were inspired by the parliamentary federalism of Canada, Australia, and the United States, which had a presidential system, as they were formulating the Union-State relations. Even though the spirit and ideologies of the 1950 Constitution were largely different from those of the 1935 Government of India Act, the Assembly seems to have been heavily inspired by it. The Constitution, as it ultimately formed, includes significant federal aspects, although it cannot be classified as such in the traditional sense.

It is a special document that, in the words of Ambedkar, is federal under ordinary circumstances and unitary in extraordinary circumstances, such as war and other calamities. As a result, India is referred to be a union of states, with the union being indestructible but the component states' shape and identity being altered or even obliterated. A consensus developed, and the Assembly rejected a proposal that sought to refer to India as a federation of states. Ambedkar opposed the motion, arguing that while India would be a federation, it was not the result of an agreement by the States to join one, and that because of this, no State has the right to secede from it. He also

argued that since the federation was not the result of an agreement, it was illogical and would be difficult to implement in practice. Because the Federation cannot be destroyed, it is a Union. Although the nation and its inhabitants may be split into many States for administrative convenience, the nation as a whole and its citizens as a single people living under a single imperium descended from a single source. To prove that the States had no authority to secede and that their federation is unbreakable, the Americans had to fight a civil war. The Drafting Committee reasoned that it was preferable to be explicit up front rather than allow room for debate or speculative discussion.

As a result, different ways of expressing federalism as a constitutional principle emerged due to the historical context in which the Constitution was drafted. In the Constituent Assembly, Jawaharlal Nehru and Vallabhbhai Patel in particular expressed concern that a stronger federalism in India would weaken feelings of national unity in the country and make it harder for governments in the Center to push ahead with the social revolution that was needed to secure economic development. However, a third stream the theories of Ian Coupland and Kwas always present in the background and was rightly suppressed by Ambedkar and other participants. C. Wheare, who seems to have given the British Dominions' constitutional experiments their starting point. After all, we owe the 1935 Government of India Act our federal structure.

The federal parts of the 1935 Act that foresaw the princes' eventual accession had, of course, faced fierce resistance. This opposition included the clear assertion of the right to secede in the 1942 Cripps Mission recommendations. The 1946 Cabinet Mission likewise supported the idea of a strong central government with very few powers and relatively autonomous provinces with all remaining authority. The 1950 Constitution offered a power distribution plan that was substantially skewed in favor of a strong center, despite inputs favoring a weak center. The pragmatic concerns of maintaining national integrity that received a severe shock with the acceptance of partition may have influenced the decision to opt for a strong center even at the expense of regional autonomy. Ambedkar echoed this sentiment in his final report of the Union Powers Committee of the Constituent Assembly by saying that it would be detrimental to the interests of the country to provide for a weak central authority which could be incapable of enforcing the law.

Therefore, he supported a strong central government, much stronger than the Centre we had established under the Government of India Act of 1935. The founding fathers' concern for the continuity and integrity of India guided their decision. In spite of all the diversity that has divided us, Lokanath Mishra argued, it has been our desire and it has been the soul of the birth of freedom and our resurgence that we must go towards unity. As a result, the word federal was purposefully left out of the final draft of the Constitution, and India was described as a union of states. However, by distinctly defining the constitutional jurisdiction of the member states of the union, the constitution supported the federal ideal in recognition of the multifaceted socio-political and geographical reality of India. It is obvious that the Constitution's creators supported a federation with a powerful center. The Constitution included a complex division of governmental powers legislative, administrative, and financial between the Union and provincial governments in order to prevent future conflict between the center and the member states. The Union government is constitutionally stronger merely because the founders intended it to be thus, notwithstanding a precise division of authority between the two levels of government.

### **Parliament of India**

Gandhi's contribution in the discussion really sparked a search for a native form of government that was more suited to Indian traditions, but it had little impact on the 1916 Lucknow Pact or the 1928 Nehru Report. The Dominion model of Parliament and an administration that reports to that Parliament has always been central to India's constitutional evolution, despite Gandhi's description of parliament as a prostitute. The discussion on India's constitutional future seems to have been built on the Nehru Report as its basis. A quick review of the debates on this topic is helpful to understand how the idea of parliamentary sovereignty was put forth by those who appeared to have been heavily influenced by the British tradition. The Constituent Assembly, which was to replace the old central legislature, was to be both a temporary legislature and the framer of the future. It was elected by members of Provincial Assemblies.

B. tried to make them aware of alternative constitutions. We must turn to nations other than Britain to be able to make an accurate estimation of the position of a Constituent Assembly, R. Ambedkar, the Chairman of the Drafting Committee, underlined. I am certain that you will pay greater attention should be paid to the provisions of the American Constitution than to those of any other'. In addition to Ambedkar's opening statements, the Jawaharlal Nehru-sponsored Objective Resolution also had an impact on how the 1950 constitution was drafted. With his declaration that all power and authority of the sovereign Independent India, its constituent parts and organs of government are derived from the people, Nehru made it clear that he preferred a political structure that was supported by the populace. This means that we stand for democracy, Nehru continues, what sort of democracy and what shape it could take is another issue. for the choice made by this House.

The recommendations of the two committees established to identify the principles of a Model Provincial Constitution and the Principles of the Union Constitution offered the strongest case for parliamentary rule. When presenting the reports to the Assembly, Patel made it clear that the committee members came to the conclusion that the principles of a Model Provincial Constitution and the Principles of the Union Constitution were the most important. The Provincial Constitution Committee has accordingly suggested that this constitution shall be a parliamentary type of cabinet. N. We have been raised in a setting that has been favourable to the formation of what are often referred to as Parliamentary Responsible Government, according to V. Gadgil, a member of the committee that decided the principles of the Union Constitution.

Here, the British system of administration must be used. Since India's parliament was to be elected by adult suffrage, the Muslim members were critical of the reports because they believed that parliamentary sovereignty of the British type would inevitably result in 'the oppression of minorities' by the majority. The Muslim viewpoint that was expressed was similarly disjointed. Hussain Imam seems to have been convinced by the arguments in favor of parliamentary rule, which reflects the Assembly's overall tone as well as the divisions among its Muslim members. As a result, he acknowledged that opinion in India is so much in favor of the British model and that it is not practical politics to try to sing the praises of alternative systems. The findings were accepted as they were, despite the fact that the Assembly's session in which they were discussed plainly revealed a strong disagreement among its members.

Ambedkar highlighted the Constitution's core characteristics when he delivered it to the Assembly, indicating that it was finished by November 1947.

In the Draft Constitution, the Parliamentary system is proposed; the recommendation of the Indian Union President's Ministers, who are elected members of Parliament, will normally be

regarded as binding. It is believed that the daily evaluation of responsibility, which is absent under the American system, is both much more effective and important in a country like India. The Westminster model of democracy provided the framework for Ambedkar's proposed system of government, in which the parliament held the highest authority. Since experience with quasi-parliamentary institutions had become an essential part of Indian conditions, the idea appeared to work best in India, according to K. M. Munshi was more direct in his support of Ambedkar's case for parliamentary governance.

Why should we abandon the traditions that have been in place for more than a century after this experience and try a daring experiment that was suggested 150 years ago and was a failure even in America? As is clear, there are two distinct categories of justifications for the parliamentary system of governance. First, the founding fathers believed it appropriate to keep the system, suitably modified to achieve the political and constitutional goal of free India. Second, parliamentary government allows for constant oversight of the individual ministers through the principle of collective responsibility, which is completely absent under the American system. The Gandhians viewed the adoption of parliamentary government as a slavish imitation of, nay, much more, a slavish surrender to the West because the fundamental principles upon which the constitution was based have no manifest relation to the fundamental spirit of India. Loknath Mishra regrets that the objective resolution envisaged a federal constitution grasp the organic roots of the Westminster model of parliament. The necessity to disprove dictates the devotion. The argument goes that parliamentary democracy of the Westminster variety emerged as the best option for the country despite its imperial origins because of the attachment to the familiar, which was more of a matter of habit than anything else. The old allegation that India could not be a home for responsible government and the attachment to the institution due to its historical existence in India were too strong to ignore.

## CONCLUSION

In conclusion, Parliamentary federalism combines the benefits of both federalism and parliamentary democracy, providing opportunities for inclusive governance and regional autonomy. Additionally, it raises challenges with effective coordination, power dynamics, and representation. Balancing central authority with regional interests, ensuring equitable resource allocation, and promoting cooperative governance are all necessary for parliamentary federalism to succeed. Understanding the mechanics of parliamentary federalism can help us handle the complexities of democratic governance, devolution, and the distribution of power in federal states, contributing to ongoing discussions on effective and inclusive governance models.

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## ROLE OF RAJYA SABHA: A THINK TANK AND THE STATES VOICE

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### ABSTRACT:

*The Rajya Sabha, the upper house of the Indian Parliament, plays a significant role in the country's legislative process. This chapter explores the role of the Rajya Sabha, examining whether it functions as a think tank or as the voice of the states. It analyzes the composition, powers, and functions of the Rajya Sabha, and the factors that shape its role in the Indian political system. The chapter delves into the debates and discussions within the Rajya Sabha to understand its role in policy formulation, representation of states, and its impact on legislative outcomes. By examining the role of the Rajya Sabha, we gain insights into the complexities of federalism, parliamentary democracy, and the balance of power between the center and the states in India.*

**KEYWORDS:** *Deliberation, Federalism, Legislative Council, Membership, Parliament, Policy Review.*

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### INTRODUCTION

The Rajya Sabha, India's second chamber of parliament, has a status that is guaranteed by the constitution, demonstrating the support the country's founders had for a powerful central government.<sup>37</sup> The Rajya Sabha's membership and responsibilities were established to support the following objectives: to enable the state to effectively express their viewpoints at the parliamentary level; to guarantee some level of deliberation and consideration; to ensure that the legislative process at the Union level receives the thinking and counsel of mature and experienced people, commonly known as the elders, who are hesitant to engage in active politics and run in direct elections to the Lok Sabha[1], [2]. The discussions the founding fathers had in the Constituent Assembly over the second chamber's rules demonstrate their agreement. As a second chamber to serve as checks and balances for the Indian parliamentary form of government, the Rajya Sabha was created. According to Gopalaswamy Ayyangar, the Rajya Sabha is only a tool for delaying potentially hasty action.

The Second Chamber should, at most, hold respectful discussions about significant issues and postpone any legislation that might result from heightened emotions until the Legislature can consider the proposed legislation with calm deliberation. The Rajya Sabha as a second chamber has, in Morris-Jones' words, three outweighing merits in addition to serving its traditional functions: it fills additional political positions that are required, it provides some additional debating opportunities that are occasionally needed, and it aids in resolving legislative time issues. As a result, the Rajya Sabha acted as a watchdog over the processes that generally support parliamentary governance. It was a facilitator rather than a stumbling block to legislation or administration. With the exception of the twelve nominated members, the Rajya Sabha is made up

of representatives from the states who are selected by the elected members of the legislative assemblies. Since they were chosen via elections in which only elected members of the parliament participated, they reflect a fairly representative cross-section of the opinions of the parties elected to the State Legislative parliament. Due to its composition and organizational structure, the Rajya Sabha acts as a forum for the states' ideas to be successfully represented at the legislative level[3], [4].

The Rajya Sabha does not have the same federal character as the US Senate simply because the component states do not have equal representation in this second chamber. Based on the practice in the US and Australia, an amendment was suggested in the Constituent Assembly to ensure that each state would elect five members to the Rajya Sabha by adult suffrage. Since the size and population of each Indian state varied, it was impracticable to apply a single standard to them all, hence the modification was not put into effect. In addition, unlike the states that comprised the USA in 1789, the British Indian provinces did not achieve independence until after India was freed from British rule. In contrast to the Senate of the USA, the Rajya Sabha was not envisaged to function primarily as a Federal Chamber of the classical type.<sup>43</sup> The Rajya Sabha was made weaker by the decision that, in the case of a dispute, the Lok Sabha's position on a Money Bill would take priority over that of the upper chamber[5], [6].

It is now evident that the Rajya Sabha is not a federal parliament in the conventional sense under the Constitution of 1950. Its primary responsibility is to cooperate with the Lok Sabha to carry out the parliamentary system's legislative obligations. The Rajya Sabha may authorize the parliament to adopt legislation relating to any matter appearing on the State List only under the circumstances specified in Articles 249 and 312 and subject to the approval of at least two-thirds of the MPs present and voting. Practically speaking, the lower house has 'hegemonic' power, whereas the upper chamber's authority is often restricted to simply endorsing Lok Sabha decisions. The Rajya Sabha has, however, sometimes faced the Lower House strongly[7], [8]. When the Rajya Sabha, which is controlled by the Congress party, refused to endorse a government-initiated constitutional change even though it required two-thirds approval during the brief Janata regime, it demonstrated its partisanship.

Since there is no assurance that the elders would support any legislation enacted by the Lok Sabha, this is more likely to happen now that the Congress has a majority in the Rajya Sabha. The Rajya Sabha used to serve a considerably limited function before 1967, mostly acting as a check on the Lower House's ideas. The upper chamber seems to have established a unique, if not wholly new, role in the legislative and executive branches of government since 1967, when non-Congress governments have entered office in a number of states. Changes in the composition of the Rajya Sabha will hardly make a difference despite its growing significance as a result of peculiar circumstances because constitutional provisions that support the role of the center in significantly altering the territorial boundaries of the constituent states will have an immediate impact on the number of representatives for the Upper House.

In addition, a 2003 amendment eliminated the requirement that a candidate be an Indian resident and substituted secret voting with an open ballot, resulting in two significant modifications to the way the Rajya Sabha is chosen. These two changes seem to make a mockery of the democratic processes involved in the election. Without a secret ballot, Rajya Sabha elections would be a farce, and the party with the majority in the house will always have the last word on whether or not a bill is enacted. The Rajya Sabha's ability to act as a real representation of its people would

be diminished by the abolition of the residency requirement since anybody may be elected to this second chamber regardless of whether the candidate is a resident of the state from which he or she is seeking election. As a consequence, the Council of States has allegedly been replaced with the Council of Nominees, according to the satirical media[9], [10].

## **DISCUSSION**

### **Federalism in India**

The majority of contemporary federalisms are examples of holding together federalisms because the central government agreed to devolve power in order to maintain the unity of the federal units, whereas traditional federalisms like the United States, Australia, and Canada are the outcome of the coming together syndrome. A federation's existing sovereign polities freely choose to combine their sovereign powers. India is a notable example of this group since, although having supported a strong center to tame lawlessness soon after independence, the Constituent Assembly was unambiguously in favor of decentralization of political authority as a clear guarantee for holding India together<sup>46</sup>. According to R. Ambedkar, the chief mark of federalism lies in the partition of the legislative and executive authority between the center and units of the constitution, despite the fact that the Constituent Assembly had advocated for a strong central government to tame anarchy as soon as India gained independence. The partition's limits cannot be altered by the center on its own, however. The justice system also cannot. Powers officially assigned to one authority cannot be transferred to another authority<sup>47</sup>. In general, the five criteria below help determine if a political system is federal:

1. Two tiers of government: a federal, state, or local level and a national, state, or local level.
2. List of powers outlined in the written constitution, with the federal government often having the other authorities.

### **Supremacy of The Constitution**

The rigidity of the constitution, the courts' authority to interpret its provisions, and the fact that, with the exception of the basic structure, the constitution may be changed by a special majority and consent from at least half of the states. Given the aforementioned prerequisites, there is no doubt that the founding fathers favored federalism in its purest form yet, the Constituent Assembly's debates led to a unique version that was adapted to the Indian circumstances. Ambedkar argued that the articles of the proposed constitution cover both unitary and federal forms of government. It is built to operate as if it were a unitary organization during times of war, but it is meant to work as a federal system in times of normalcy, according to Ambedkar. When the President issues a Proclamation, as allowed by Article 275, the whole situation might alter and the State could become a unitary state.

Ambedkar used extreme caution when advocating for federalist ideals. Ambedkar stated that the Draft Constitution has sought to forge means and methods by which India will have Federation and at the same time will have uniformity in all the basic matters which are essential to maintain the unity of the country. In his opinion, there was no doubt that Indian federalism needed to be adjusted to the local needs and local circumstances, but when it exceeds a certain point, diversity is capable of producing chaos. There is little doubt that the founding fathers carefully considered how to construct a constitution that is federal in the most specific sense possible. The system that

emerged in India is substantially different from the majority of modern federations. Their vision may have depended on the idea that federalism is not merely a structural structure for the distribution and sharing of power between the federal partners, but also a culture that supports its core principles. Its emergence and later consolidation in India is a little paradoxical because it is the product of two opposing cultures one representing the national leaders' normative concern for India's multicultural personality, which is shaped by its unique history and geography, and the other emphasizing their concern for unity, security, and administrative effectiveness.

The 1950 Constitution's proclamation of federalism was the culmination of the former, but the later saw the maintenance of the same governmental infrastructure that had entrenched colonial power in India. In the end, the 1935 Government of India Act had a significant impact on the creation of a federal system that was somewhat hegemonic. The federal system, which promoted an unfair concentration of authority, seemed to be the ideal option for India's nation-building, nonetheless. However, once previously marginal socio-political groups expressed new demands, everything suddenly changed. In light of the changing regional and global environments, the purpose of this essay is to comprehend the processes that resulted in this massive alteration of India's federal structure.

### **The Evolution of The Federal System**

The British colonial administration eventually enacted federalism in response to the nationalist demand for decentralization of power and in order to apply the liberal concept of self rule in colonies. Federalism developed in India as a consequence of the democracy that Gandhi's nationalist movement supported despite colonialism's organic beginnings. In conclusion, a centralized government that bears little resemblance to the one in its original form was produced as a result of the legacies of colonialism, the split of the nation, and the objective of nation-building. Two key constitutional innovations from the days of colonialism seem to have had a substantial influence on the growth of federalism in India. The decentralization of powers among the constituent provinces was ardently supported by the 1918 Montague-Chelmsford Report on constitutional changes and the 1929 Simon Commission Report as perhaps the finest administrative tool in politically-fragmented and strife-ridden India. The Simon Commission made a significant argument in favor of a federal constitution in their report, which stated that the ultimate Constitution of India must be federal, for it is only in a federal system that the powers of the central government can be shared among the The second big intervention was this one. The Act also led to the establishment of an appeal court for constitutional disputes and a federal court to settle disputes between federally recognized states. The Act provided a comprehensive revenue distribution plan on the financial front, which in fact laid the groundwork for fiscal federalism in independent India.

Federalism developed as maybe the best constitutional system for the country since it was politically expedient for the colonial ruler despite the nation being so sociopolitically split. The Congress established its own federal government because of the way it was organized linguistically. Since language often corresponds with a distinctive variety of culture, traditions, and literature, the Indian National Congress unanimously decided to divide provinces on a linguistic basis as early as 1928. The second equally important consideration is the wishes of the majority of the population. People who live in a particular area feel like they are a unit and desire to develop their culture. In a linguistic area, all these factors will help in the general progress of the province. despite the fact that there may not be enough historical or cultural evidence to



support it.

Despite being less urgent, they nonetheless have a requirement for administrative convenience, which includes the area's location, available resources, and financial stability. The idea that the pluralist feature of the Indian politics was a key factor in formulating a constitutional framework for the nation is what stands out in this 1928 study. Administrative convenience, however, is often a question of arrangement and must generally yield to popular demand. The Congress's top officials seemed to accept this notion and regional segmentation based on various cultural traits, including language. Let's keep the aforementioned perspective in mind as we concentrate on the true federal form of government as it emerged shortly after the transfer of power. Given that a federal government is established under the proposed constitution, B. R. Ambedkar made a clear choice. Dual politics, with the States on the periphery and the Union in the core, each with its own set of constitutionally allowed sovereign powers to exercise in its own spheres of influence. The States enjoy total legislative and executive independence from the Center in line with our Constitution. In this system, the Center and the States both have equal power. Therefore, it is false to imply that the States have been under the Center's authority.

Ambedkar's clear preference for a particular type of federal polity was not aligned with the provisions of the 1950 Constitution, which were heavily biased in favor of the 1935 Government of India Act.<sup>53</sup> Instead, a pragmatic consideration of creating a Union out of the patchwork quilt of Provinces and Princely States was probably what guided those in charge of free India's future. The nationalist leadership in India was also concerned that they could have to cope with more attempts at secession from a future Indian union as a result of the decision made by the Muslim-majority areas of British India to create Pakistan. The Gandhian idea of a genuinely decentralized and federal India did not get the significant attention it otherwise merited in the Constitutional discussion because of this worry, according to one study. But the same worries that prompted a desire for more centralized control also gave rise to a counter-tendency in the shape of demands for more autonomy from a number of nations. Others were inspired by the Gandhian tradition to further decentralize institutions. He fought passionately for more state autonomy as a protection against the establishment of an authoritarian center, down to the district and village level.

Indian federation is unique from such organizations outside due to another distinctive feature. There are four different asymmetries in the Indian federation, making it a unique example of asymmetrical federalism, which describes a federation in which some of the units are given weightage because of compelling historical or cultural justifications necessitating special constitutional recognition. The Rajya Sabha represents the constituent provinces according to the size of their populations, creating a general imbalance in comparison to the American system, which assigns two senators to every state regardless of population size. Furthermore, states like Maharashtra, Gujarat, Manipur, Assam, Andhra Pradesh, Arunachal Pradesh, Sikkim, and Goa have particular inequalities when it comes to balancing the number of seats, regional differences across states, the management of tribal regions, and peace and order. Third, the seven areas that were given this status in 2006 have special constitutional standing. The gap between Mizoram, Nagaland, and Jammu and Kashmir is another stark example. While Jammu and Kashmir is accorded special status under Article 370, Article 371 grants Nagaland and Mizoram specific privileges.

Any constitutional framework, including Indian federalism, is contextual and, as was previously said, tied to the polity in which it has evolved through time. T. Federalism, in T's opinion. Indian

federalism, according to Krishnamachari, a member of the Constituent Assembly, is not a definite concept; it has no meaning. As a consequence, it is philosophically erroneous and practically inappropriate to sum it up in a single, confining formula. Federalism is a constitutional system that is always changing, and as a consequence, so are the fundamental principles. The process of federalization has accelerated lately as a result of the President, the Election Commission, and the Supreme Court of India taking on more active positions in federal institutions. In order to ensure that the political and administrative entities within their confined constitutional areas play by the rules, the President and the Election Commission have strengthened their vigilance.

### **The System of Congress**

One of the circumstances that encouraged parliamentary federalism as it was intended by the constitution's framers was what is sometimes referred to as the Congress system<sup>59</sup>, which developed largely because a homogeneous elite held positions of authority and decision-making. Practically speaking, the Congress system served as a means of integrating new elites into the pre-existing spoils system by assigning each new elite a position in the leadership hierarchy inside each layer, resulting in a system of layer alternation at different organizational levels. The Congress Party represented a combination of different interests under the old Nehruvian rule, which provided a unique model of integration in the years after independence. In order to accommodate the additional elites, distributing and subdividing probabilities of obtaining posts, rather than expanding the number of posts itself<sup>60</sup> was done. It was feasible, according to Ravinder Kumar, because Jawaharlal Nehru, India's first prime minister, built a powerful coalition of socioeconomic classes and groups that allowed Congress to control national politics for at least two decades as a result of the popular desire for social and economic transformation.

Rajni Kothari characterized the Congress system as a massive, hierarchically organized party with deep roots in the countryside, seemingly giving a vehicle through which a variety of elites, sub-elites, and groupings could both articulate their demands and strive to actualize them. Rajni Kothari claims that this is the main factor for the coalition's victory. Congress may be able to arbitrate and settle these many, perhaps conflicting requests simultaneously. If necessary to finalize the transaction, the Congress High Command could intervene. The opposition parties were able to interact with like-minded Congress sections because to the range of social groups represented in the ruling party, which was considered to be this system's biggest advantage. Additionally, it seems that the system has been strengthened by the practice of intra-party democracy and socially rooted party and political leaders at the state and district levels. Due to its organizational strength, ideological adaptability, and umbrella status as a large social coalition, the Congress Party remained generally the most potent political force, limiting the election process to a process of reaffirming its popularity until at least 1967.

The political process after independence was successful in exposing both established and new elites to the pedagogy and the practice of a democratic polity wedded to an egalitarian ideology, which is probably one of the reasons for its long-term viability. Underlying this, the argument continues, lay the reasons for federalism's comparatively smooth operation, which was never seriously threatened. A far more complex reality that was characterized, among other things, by extremely low levels of political awareness among the lower castes and impoverished classes, seemed to be cut off from this schematic vision of consensus politics under the Congress system. Like all ideal types, ideal types have a tendency to be oversimplified. Given the endurance of the important political institutions that continued to exercise imperial power even after independence,

it is also reasonable to state that politics throughout the Nehru era as a whole is fundamentally a continuum with the Raj. The Congress Party confronted a variety of social institutions, but its leader, like the British before them, did not attempt to change the social order but to adapt to it. The assertion that Indian politics during the first two decades after independence were built on a form of consensus based mostly on elite accommodation is also probably correct. The system was accepted without resistance due to its closeness to the mobilization of the national movement and the implicit trust that developed between its leadership and the populace. The consensus was founded on discourse rather than ideological positions, according to Nehru's successor Indira Gandhi, who rejected the principle of consensus in favor of the majoritarian principle in reaction to the opposition's increasing power in 1969. Indira Gandhi ignored the party, which had lost its democratic base, since she brought the public with her. The choice of candidates by the leaders at the top of the party hierarchy rendered regional leadership entirely superfluous. The majority of elected officials became easy prey for party factions, various socio-economic groups with vested interests in influencing government policies in key areas in which they have vital stakes, money, and muscle as a result of the concentration of power within the party's top leadership.

Regional demands began to be asserted with growing resentment toward the central state instead of being filtered through party channels. Centralization, which was once thought to be an instrument of purposive interventions by a cohesive and disciplined elite, quickly proved to be suicidal to the prevalent party system and the federal structure and wider affiliations that were built through them. Rarely did regional stakeholders participate in discussions and the Congress party was deinstitutionalized by dismantling the party's federal structure, which significantly contributed to the breakdown of India's federal system. This decay not only left a significant amount of power concentrated in the hands of the central leadership, but also depleted the party of seasoned national and state party officials. The top party official consciously tried to replace party officials and candidates with local knowledge and support with loyalists and favorites at state and constituency level. Indira Gandhi was able to disregard the party because she had created a direct and unmediated line with the people who had transposed enormous faith in her charisma and her image as deliverer and secular messiah.

India's federalism experienced a profound upheaval on the eve of the 1977 national elections when the Congress Party was replaced by the loose-knit Janata coalition, which spoke for a range of, if not opposing, interests. During the brief interval of the Janata government, no serious attempt was made to resist the centripetal tendencies, which by that time had become entrenched in Indian politics, perhaps as a consequence of its other preoccupations. Indira Gandhi's managerial style significantly undermined internal democracy within the Congress Party. When the provincial Congress units disintegrated, state officials became little more than clients of the party's national organ. As she established herself as the key to both political success and personal fortune, there was hardly any challenge to her authority. The outcomes were disastrous. The state tended to overlook the wishes of the component entities and promote power consolidation since those who mattered in political decision-making neither opposed centralization nor attempted to provide a substitute.

Throughout the period of popular politics, a variety of different structures both political and non-political rose to prominence as the consensus model crumbled and gained strength. As a statesman, Nehru had his limits, but the Congress Party he headed accepted new demands and fought to open doors for their fulfillment. With the demise of the party as an effective institution and the system's inability to create new institutional modes for handling newer demands, a new

social class of mediators in the political process emerged. Kothari draws our attention to the wider implications of this new development in Indian politics. The decline of legislative, party, and federal institutions as well as the decline in the authority of the State and of the national political leadership have all contributed to the emergence of new players on the scene, new forms of political expression, and new definitions of the essence of politics.

In India, federalism has historically undergone substantial changes at different periods of its development that are related to the shifting polity's form. The single-party system or the Congress system, for instance, describe the initial phase. With the growth of regional parties in the second phase, new power relationships between the states and the center emerged. These relationships remained in place until the Janata Party coalition came to prominence in 1977. Due to party division in the third phase, which raised new issues affecting the federal balance, federalism underwent a significant change. The emergence and strengthening of the coalition government at the center, led by the NDA, in 1998 seems to have marked the beginning of the fourth stage of the development of India's federalism. The contradiction is that over the last 20 years, states have also become weaker while the center has continuously diminished. A split party system could give certain states greater sway depending on the coalition, but the federal system seems to be in trouble because to Delhi's multi-party coalitions' reliance on regional parties and even groups in the states. The cooperative federalism idea put out by the Sarkaria Commission, which relied heavily on the Inter-State Council, has failed to acquire momentum in the political arena.

Since there has been an upsurge in political participation over the last 20 years, traditionally disadvantaged and marginalized groups have assumed a prominent position in politics and governance at all levels. The rapid politicization and increased participation of groups like OBCs and Dalits raise questions about inclusion, exclusion, various patterns of empowerment, and the effects of these patterns on the development and consolidation of democracy.<sup>77</sup> One aspect of these changes has to do with the procedures and tactics that have encouraged the inclusion of marginal groups in the political decision-making process, ultimately leading to the political empowerment of the marginalized groups. These disputes and struggles, although not unique to India, have supplanted the idioms and concepts that were prevalent and supported the post-colonial goal of social reform. The political landscape has been significantly transformed by these demonstrations, many of which may be related to the underclass' hatred of an elite for reaping the benefits of post-colonial economic success.

## CONCLUSION

In conclusion, The Rajya Sabha serves as both a think tank and a state representative in the Indian political system. It may represent state interests, contribute to policymaking, and keep the balance between the federal government and the states thanks to its structure, mandates, and power. However, maintaining political realities while balancing its role as a think tank and as the voice of the states continues to be challenging. One may get a better understanding of the complexities of federalism, parliamentary democracy, and the functioning of the Indian political system by studying the activities of the Rajya Sabha.

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## PARLIAMENTARY FEDERALISM AND THE BASIC STRUCTURE OF THE CONSTITUTION

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### ABSTRACT:

*Parliamentary federalism is a governance model that combines the principles of parliamentary democracy with the framework of federalism. This chapter explores the relationship between parliamentary federalism and the basic structure of the Constitution. It examines how the basic structure doctrine, a constitutional principle that protects the core features and fundamental principles of the Constitution, interacts with the principles of parliamentary federalism. The chapter analyzes the implications of this interaction on the distribution of powers, the role of the judiciary, and the stability of the federal system. It delves into relevant case law and constitutional provisions to illustrate the complexities and dynamics at play. By understanding the interplay between parliamentary federalism and the basic structure of the Constitution, we gain insights into the constitutional framework and the balance of power in federal states.*

**KEYWORDS:** *Central Government, Constitutional Amendments, Decentralization, Federal System, Judicial Review, Legislative Powers.*

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### INTRODUCTION

Parliamentary federalism is a core tenet of the Indian Constitution in two key respects. It establishes and maintains the politico-administrative foundation of the nation by providing a precise framework within which governance is to be articulated. Second, the political atmosphere produced by the split of the country and the integration of the states made the parliamentary form of government seem to be incompatible with federalism, but it really turned out to be the best possible structure[1], [2]. Does the basic structure of the Constitution include the parliamentary form of government and federalism? They are without a doubt crucial to Indian politics since they support the country's democratic system on a political and institutional level. These values, which are fundamental to the constitution, important to thought, and critical from a political standpoint, seem to have become stronger, most likely as a consequence of India's diverse structure. In this sense, parliamentary federalism, which was conceptualized in the 1935 Government of India Act and thus has imperial roots, gained prominence in large part as a result of the distinctive social structure of the Indian polity, where this constitutional structure found organic roots.

The development of our resolutely democratic constitution occurs, in the words of Amartya Sen, in defiance of the standard understanding in the world of what is or is not feasible in a country with such overwhelming poverty and massive illiteracy. In reaction to the shifting socioeconomic situation, the court frequently analyzes the constitutional provisions as a living document without modifying its basic structure, which has never been spelled out in detail. The court seems to have avoided it, most likely as a result of the obvious challenges in clearly articulating the

Constitution's basic framework, which is connected to socioeconomic situations. Nevertheless, the Supreme Court of India has expanded on the concept in several of its rulings while taking into consideration the unanticipated circumstances that prompted judicial action[3], [4]. The Kesavananda Bharati case in 1973, which has been referred to as the bedrock of constitutional interpretation in India, initiated the basic structural debate, which changed the discourse around Indian constitutionalism. The Supreme Court of India restricted parliamentary authority in this oft-quoted case by asserting that any constitutional amendment could be deemed invalid if it violated the basic structure of the constitution, even if it had been approved in accordance with Article 368 of the Constitution. Arun Shourie claims that by making this ruling, the Supreme Court built a dyke to protect the country and the citizen from the political class. This decision is important in two ways first, it confirms the founding fathers' warning that the Indian parliament does not enjoy the same level of supremacy as it does under the Westminster system of government outside of emergencies; and second, it demonstrates that the core principles that uphold the Constitution in its original form must never be compromised.

Parliamentary supremacy is prized in the parliamentary democratic political system, which upholds federalism as the foundation of the Indian polity. The Constitution's guiding principles can only be altered at the cost of its core structure. There is a significant challenge in determining how the fundamental structure should be construed since the Supreme Court said specifically that the claim of any particular feature of the Constitution to be a basic feature would be determined by the Court in each case that comes before it.<sup>81</sup> In light of this, even though the Court lists a number of traits as fundamental features, such as the supremacy of the Constitution, parliamentary democracy, the principle of the separation of powers, the independence of the judiciary, and the limited amending powers of parliament, these traits are not finite. The primary premise is that certain elements of the Constitution are more fundamental or basic than others. Despite the fact that the Constitution may be amended by according to the established procedures, certain basic provisions cannot be altered, most likely because doing so would fundamentally change the Constitution[5], [6].

Two difficulties are brought up when the underlying structure is taken into account. First, in order to create a balance between the court and the legislature, the argument redefines parliamentary supremacy as relative to the circumstances. Since the advancement of India's parliamentary democracy depends on these values, the parliament is never allowed to challenge them. By seeking to provide a contextual interpretation of the essential structure, the supreme court draws our attention to the organic nature of the Constitution, which evolves in line with the rapidly changing socio-economic and political events. The idea of a core structure is pliable conceptually and open to change as required. Here, a simple example will do. A system of power sharing between two levels of government, one at the union level and the other at the provincial level, was defined as the ideal type of federalism by the founding fathers. The seventy-third and seventy-fourth amendments really altered the essential structure of the Constitution by establishing a third tier in addition to the union and states, making them violative of it.

The creation of a third tier is a notable distortion in the typical two-tier structure of governance since it is in the direction of greater federalism than what now exists. It was noted that these modifications implemented the concept of democratic decentralization and are therefore indicative of the organic nature of the Constitution. Similar to this, even if there was 'universal acceptance' for these changes, the introduction of ideas like socialism and secularism did not affect the underlying structure. The notion that the basic or fundamental constitutional design

concepts are not totally inviolable but may be altered if necessary to adapt to the social, political, and economic context is essential. Although it has created a challenging region, basic structural theory has managed to achieve a balance, if an uneasy one, between the Supreme Court's and Parliament's responsibilities in maintaining the integrity of the seamless web. However, there is a definite difference between those who support and oppose the basic structure doctrine those who support it see it as a necessary check on parliamentary majorities intent on jeopardizing democratic freedoms, while those who oppose it see it as a legitimate pressure on the state ameliorating policies for the vulnerable sections of society. the Fundamental Rules of the legislative federalist system, which is more than merely a constitutional arrangement, acts as a link between India's many constituent states.

In this respect, it is important to the political-constitutional order that India has evolved since the adoption of the Constitution in 1950. As a consequence of a growing federalization that began when the Congress lost control of many states in the 1967 state assembly elections, parliamentary democracy in India is being redefined, especially during the coalition period. A radically different scenario existed during the Congress system period, when the Congress Party had complete power over both the federal government and all state governments[7], [8]. What was suggestive in 1967 seems to be a pattern that has been going on for a long, with the component provinces obviously in the political ascendancy and being governed mostly by political parties with local roots. The senior leaders of either of the two major coalitions at the pan-Indian level can only afford to ignore them at significant political cost. In India's new political environment, parliamentary federalism seems to be an innovative political-constitutional response to a situation that is hardly comparable. Due to its historical roots, parliamentary federalism may be the only system that balances what at first look seem to be conflicting impulses between the parliamentary and federal systems of government.

## **DISCUSSION**

### **The Turbulent 1960s**

Without a doubt, the Congress system helped keep India under one-party control until the 1967 state assembly elections. The Indian National Congress played a crucial hegemonic role in governing public affairs largely without challenge from parties outside the Congress fold. The former Congress leadership managed internal opposition successfully, never allowing a conflict inside to jeopardize the group's ability to serve as a political party and a forum for resolving conflicts impacting regional issues. Using this tried-and-true tactic, the Congress Party almost uninterruptedly maintained its control on the Indian political scene until 1967. The Congress wave was mostly halted. Significantly, the Congress Party faced a greater challenge from the parties' strong presence and party consolidation than from the Congress Party's inability to maintain its grip on the states. It is also true that the majority of these regional organizations had very little in common ideologically with the Congress party in reality, the majority of these parties had their inception with the Congress. These parties had a separate political voice that had significant scope in opposition to Congress. This was most likely caused by a political climate that was favorable and enabled voters to effectively convert their political opposition to the Congress into votes[9], [10].

It's also probable that provincial regional parties rose to prominence as a result of anti-Congress sentiment. With the exception of the 1957 Kerala experiment, this was the first time non-Congress parties organized coalitions to oppose Congress in as many as nine states. This was

primarily a regionally dictated political phenomenon in that the issues that shaped the coalition's formation and continued existence were strongly influenced by regional interests. The emergence of the regional parties as a coherent force striving for power at the center is probably the result of the Congress' death as an organized party representing several and sometimes competing socioeconomic interests. The demise of internal democracy, the emergence of the top leadership's personalized mass appeal, and the departure of the nationalist generation were among the factors that led to its loss of hegemony. Congress was no longer a party able to balance conflicting social interests and realize the individual ambitions of those involved in its growth at the provincial and local levels. Second, with each election cycle, new socioeconomic groups and strata are exposed to politics. Since the prominent groups of the governing party tended to make it difficult for them to do so, these newcomers found it easier to join politics via non-Congress parties or, on occasion, even founded new parties.

As a result, it seems that the growth of new parties outside of the Congress to address previously unmet sociopolitical demands was a crucial factor in the formation of a coalition with diverse ideological positions. The 1967 elections, which brought regional parties to the fore of Indian politics, are the main subject of this. It wouldn't be incorrect to say that the 1967 elections represented a significant departure from the past in that a number of regional parties realized how important it was to form a coalition with like-minded political organizations in order to advance ideological goals that were still on the periphery of Congress's agenda. This will be a thorough examination of this phenomena in light of the recent rise of coalition politics in India. By propagating the idea that coalition is both intellectually and politically advantageous, the will probably provide the foundation for other initiatives of this sort when coalition becomes a crucial aspect of Indian political life. In other words, the 1967 experiment calls our attention to a dual process: on the one hand, the election clearly revealed a weakness in the regional support for the Congress, and on the other hand, the 1967 poll results revealed the start of a crucial process by which the fragmented regional parties came together in support of distinct regional interests that the Congress had failed to adequately represent.

The fourth national Lok Sabha elections and the state assembly elections, both conducted in February 1967, marked a significant shift in India's political landscape. In nine states, the Congress was no longer in charge. Except for Madras, where the DMK triumphed handily and C. Annadurai was elected chief minister, governments were built in other states via a coalition of many parties. They may have united over their dislike of Congress, which had been in charge of these states continuously until 1967. In order to retain the collaboration, a limited shared program that avoided controversial topics as much as possible was created. The unification of non-Congress parties, which occurred at a time when the Congress system seemed to be critically defective due to a complex evolution of socioeconomic circumstances, was therefore the most remarkable feature of the 1967 elections. However, the alliance did not seem to be cohesive in terms of thought or program, most likely as a result of this.

The only thing that these regional parties had in common was their antagonism to the Congress. As a consequence, the Samyukta Vidhayak Dal was established in Bihar by the SSP, PSP, Jana Sangh, Jan Kranti Dal, and CPI. Mahamaya Prasad Singh of the JKD was selected by the Bihar Assembly with a majority of the vote to serve as the state's first non-Congress chief minister. The Republican Party, the CPI, the Jana Sangh, the Akali Dal, the SSP, and other anti-Congress organizations came together in Punjab to form the Popular United Front. Chief Minister Gurnam Singh of the Akali Dal was chosen. Following the 1967 elections, West Bengal's two non-

Congress governments were constituted. The Bangla Congress oversaw the second experiment, in contrast to the CPI's leadership of the first. Ajoy Mukherjee of the Bangla Congress was the state of West Bengal's first non-Congress chief minister. a United Front government headed by E. M. S. Namboodiripad of the CPI was in charge. Orissa's dissident Congressmen, led by the outgoing chief minister H. The Swatantra Party, a party mostly composed of ex-princes, was founded by K. Mahatab and served as the Bhubneshwar government.

The anti-Congress views were aired by many who left the Congress before the 1967 elections, particularly in Uttar Pradesh and Madhya Pradesh in the Hindi heartland. In Uttar Pradesh, the C. The Congress ministry is headed by C. Three weeks after it began office, B. Gupta failed, and the SVD government replaced it when Charan Singh left the Congress. Due to Vijay Raje Scindia and the D, the Congress saw a decrease in votes in Madhya Pradesh. Abandonment of governance. P. Mishra failed in his fight. Then, aG. The SVD administration, led by N, included the Scindia group, the Jana Sangh, the SSP, and the PSP as members. Singh. In Haryana, where the Congress lost its numerical majority in the assembly, a significant number of dissident Congressmen defected, creating a slightly different situation. As the leader of the recently established United Front, Rao Birendra Singh was appointed chief minister.

Evidently, the 1967 elections marked the start of a new era in Indian politics. This signaled the beginning of a phase of coalition politics as organizations with strong anti-Congress sentiments banded together. The fact that these coalitions were primarily supported by anti-Congress sentiments was both a strength and a weakness for them: a strength because it crystallized the desire for a political alliance against a political enemy, and a weakness because the oppositional sentiments weren't enough to keep the alliance together when constituents' interests diverged. The alliance broke apart as soon as issues began to plague the members since there was no system in place to defuse the situation before it became disastrous. Thus, the coalition's story is one of both success and failure. Despite the fact that it failed to follow the spirit in which it was founded, the ephemeral existence of coalition governments in the states clearly points to a new political wave that is testing the conventional faith in the Congress system. The unique cultural diversity of the nation and the growing regionalization of Indian politics served as the foundation for this process. Because they illustrated the clash between regionalizing and centralizing political forces, the 1967 elections were a turning point in Indian politics. In other words, the outcomes of the 1967 election strongly indicate that Indian politics underwent a change that produced a tendency in the form of demands from several states for greater regional autonomy and in somewhat more feeble, but recurrent proposals from politicians who continue to draw inspiration from the Gandhian tradition for greater decentralization of institutions in India down to the district and village level as well.

Congress's decline and the development of a new wave. Unquestionably, a new political movement in India was shown in the mid-term elections held in West Bengal, Uttar Pradesh, Bihar, and Punjab in February 1967. The Congress' humiliating loss in these states demonstrates its incapacity to consider the electorate's varied sociopolitical interests, which remained the primary source of strength of the former Congress system. No party could secure an independent majority on the parliamentary floor, that much was apparent. More diverse interests, opinions, and objectives existed than could fairly be handled by any one political party, including Congress. It was a dilemma when the alternative to sharing power might be to lose it to decide whether or not to share power. This alludes to the possibility of an alternative power structure based on politically sensible considerations. It does not seem that ideology has a substantial role in bringing together various political groups. In conditions when anti-Congress sentiment was strong



and openly voiced, it seemed advantageous for the non-Congress parties to put up a front by downplaying ideology and other important considerations. As a result, alliances were little more than variations on a contextual logic that extensively referenced the opposition's congressional stance.

The United Front government in West Bengal serves as a notable illustration since it featured fourteen parties. Coalition administrations emerged as a consequence of the change from Congress' dominance to multi-partyism. The parties' coalitions' glaring ideological disagreement was brought about by the front partners' urgent need to stop Congress from assuming power. It would not be wrong to assert that the demise of the Congress left a void in the state that was not filled until 1977, when the CPI became the new governing party, given the instability of the Front administration. The main reason that drew these philosophically opposed groups together was the anti-Congress sentiments, which were an expression of the mood of the times and the pattern to have come to stay.

### **Collaboration in West Bengal**

The coalition in West Bengal represented an effort by non-Congress administrations in other states. It was rare for the Communist Parties to choose to unite with their adversaries who had opposite ideas. According to a CPI official document that supports their decision to join the coalition. The current UF administrations should be seen and understood more as weapons in the hands of our people than as governments having the power to materially and substantially alleviate the public. To put it in simple class terms, our party's participation in such regimes is one specific method the proletariat fights to win over more and more supporters and allies.

The CPI leadership also saw the significance of creating a coalition against a Congress that was organizationally strong by letting go of its ideological catholicity and even justifying its engagement in administration with the so-called communal parties. As was once again emphasized. The once-unified Communist Party continued to have an inaccurate, dogmatic approach toward political organizations like the Muslim League, the DMK, and the Akalis. Our Party heroically campaigned for electoral agreements, modifications, united fronts, and finally, membership in united front governments with parties on an agreed-upon government agenda in order to successfully eradicate this misguided mindset.

Evidently, the CPI participated in this kind of governance experiment with a specific political goal in mind. In order to clearly clarify the purpose of such a decision on the part of the CPI, a resolution to that effect was enacted. On the one hand, it was meant to bring together political groups that shared similar views in opposition to a powerful political party. On the other side, it would support their efforts to advance socioeconomic policies that support people's wellbeing. Consequently, the Party's leadership released the following unequivocal statement. Our party's representatives in the state governments of Kerala and West Bengal have to take the lead on this issue, write certain land and agricultural policies, and fight to get them approved by the representative UF Governments. In order to strengthen the positions of these ministers and prevent any possible wavering and uncertainty among the other partners and factions in the ministries, independent mass mobilization for these legislation and against them must begin immediately.

The common minimum agenda was probably inspired by a plan like this, where competing ideologically oriented parties came together under a single central leadership in terms of

governance. In addition to these factors, other factors contributed to the fall of Congress and the subsequent formation of a coalition in the state. By the middle of the 1960s, the nationalist leaders were long dead and gone. political figures of B stature. C maintained control over the intra-organizational faction disputes. Keeping Roy and Atulya Ghosh from becoming a major problem for the party. As a result, Congress substantially profited from exercising its nation-alist role in subsequent elections. Faction conflict separated the all-India Congress even before the Bangla Congress emerged as a result. Second, two repeated droughts that struck in the middle of the 1960s presented serious difficulties for the Congress administration. Major food shortages resulted from these droughts. Following the 1947 split, West Bengal's condition was unstable because of the influx of migrants from East Bengal.

The state suffered twice: first, hosting more refugees than any other state in India, putting an unprecedented strain on the state exchequer for obvious reasons; and second, being unable to withstand this strain because its requests for additional central grants were not always well-received, particularly after B's passing. C. Roy in 1962, a year in which the West Bengal Congress government saw a major decline in its bargaining position. The rise of the left-leaning parties in West Bengal also contributed to the demise of the Congress. The poll's findings showed that while the number of Congress members in the legislature had decreased steadily and gradually from 150 in the 1952 elections to 127 in the 1967 elections, the number of seats held by left-leaning political parties had increased significantly from 42 in 1952 to 72 in 1967. Undoubtedly, one of the factors that helped the left-leaning parties gain political ground was the state-wide food shortage problem, which the Congress government neglected to solve. In addition, industrial strikes worsened the economic situation for the general public. The state's history of riots and the ineffectiveness of the administration lack maintaining law and order.

Following the 1967 elections, the Bangla Congress worked with the left-leaning CPI, CPI, Forward Bloc, and Revolutionary Socialist Party to form the United Front government. It ushered in a new era of coalition politics in state politics, although its record wasn't all that stellar. The state was facing several difficulties when the UF government was created. The food crisis was the government's weak point. Internal party fighting among the constituents separated the government in addition to this insurrection problem. The rift between the two main communist parties, CPI and CPI, that could not be bridged was unquestionably one of the major contributing factors. Clearly, a professional states:The only persistent enmity inside the UF was the fight between the two communist parties. Even though these periods of calm were fleeting, the two factions continued to meet together to resolve disagreements inside the UF. Either fresh arguments emerged or old ones flared up again to poison their relationships.

It exemplifies the obvious difficulty a coalition has when its constituents fail to see the need of togetherness in a chaotic and emergency situation. The coalition's members most likely lack maturity as well. The pre-coalition debate inside the CPI, which was prominent in the UF administration and interfered with its routine operations, was most likely brought on by this. The anti-Congress sentiments that had first brought them together were inadequate to hold the coalition together when a real crisis emerged. Neither the Bangla Congress nor other constituents, including the two largest communist parties, ever submerged their individual identi- ty inside the government for the sake of the coalition, which was perhaps the most weak from the beginning owing to drought, recession, inflation, and labor unrest. The Front government led by Ajoy Mukerjee made some significant changes in the areas of irrigation, land distribution to landless peasants, public relations, the number of students enrolled in degree programs, and the

relationship between the executive and judiciary while still respecting judicial decisions. The alliance that gathered the two main communist parties under one platform was never well-liked because the Front's majority was so tenuous and its supporters, especially the communists, had such entrenched hostility against one another as a consequence of the 1964 split between CPI and CPI.

Instead of the communists, it was a group of dissident Congressmen known as the Progressive Democratic Front, commanded by P., who went off on their own and handed the Front its death blow. C. Ghosh, who served as the previous administration's food minister. The Front had lost its majority, thus the Governor dismissed the government on the grounds that it no longer had *locus standi*. The Ghosh administration was sworn in in November with the help of the Congress Party, which had avoided the Front cabinet. The honeymoon period with the Congress, however, came to an end in February when the Ghosh-led Progressive Democratic Front cabinet lost its legislative majority. The President's rule was implemented, and coalition politics were eliminated. The experiment provided a distinct theoretical view of how governments are created, albeit being short-lived.

The merger of several parties was undoubtedly a crucial step towards the creation of coalition governments in a situation where a one-party majority was implausible, in contrast to the one-party dominance paradigm. The second significant change was the growing usefulness of defection as a tactic for rallying coalition support. West Bengal experienced two governments in less than a year, demonstrating the alliance's inability to retain its viability. Unlike the previous Front where opposition to the Congress reinforced the coalition, the PDF was founded as an adversary to the Ajoy Mukherjee-led government. In each of these cases, personal preferences of those who mattered on both fronts seemed to have impacted the choice rather than ideological distance. This highlights how important it was for coalition partners to break away when the majority in the legislature was a sham. The West Bengal experiment therefore highlights a paradox since, despite the fact that coalitions were clearly viable even when the participants were not ideologically compatible, coalitions failed in both cases due to the lack of ideological compatibility.

## CONCLUSION

In conclusion, Parliamentary federalism and the underlying structure of the Constitution must cooperate in order to maintain the balance of power and defend the fundamental principles of democratic democracy. The essential principles of the Constitution are shielded against assault by the basic structure theory, preserving the stability and integrity of the federal system. Understanding how parliamentary federalism and the underlying structure of the Constitution interact gives us insights into the constitutional framework and the balance of power in federal states, contributing to ongoing discussions on effective governance and constitutional interpretation.

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## EXAMINES THE DYNAMICS AND IMPLICATIONS OF COALITION FORMATION

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### ABSTRACT:

*Coalition politics has become a prevalent phenomenon in various states across India. This chapter examines the dynamics and implications of coalition formation in different states, exploring the factors that contribute to coalition politics, the challenges and benefits of coalition governments, and the impact of coalitions on governance and political stability. The chapter delves into case studies from different states to understand the patterns, trends, and outcomes of coalition politics. By analyzing coalition dynamics in diverse state contexts, we gain insights into the complexities of regional politics, alliance building, and the distribution of power in multi-party systems.*

**KEYWORDS:** *Chief Minister, Coalition Government, Governance, Legislature, Political Parties, Power-Sharing.*

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### INTRODUCTION

The 1967 election results significantly altered the political climate in Uttar Pradesh.<sup>12</sup> After losing the majority it had in the election, Congress was unable to set up a state government. The sole party with members in the UP legislature was Congress, although it did not have a majority. The Congress's dwindling power was filled by the two major opposition parties, the Socialists and the Jana Sangh. The Jana Sangh was one among them, and it grew quickly, going from 6.3% of the vote in the first general election to 21.6% of the vote in the 1967 elections. The Sanyukta Socialist Party also gained at the cost of Congress. Congress received less support in the 1967 elections than it did in the third general elections in 1962, according to the findings. In view of the divided public sentiment, the non-Congress parties had a series of discussions to examine the potential for forming a coalition government[1], [2]. The idea was attractive to every group that opposed the Congress. However, the Jana Sangh and the communists were unable to come together since there was uncertainty on whether they could share power given their stark ideological differences.

It was also questioned if such disparate parties could create even a basic shared program to act as the coalition's compass. Following their unification in Bihar under the direction of Mahamaya Prasad Singh, who eventually became the state's first non-Congress chief minister, the Jana Sangh and the communists made the decision to establish a coalition in the state of Uttar Pradesh[3], [4]. Non-Congress parties attempted to band together, but Congress also went above and above to establish a government in the province. C. B. Gupta, a seasoned Congress politician, was selected as the head of the Congress parliamentary party over Charan Singh, another capable contender, with the support of independents, to fill the hole created by Kamalapati Tripa's defeat. Charan



Singh rejected to take the job because he was angry with the Congress High Command for favoring Gupta. Gupta's minis-attempt was thus doomed from the beginning since a substantial number of MLAs who were committed to Charan Singh and his confidant Jai Ram Verma remained away. The Congress split on April 1, 1967, only one week after Gupta assumed the position of chief minister. The group headed by Charan Singh went on to create the Jana Congress. Singh justified his choice as most appropriate, referring to the defection as a historic turn in our lives, and claiming that people nowadays do not understand why prices are decreasing in states with non-Congress administrations and that political parties do not primarily use the public sector as a tactic. We had held some political ideals and doctrines in high regard.

Since we are unable to pursue these ideals while in the Congress, we feel that leaving would enable us to do so more effectively[5], [6]. These Congressmen's defection caused Gupta to lose the no confidence vote and toppled his 18-day-old administration. The Samyukta Vidhayak Dal, which includes lawmakers from the Jana Sangh, SSP, PSP, Swatantra, Communist Party, Republican Party, and independents, was founded in UP by non-Congress legislators in a manner similar to that of Bihar. The SVD was a combination of several elements with clear ideological gaps between the participants. They got together because of anti-Congress sentiments that seemed to have subsided after the main objective of overthrowing Congress was accomplished. On April 3, 1967, the first coalition government of UP, often known as the SVD government, was sworn in with Charan Singh as its undisputed leader[7], [8].

The SVD ministry provided accommodations for the partners depending on their proportionate power within the ruling coalition in accordance with the coalition's objectives. The SVD government allowed party leaders the power to pick delegates, in contrast to prior administrations when the chief minister ordinarily chooses the cabinet members. The representation of the constituencies in the cabinet was still based on their proportional SVD strength, albeit there were several exceptions to this norm[9], [10]. In order to retain a coalition of ideologically opposite partners, a shared minimum program was created while disregarding the contentious issues. A number of legislative efforts were included in the common minimum program, sometimes known as the nineteen-point program, which was designed to improve the socioeconomic profile of UP. The nineteen-point program emphasizes the following points: the elimination of land revenue, tax on land and buildings, and profession tax; the introduction of equal pay for equal work for teachers of aided schools with their counterparts in the government schools; the linking up of the dearness allowance with the cost of living index and acceptance of the government employees in this regard; and the implementation of a national agricultural policy.

The chief minister and Jan Congress, which later changed into Bharatiya Kranti Dal[14], did not support these projects despite the fact that they were wonderful. In truth, Charan Singh categorically refused to endorse these goals in his maiden speech to the legislative assembly as chief minister because they were impractical. He said that these suggestions were just recommendatory. He continued by saying that when in opposition, calling for tax reductions and pay raises for public servants was one thing, but acting on these requests from the treasury benches was quite another. Since the UP coalition government was doomed from the outset, the Jan Congress did not modify its stance despite being convinced. The excitement around the non-Congress partnership was short-lived as it became apparent that the SVD had internal conflicts. They call for the abolition of land revenue, Rammanohar Lohia, the SSP's leader, threatened to quit the SVD if the government did not grant his request.

The SVD partners clashed over Jana Sangh's position in the administration in addition to their differences in ideas. Political parties who openly opposed the Jana Sangh, such as the PSP, SSP, CPI, and Republican Party, attacked the Jana Sangh for its utilization of government machinery in spreading its influence in as many spheres of life as possible.<sup>17</sup> By July 1967, the SVD had already started to disintegrate, and on August 16, 1967, Charan Singh first offered his resignation to the SVD secretary. According to Singh, it was difficult for him to continue serving as chief minister due to the unreasonable attitude of the coalition government's constituents. He later withdrew his resignation, nevertheless, after getting guarantees of support from the coalition's members. At this point, there was a little reprieve for the SVD alliance. Internal conflict among the ruling coalition got out of control. After the CPI withdrew from the SVD and Jana Sangh resolved to remain neutral in the event of a motion of no confidence against the government, the Charan Singh administration was left with no alternative but to resign. Following Charan Singh's resignation on February 17, Article 356 was formally implemented in the state on February 24.

In the 1969 election, Congress was able to regain power because of the opposition's disorganization.<sup>20</sup> Even though it only held office for a short time, the SVD coalition government signaled the start of a new era in Indian politics. The Charan Singh government not only represented a significant departure from the past, but it also gave Congress the chance to face competition from another political group. In a way, the coalition of ideologically opposing political parties was created as a result of the breakdown of the Congress system, which had upheld the Congress monopoly since the 1952 elections to the UP legislative assembly. It is beyond a doubt that the fall of the Congress system led to a fragmented and imbalanced party structure. However, the 1967 elections altered the political climate in Uttar Pradesh by posing a threat to the Congress' dominance in areas that had previously served as its strongholds. It is evident that the opposition parties united despite their ideological differences to limit the Congress party's electoral power, which caused the party to lose its sway in the state of Uttar Pradesh. The SVD was an unusual effort at a coalition of parties, but it failed to resolve internal issues mostly because of ideological incompatibilities among its members.

## **DISCUSSION**

### **Coalition in Madhya Pradesh**

Although the West Bengal coalition experiment was a failure, Madhya Pradesh's version successfully operated for five years in three different independent countries. Before a third coalition led by the Congress, MP had two SVD alliances. A few alliances were able to endure the whole period despite certain challenges. According to a professional, the MP experiment provides a remarkable example of an uneasy, inchoate alliance, surviving one ministerial crisis after another, and gaining a fresh lease of life for the time being on each agonizing occasion. Defections caused the coalition administrations to fall, just as they did in West Bengal. Congress was the victim, and the dissident members of Congress formed a breakaway group to provide the required numerical strength for the legislature. Given the shaky nature of the three distinct coalitions, there is no doubt that what brought the dissidents together was their willingness to use all means necessary to keep particular groups out of power. This makes sense given that the dissidents not only used to be members of the Congress but also quit the parent organization because they didn't agree with the factions that controlled the provincial Congress.

When Govind Narayan Singh and his fellow Congressmen quit the D, that was the first blow. party, which the chief minister leads. After the short-lived Congress ministry was toppled, Mishra

P. N included 36 ministers. 19 members of Singh's coalition administration were from the G. Vijayaraje Scindia of Gwalior, seven Jana Sangh members, and the other members of other dissident groups supported N. Singh's Lok Sevak Dal. When the Mishra administration lost its majority in the assembly as a result of the factions led by G. Both Vijayaraje Scindia and N. Singh. The collapse of the ministry was attributed by the media to the previous chief minister, D., and another person. P. Mishra and Scindia. In this instance, interpersonal problems rather than philosophical disagreements existed between the two erstwhile regional Congressmen. G. the ministry, etc. It managed to live thanks to a successful balancing act between its flock and the detractors in N. Singh served as chief minister for twenty-one months. In return for Raja Naresh Chandra Singh's promise to abandon the Congress, Singh offered him the office of chief minister. The promise was fulfilled since Singh proposed the Raja as his successor when he quit.

The SVD and party members' collaboration was already under jeopardy because of frequent threats. The politics of intrigue seems to have culminated when Singh and his SVD comrades left to rejoin Congress. Raja's government was forced to leave the fort after losing the majority on March 19, 1969. In turn, Congress profited. The happiness, however, did not last long since D. P. Mishra was had to retire as a result of a court reprimand. Due to this, the leadership needed to shift, and S. C is the next head of the Congress. Shukla. Under Shukla's direction and with the support of the Progressive Legislators' Group of Twenty, a new coalition was formed. Despite needing the assistance of several different political parties in the parliament to survive, the coalition remained weak, but unlike in West Bengal, it completed its whole tenure. The MP experiment is therefore a prime illustration of the new coalition wave, which lasted despite continual threats to its existence under various political guises.

The fact that there was effectively a factional war going on inside Congress and the majority of factions cooperated to keep certain other factions out of power because they personally loathed their leaders may help to explain the coalition's endurance. In other words, the three unique ministries really belonged to the Congress, and each one rose in significance as a result of particular alliances. These relationships were mostly the result of faction warfare, in which personal objectives took precedence over the party and the doctrine it stood for. While a lack of ideological commitment is the reason for the MP coalitions' fragility, the fact that they lasted longer than expected also raises questions about the value of a broad ideological affinity among those who were politically baptized by the Congress. All three donors to the coalitions were previous members of Congress despite intra-faction conflicts. Perhaps there were emotional connections that affected certain circumstances. One such goal that brought the groups together was the desire to stop certain parties from gaining power.

### **The Haryana Experiment**

Coalitions cited dissidence and desert as examples. Congress was the first to die. By the 1960s, Congress seemed to have lost its capacity to be adaptable and settle disagreements before they hurt the party. The leaders' individual contributions to the growth and cohesion of the party helped the party's leadership build a foundation of support. As a consequence, it seems that historical factors had a role in Congress's demise. An analysis of the Haryana coalition experiment shows how historically weak Congress, which was unable to sustain its social base, has contributed to the emergence of coalition-friendly political circumstances. To get money out of the problems the groups in power faced, those who had a following or were powerful inside the organization threatened to break away. Internally controlled dissidence eventually became

destructive, most likely as a result of Congress's failure to end the situation by bestowing patronage. As a result, dissidents sought to gain by seceding from the parent organization to start a new party or by allying with strong factions to achieve their objectives.

In the story of Haryana, the pattern is repeated. Bhagawat Dayal Sharma's government assumed power after the 1967 election. A Front government was established in the province by Rao Birendra Singh, who deserted the Congress along with fourteen MLAs. That is, a tit for a tat. The current chief minister was taught a lesson in this way since Sharma is supposedly to blame for the defeat of numerous Singh-supporting Congress candidates. The Sharma group's opposition prevented the Rao government from gaining the support of the majority of voters. Since it was more-or-less expected, the Rao administration never tried to show off its majority on the assembly's floor. With the excuse that the state administration had been paralyzed and no alternative government was possible with a large number of legislators rapidly changing their loyalties, the governor dismissed the ministry after weeks of shaky existence and was unable to create an alternative ministry.

The discontent in the political system in Haryana was not alleviated by the midterm elections. The new face of the Congress was Bansi Lal. Sharma was not allowed to run, but he donated to other Congress candidates who won and pledged their support to him. Bansi Lal was in a precarious situation and had little power to sway the newly elected lawmakers. In the hopes that he would support Lal's bid for the provincial Congress president, Sharma supported Lal. Lal was reluctant to back Sharma, who at that time had taken control of the United Front, a faction within the legislature, thus this didn't happen. Lal was able to thwart Sharma's plans with the aid of the Jat community. The upper castes, especially the Brahmins, who never made up a major portion of the caste groups in Haryana, provided very little support for Sharma. As a result, Lal benefited from the substantial caste majority and the opposition's fear of losing its base of support, and any possibility of a conflict over the ministry between the two sides was eliminated. In other words, the Haryana coalition is a story of two opposing scenarios.

On the one hand, the SVD's first two coalition-building initiatives were typical political coalition-building exercises. The weakness of these partnerships was immediately obvious, in large part because it was difficult to get enough votes in the legislature. On the other hand, Bansi Lal's second story demonstrates how much a strong social base deters revolutionaries when there is no guarantee of their political victory. In reality, the Congress system was only able to endure because it had created a social base by showcasing its multicultural characteristics. In order to retain the social support they had there, the groups that left Congress to create new political parties or units sought to do so. In Haryana, both Sharma and Rao Birendra Singh belonged to affluent castes that were neither supported nor loved by the ordinary public. They had a limited appeal as a result, but it was always enhanced by the financial help they offered potential applicants. It had a positive result, so long as the basis of politics was not democratized. Given the complex evolution of coalition administrations in Haryana, it is now clear that the era of single-party majorities was coming to an end and that coalition governments were just new political experiments in line with the multiethnic makeup of Indians. In other words, it appeared that a novel process had been at work, whereby the Congress Party's inability to adequately represent a variety of interests led to the emergence of other parties and organizations that sought to establish a strong base of support by appealing to caste, class, or regional concerns.

### **Kerala's Attempt At A Coalition**

With the overthrow of Kerala's democratically elected communist government in 1959, a new era in the state's political history began. The CPI-led single-party government was toppled not due to any internal strife or loss of assembly majority, but rather because it had failed to address the conflicting interests of the dominant caste groups. Kerala, India's southernmost state, is sociopolitically unique and has a distinctive demographic profile. Christians and Muslims make up a significant share of Kerala's population in addition to Hindus. Kerala's politics are really the making of permutations and combinations of the four communities, which comprise Christians, Muslims, Ezhavas, and upper-caste Hindus from the Nair group.

The many religious groupings are not evenly distributed over the state. For instance, there are a lot of Muslims in north Malabar, especially in the Malap-puram district, yet the majority of people there are Christians. Understanding this specific demographic calculus is essential to comprehending coalition politics in Kerala. Because they make up the majority of the population, Muslims not only control the electoral balance of the district but also provide the requisite number of votes for a coalition of parties promoting their causes. As a consequence of the election, the Muslim League has continually maintained power over this district under several guises. They are divided between the Congress and several breakaway groups that represent the sons of the soil, similar to how the Christians make up a solid voting bloc.

Since 1967, Kerala has alternatively been ruled by the Left Democratic Front, led by the CPI, and the United Democratic Front, administered by the Congress. Along with the three major communist parties, the CPI, CPI, and Revolutionary Socialist Party, the LDF also included the Mani and Pillai faction of the Kerala Congress, the dissident Muslim League, and the shaky Congress for as long as it lasted. The UDF, which is as varied as the LDF, also includes the Muslim League, a branch of the Kerala Congress, the Janata Party, the Praja Socialist Party, the National Democratic Party, and the Socialist Revolutionary Party. While the members of each of these conglomerations often changed parties for political reasons, the leading parties remained steady. In addition to the obvious differences in interests across numerous socioeconomic classes, Kerala's peculiar communal makeup where neither religion nor caste has ever had a numerical advantage seemed to have fuelled the growth of political parties, which may have made coalition administrations untenable. In 1967, the Congress system fell apart at the same time as Kerala's non-Congress government was established. E. acted as the team's captain. The United Front under M. S. Namboodripad assumed command. B. claims that the United Front is the best available ideology. Apparently, T. Randive, the demands of the class struggle and the people's awareness that they cannot progress alone are the sources of the necessity for a unified front, including a united front ministry. Leaders of opportunist parties may see the United Front as an electoral machine, but the people appreciate it more fundamentally as an instrument for resistance.

Members of the coalition parties, including the CPI, formed a coordination committee to help the coalition government run smoothly. From the start, the Namboodripad ministry had to negotiate rough seas. Internal rivalries, which in turn created disagreements both inside and among its members, were the United Front's fundamental problem. Since the coordination committee was unable to reduce the tensions within the coalition, its existence simply became ornamental. Its failure was attributed to the domination of opposing views that never led to consensus. The chief minister's views, which were almost always those of the CPI, of which he was the leader, the cabinet decisions, which reflected the diverse viewpoints of the constituent partners, and finally the partners' views, which typically represented the socio-political constituencies they held, rendered the coordination committee essentially ineffective. The primary partner, CPI, was



hesitant to endorse the decisions made during committee talks, which hastened its gradual demise. For instance, the CPI openly criticized the committee's decisions to sell the whole excess of rice to landowners with more than ten acres of land and to give the Food Corporation of India authority over the wholesale trade in food grains. The ruling coalition became divided as a result of the major partner's flagrant breach.

The corruption was widespread. The government had little progress in this area because of the rivalry between the CPI and CPI. According to a Kerala specialist, the corruption charges against all thirteen of the government's ministers finally led to its downfall. The Coordination Committee had a minor role. In fact, it was said that the Committee often served as a front for the party since it was presided over by a CPI member. The fundamental reason for its virtual extinction was due to this. The Committee's discussion was thus mainly academic and of little practical significance. As a result, the coalition partners were always apprehensive of one another, and the government's resources were utilized to support the coalition partners' political agendas rather than uniting the coalition for the benefit of the people. Even the main partners, CPI and CPI, seemed to pay less attention to administration since they said that nothing could be done under the present bourgeois framework of the Indian constitution.

The coalition administration was more motivated by compromise than by a spirit of acceptance and tolerance. Due to the tight relationship between CPI and CPI, the Muslim League, which was crucial to the coalitions' survival, was able to get the most benefits in exchange for its support. The League emerged as the CPI's most valuable tactical partner in its conflict with the former, aiding in the latter's marginalization. The League reaped the greatest rewards from the process when the government acceded to its requests for a district in Malappuram with a majority-Muslim population and a new university in Calicut. Non-League members of the coalition saw this as a abject surrender to the communal demand of the Muslim League. The coalition needs the League's support to stay together given the League's size in the assembly. Therefore, the CPI's decision to ignore the League was a strategic error. The League thus became essential to the coalition. The CPI was at its most precarious when the League joined hands with other coalition members to demand an interim probe into claims of corruption against CPI ministers. A no-confidence motion against the government was proposed by the chief minister but was defeated. In response to the motion's success, Namboodripad resigned. The CPI leader Achutha Menon was urged to form a minority government with support from the RSP and tacit support from Congress, comprising of the Muslim League, Indian Socialist Party, and Kerala Congress since his expectation that the Governor would apply Article 356 was inaccurate. The Menon cabinet was one of the few coalitions in which the CPI was entirely excluded.

The CPI seems to have lost ground to other non-CPI political organizations. On the eve of the historic 1977 assembly election, the CPI joined forces with seven other parties, including the Janata Party, the Congress Radicals, the Opposition Muslim League, the RSP National, the Kerala Socialist Party, and the Kerala Congress, in order to unify their opposition to Indira Gandhi. Due to its outstanding record while in power, the Congress-led Ruling Front won handsomely with fifty-three percent of the votes and 111 of the 140 Legislative Assembly seats. The worst loser was CPI, which only received 22% of the vote and was reduced to seventeen Assembly members. Since 1982, Kerala seems to have formed a pattern of coalition that mostly consists of two different types of party alliances. The United Democratic Front, which has Congress as a key supporter, is at one end of the spectrum from the Left Democratic Front, which is led by the CPI. With the exception of the respective main supporters of the Fronts, Congress and CPI, the

constituents have often left their seats. It wouldn't be wrong to state that the United Front, which Namboodripad founded in 1967, has evolved into a substantial part of Kerala's political articulation. The Fronts have gradually moved away from being politically expedient and toward being more ideologically driven. By 1987, the CPI-led LDF decided not to include the Muslim League due to its explicit communal ideology in order to forge a fairly genuine LDF, the socialist ideas of coalition-building. Despite the ideological evolution of the various Fronts, their significance in redefining Kerala politics in terms of coalitions cannot be understated.

### **The Possible Outcomes**

These many efforts, although being in their early stages, suggest a new political course for Indian politics. It seemed as if a new coalition period had begun. It is obvious that regional parties and those with strong local bases gained most from the fall of the Congress system. Local issues seem to have dominated the 1967 provincial elections, both during and after the election campaign. When the governments took over in the state capital, they swore to prioritize satisfying local requests. Was this an instance where, due to the changed political landscape, local issues appeared to have won out over national ones? The answer seems to be difficult since the political indications were not very obvious. The coalition experiments may most accurately be described as an effort to formulate a response to the fluid sociopolitical circumstances that provinces found themselves in after the demise of the Congress system. The growing prominence of regionalization did not first seem to align with the writers of the constitution's concern since it seemed to threaten the unified central authority.

In 1952, the Constitution was officially ratified, which was unquestionably the most opportune time for the young nation that had already suffered discord. The Constitution is always evolving. The Constitution has been regularly updated to reflect fresh interpretations in a changing world for more than 50 years. Therefore, the seeming contradiction with the aim that the Constitution was established for is deceiving unless the supreme law of the country is viewed in literal terms without account of its developing nature in response to the obvious socio-economic development of the surroundings. It is proposed that, in order to redefine its goals as appropriate for the time, the Constitution, as an organic system of thought, should reject outmoded notions and welcome new viewpoints. As will be seen later, what was only a trend in the 1967 election soon turned into a widely accepted fact. Additionally, coalition was probably the only choice in a situation when the possibility of a one-party majority was entirely hypothetical.

The experiment's most noteworthy feature was the clear political division between the states. It is true that there were different interest groups inside the Congress; but, what has kept it functioning is its capacity to take into account the various, if not competing, interests. Even if there had hardly been a movement in this area, parties have now apparently established to represent the neglected socioeconomic concerns. The United Front government in West Bengal, for example, was notable in that it tried to depict a completely separate ideological blend, despite the fact that communists predominated the coalition. It was a political organization that swore to protect the rights of the disadvantaged, especially workers and farmworkers without access to land. The Bengal Congress, the Front's second major partner, disagreed with this government goal due to their ideological viewpoints, but was compelled to do so in order to maintain the Front's unity. Another example is the situation in Punjab. When the Congress was in control, it often depended on its strategy for balancing the conflicting Hindu and Sikh interests in the state. The new Akali-Jana Sangh alliance in Punjab was a manifestation of a new politics of adjustment that was inevitable, as Balraj Madhok

said in 1964.

If parties remain separate, strains and stresses are bound to be there. It follows that the creation of a national democratic party is the only long-term solution that can provide the populace with an alternative pole<sup>36</sup>. By 1967, what had once been just an idea had become a reality; coalition governments had been formed, and parties with ideological differences had merged to justify the formation of coalition governments by non-Congress parties where no single party had been able to secure a clear majority. In a resolution adopted at a meeting of the Central General Council, the Jana Sangh defended its participation in these coalitions by highlighting that the construction of these governments was done so with concern for public opinion and in full line with democratic traditions. Despite having ideological and policy differences with the other opposition parties, the Jana Sangh has chosen to enter the governments with them on the basis of a modest common platform.

With the exception of the communists due to their unquestioning support of the existing quo, the Jana Sangh looked to have abandoned political catholicity in regards to the choice of its partners. The Jana Sangh became an essential part of the coalition experiments in India by deciding to support and sometimes join the coalition administrations in different states, which led to the first signs that the Jana Sangh's young leaders who had taken control of the party in 1955 were beginning to weigh up the relative advantages of alliances with parties that stand for social justice, reduction of inequalities, changing of the status quo. While chief minister Gurnam Singh persuaded Jana Sangh leader Baldev Prakash to join in the United Front government in Punjab, two Jana Sangh members served in the Mahamaya Prasad Sinha ministry in Bihar. The Jana Sangh provided outside help to the Haryana administrations under Sharma and Bansi Lal. The Jana Congress government in Uttar Pradesh, led by Charan Singh, who quit the Congress, was made possible with the support of Jana Sangh, who had five ministers and three deputy ministers in their cabinet.

These events serve as an illustration of a recent development in which an alternative form of governance was realized where Congress as a party hardly had any influence thanks to the cooperation of several non-Congress parties, such the Jana Sangh. Even though the coalitions were an indication of a significant trend in Indian politics, they did not last very long, presumably as a result of the lack of consensus among the constituents. In fact, in addition to the parties, these groups' dependence on so many independent MPs constituted a serious risk. This is evident in Bihar, where Mahamaya Prasad Sinha, the state's chief minister, made a significant effort to keep the state's many independents in good spirits since their support on the chamber's floor was crucial. The frequent breakdown of ruling coalitions appears to have contributed to the phenomenon of aya ram and gaya ram<sup>40</sup>. As a result, the possibility of coalitions produced a paradox: prior to 1967, the opposition parties were greatly frustrated by the Congress Party's hegemonic presence and as a result, they were unable to accomplish their objectives. After taking power, states took on an excessive degree of significance in the development of governments. Because of the weakness of these alliances, the member parties often fell short of their objectives, and the coalitions disintegrated on trivial personal issues.

The creation of ministries was easier than sustaining and growing them as political institutions. Governance faltered because there were so many splinter groups in the administration. Similar to the nation's firmly entrenched diversity, Indian politics are fragmented: each state has its own unique political structure. Defection politics now play a crucial role since coalitions often break

apart. No coalition government in a state has enjoyed stability or emerged from a crisis as a result of the numerous floor crossings. Recent events have shown that many political shifts in the northern states were the result of lone legislators both party members and independents crossing the floor or defecting. The Congress suffered the most as a result of the defector movement in both directions. Corrupt politicians indulged in horse-trading and freely changed sides, attracted primarily by the lure of office or money. Floor-crossing was pretty regular and there was still a defector market. Approximately 155 of the approximately 800 MPs who left the chamber between 1967 and 1970 received ministerial positions. Although more money poured out than in, the Congress administrations in UP, Madhya Pradesh, and Haryana were overthrown. Thus, with the probable exception of communist parties and Jana Sangh, party discipline was the first thing to go. No respite came from the fact that politicians' use of feces as a secure route of professional progress suddenly rendered them essential to the coalition's survival by providing it with the requisite numbers of legislator sympathizers. Before the Congress administration adopted the defection law in 1986, defection was still a big issue.

## CONCLUSION

In conclusion, Coalition politics have become a significant aspect of the political landscape in a number of Indian states. Understanding coalition dynamics may provide insight into how multi-party systems work, how coalitions are formed, and how local politics is conducted. By navigating the complexities of coalition politics, states may aim toward efficient administration, inclusive representation, and political stability. Coalition governments need to handle the challenges they bring in order to be successful and progress the states together. Election outcomes and governmental structures in these states are often impacted by political party alliances and agreements. The evolving coalition politics of different countries are a reflection of the complex interplay of national politics, ideological allegiances, and power dynamics.

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## LEFT FRONT AND THE ASSEMBLY ELECTIONS IN WEST BENGAL MARXISM REINVENTED

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### ABSTRACT:

*The Left Front, a coalition of communist and left-wing parties, has played a significant role in West Bengal's political landscape for several decades. This chapter examines the relationship between the Left Front and the assembly elections in West Bengal, exploring how Marxism has been reinvented and adapted to the regional context. It analyzes the electoral strategies, ideological shifts, and political dynamics of the Left Front, as well as its impact on governance and development in West Bengal. The chapter delves into the historical context, party ideologies, and electoral outcomes to understand the reinvention of Marxism within the Left Front in West Bengal. By examining the role of the Left Front and the reinvention of Marxism, we gain insights into the complexities of regional politics, ideological transformation, and the dynamics of electoral competition.*

**KEYWORDS:** *Left Front, Marxism, Political Strategy, Reinvention, Socio-Political Dynamics, State Politics, Voter Sentiment.*

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### INTRODUCTION

It is unusual in both the context of Indian electoral politics and the history of the world that the Left Front has maintained its control over West Bengal for the last thirty years. Discovering the reasons is simple. In addition to encouraging steady agricultural growth with effective land reforms, the left alliance maintained its strong presence in the state via a carefully managed organizational expansion of disciplined left parties and their expanding mass base across the state. As a result, West Bengal provides as a special example of democratic governance where the continuation of political stability is not related to low levels of political mobilization but rather to continual organizational activities involving stakeholders in both urban and rural locations. Parallel to the prevalent bureaucratic structure of the government, these organizations evolved as facilitators for almost all public services, from admission to hospitals to the selection of participants in certain government programs[1], [2].

These organizations were often used by people to address interpersonal and even familial issues. Because of this, it is difficult to understand the administration's continued existence without taking into account the Left's growing influence across West Bengal's socioeconomic structure. While it gave society a sense of solidarity, the Left became socially conservative as a result of its need to fit in. However, the Left Front won each state assembly election in a row from 1977 to 2006, which is rare given India's present political landscape. The 2006 election results reflect a continuation of the trend that began in 1977 when the Left Front first came to power in the state, and the Left Front's juggernaut seems unstoppable. The Left Front's supporters, especially its

major partner, CPI, have made significant advances across a variety of age groups in Calcutta and other nearby towns, in addition to almost eradicating the opposition in the state. This election, which marks a turning point in West Bengal politics, puts the Left Front leadership and the state, which seems to have abandoned the conventional Marxist state-directed development model, both in a position to lose politically. As seen by certain key policy decisions the newly elected government made in the direction of the state's economic revival, the Left Front is theoretically more socially democratic than the West European approach. This has not happened over night by any means. This is done in order to reflect on the changing nature of the Left Front leadership and its ideology, which is a modified form of Marxism[3], [4].

### **Conceptual Points**

Vox populi, or the voice of the people, has been transformed into decisions via elections, which give the will of the people divine authority. Citizens remain in power as long as the election's results are unpredictable. Regardless of whether the election was really democratic, they accept the results as divinely ordained once they are revealed. Elections, however, are significant events in free democracies for the connected reasons described below. First, elections provide citizens an opportunity to evaluate the current political power structure. It provides an opportunity to assess how well the parties in power are able to govern. Elections can act as a barometer for the importance of issues that come up throughout the vote-counting process. Issue-driven elections have largely replaced 'vote bank'-oriented elections. It is true that a few core themes continuously drive voters, regardless of age or socioeconomic status.

The major shift in voting, however, is often related to regionally specific reasons or situations that have a greater impact on certain parts of the population than others. Third, elections show how popular political parties and their leaders are among voters. It should go without saying that the outcome of the elections will have an impact on the political parties that will run in the future. They are also important for the leadership, which will probably become less popular if it fails to grab the public's attention. To put it another way, political leadership is a crucial component of the electoral battle, much like the party organization, which aspires to grow politically by exhibiting a certain style of leadership in the face of challenging conditions. Fourth, election outcomes also show the evolution of the political parties that run candidates. Parties cannot exist if they are unable to change the ideology, they choose to advocate for both within and outside of the election campaign. In other words, unless political parties are deeply interwoven within the system in which they are situated, their chances of survival are poor, if not doomed.

It indicates that political parties must reinvent themselves to match the surrounding social, political, and economic environment as the most tried-and-true method of expressing new values, ideas, and opinions in a free democracy. Although it has undergone major changes from how it formerly was, the British Conservative Party is recognized for upholding 'traditional' beliefs. The Congress Party in India, which had previously been quite enthusiastic about socialist values, began to respect neo-liberal values in the 1990s. The focus on economic liberalization by Congress even during the 2004 midterm elections is a clear sign that the party is making an effort to depart from its prior ideological framework. Fifth, there are two ways that elections are important moments for the country. First off, in a diverse third world environment, it might be difficult, if not impossible, to foresee which issues would become politically relevant during elections[5], [6]. In the 2004 Lok Sabha election, both of India's pan-Indian political parties Congress and Bharatiya Janata Party brought up roughly similar issues packaged as a

deliberate response to economic liberalization. The outcome was not shocking since the number of Lok Sabha seats for both parties was about equal. But under unusual conditions, the election results are more likely to differ from predictions.

The outcomes of the Lok Sabha elections in 1977, 1984, and 1991 in India are used as examples because the unusual circumstances that followed the 1975–1977 Emergency or the murders of Rajiv Gandhi in 1991 and Indira Gandhi in 1984 fundamentally altered the electoral behavior that was evident in the outcomes. Although distinct, these elections known as plebiscites reflect a particular moment in the nation's mood as indicated in the votes. Second, during elections, the organizational strength of the political parties is scrutinized and assessed. Although swing plays a significant influence in elections under the first-past-the-post system, organization is what keeps the party going whether it wins or loses. Organization is the lifeblood of political parties in any ideological setting. Undoubtedly, one of the factors contributing to the Congress Party's ongoing decline is the weakening of its organizational structure following the dissolution of the former Congress system.

Here, the almost three decades that the Left Front ruled West Bengal will be used as a comparison to emphasize the need of organization in maintaining one's place within the state. Perhaps the best structured party in India is the CPI, which is the main constituent of the Left Front. It consistently updates its beliefs in response to changing social, economic, and political circumstances in order to retain its political viability, if not invincibility. The Front would not have been able to translate its new theory into votes in West Bengal if there had not been a strong structure that developed over time. It is crucial to remember that if a strong organization with widespread support is available, ideology may become a powerful weapon for electoral mobilization, as the West Bengal example demonstrates. Sixth, the poll's results also show how formerly underrepresented social groups are becoming more and more important [7], [8]. This is how elections facilitate social mobility. As seen by the majority of India's most recent elections, the OBCs' rise in political decision-making correlates with the upper/forward castes' decline in influence. As a consequence of the development of these traditionally underrepresented groups in Indian society, radical changes have been effected at the grassroots level.

The importance of OBCs and scheduled castes in contemporary Indian politics has increased, leading to a reinterpretation of the political vocabulary, which had previously been mostly one-dimensional owing to the predominance of the dominant castes in its articulation. Whether at the national or provincial level, the creation and dissolution of caste groups seems to be a symptomatic of social shifts in India. Seventh, elections seem to show how the state and civil society interact. For instance, it is possible to interpret the so-called anti-incumbency wave as the reaction of civil society against the administration. One may argue, in a manner similar to what Italian Marxist Antonio Gramsci claimed, that civil society acts as a check on the government. Election results demonstrate whether or not the civil society serves as a barrier for or against the predominating political authority. The recently completed state assembly elections in West Bengal and Kerala demonstrate that, whereas Kerala's civil society did not support the current Left Front government, it did so in metropolitan West Bengal.

Last but not least, during elections, the federal balance of Indian politics is unmistakably tilted in the Union government's favor in a variety of ways. The Election Commission's growing importance in Indian elections reduces the power of state-centered governmental agencies, notably the police. Because of the Election Commission's perceived lack of controversy, voters

largely accept it and admire what it does to ensure free and fair elections. It is questionable if the involvement of a supra-state body is advantageous for federal practices that are being transformed inside a freshly created coalitional framework. However, it cannot be denied that the Election Commission's aggressive participation in the most recent elections in India has changed their tone. Although the 2005 Bihar election's outcome is largely attributable to the Election Commission's efforts to stop polling malpractices, in West Bengal the Commission's intervention was criticized as unwarranted because it engaged in practices that led to widespread outrage in both urban and rural West Bengal. Despite this, given the widespread electoral fraud, the Election Commission is perhaps the most significant constitutional provision that has genuinely characterized elections in India[9], [10].

These theoretical deductions are made as a result of many Indian elections. These are kind of the inferences made from historically established election customs. The 2006 West Bengal assembly election had a somewhat unspectacular result in that the Left Front government-maintained power. What is most notable is the Left Front's growing support in Kolkata and its nearby towns, where it received minimal electoral support in the 2001 Assembly election. By reinterpreting their philosophy in the context of the changing socio-political climate, the left-wing parties have greatly boosted their electoral success. The new voters supported the reinvented Left Front ostensibly because they thought that, in the absence of a competitive alternative bloc, it would help them by opening up opportunities. Without a doubt, this is a win for the Left Front, which was always unstoppable in rural West Bengal thanks in large part to the effective implementation of land reform initiatives. Despite their mistrust of a value system inspired by Marxism, the contemporary Left Front is a group of political activists who are not especially hostile to market-driven neo-liberal ideas as long as they aid the economically undeveloped state of West Bengal.

## **DISCUSSION**

### **The context of the Poll**

There was no substantial change between the 2006 West Bengal Assembly election results and the ones from the previous elections. The Left Front regained power with a significant margin. However, this election is arguably the most remarkable to date in many ways. First, the Election Commission took over management of the state's election in an uncommon step. The state government was largely, if not totally, ignored for its apparent political involvement in the election. Two things may be responsible for this abusive role first, the in-power Left Front administration was charged with tampering with the voter list; and second, party members reportedly threatened to vote against the government. As a consequence, many who were against the ruling party praised what the EC did. The use of bogus votes was one charge that caught on. The EC found several of them in various areas. During the cleansing procedure, the observer found 1.3 million false names and deleted them from the voter list. The media therefore attributed the Left Front's continued electoral success to the bogus voters since the claim seemed to be accurate.

However, many people were outraged by the severe restrictions the Commission enacted because they believed their participation was unwarranted and undemocratic as well because the Commission acted in a high-handed manner in the name of updating the voters' list. According to a critic, the state was virtually under the control of the EC. Imported police and paramilitary personnel entered every section of the state, and route marches by them were organized in each constituency, sometimes twice daily. The EC was made to believe that the law-and-order situation

in West Bengal was equally as bad as it was in Bihar. The Commission's efforts to stop the 'electoral malpractices' that seemed to have contributed to the Left Front's resounding wins in Bihar were conducted using the same strategy.

The second factor that distinguished this election from previous ones was the Election Commission's pro-active role. In order to ensure a free and fair election, the Commission decided to hold the voting on five widely spaced days over a period of around two months. In that the election was held under the strict supervision of the state's coercive weapon, the Bihar formula was once again acknowledged. The Commission requisitioned police and paramilitary personnel from outside the state simply because it didn't appear like the state police could be trusted. Due to the distinct dates, it was able to assemble a sufficient number of individuals to monitor voting on election days. In a way, the state was being attacked. True, their presence prevented any electoral violence from occurring between the opposing political parties

during this election. Voters cast their votes without being in danger. Before the election, people found it difficult to accept a significant number of these forces, which infuriated them. Numerous public buildings, like as schools, universities, and libraries, were occupied, which caused everyday life in the areas impacted by the election to be disrupted. Even the National Library was not spared. Instead of encouraging hope among the typical voter, the presence of such a large number of coercive powers caused confusion and resentment. Voters didn't really appear to appreciate the existence of these factors. Bengalis have never appreciated the idea of employing force to chastise people, according to a survey conducted on the spot. According to the voters, the entire Bengali jati was being held responsible for the acts of a very small number of offenders.<sup>5</sup> The pompous manner the Election Commission conducted the election preparation generated the idea that West Bengalis were a suspect species. This may have also contributed to the almost 7% increase in voter participation since 2001. As Ashok Mitra eulogistically phrased it, they voted with their feet against the innuendoes dropped by the commission.

When 'bogus voters' were discovered in numerous regions of the state, suspicions of manipulation in the compilation of the voters' list arose. In its zeal to ensure a free and fair election, the Commission was also found to have deleted the names of a sizable number of eligible voters. This only came up during the election. In a politically conscious culture that is mostly devoid of prejudice associated to ascriptive identities, how did the Commission come to be seen as a messiah? Undoubtedly one of the reasons was the media flurry that followed the arrival of the monitors selected by the Commission. Top outlets reported in-depth on the observers' findings on bogus voters everywhere they went. The purpose of the investigation was to support the claim of voter list manipulation. Inadvertently bolstering the opposition parties' allegations that the Left Front's ongoing election success was largely due to extraordinary corrupt practices at all levels that allowed for the possibility of scientific rigging, as it is euphemistically referred to, was done by the media. The bureaucracy in the area was held accountable. According to a former bureaucrat, either they made careless mistakes or, more likely, they secretly plotted with the relevant political groups to manipulate the voters' list in their favor. As a result, the 2006 assembly election marks a significant shift from the past.

### **The Poll's Findings**

At the very least, the Election Commission's excitement in monitoring this election made it historic since it gave the results a special importance. In the election, three important party alliances were in contention. The other two coalitions of parties, except the Left Front, were those



led by Trinamul and those grouped behind Congress. According to the findings, the Left Front is obviously well ahead of other rival political parties in terms of both the number of parliamentary seats and the percentage of votes. In actuality, their numbers have been gradually climbing since 1996. The 1987 assembly election saw the CPI win as many as 187 members in a vote total of 251 seats for the Left Front, making the Left Front victory more spectacular than it seems from the seat total and percentage of the popular vote. However, the result of the 2006 election was unexpected due to the sudden demise of the opposition parties. There isn't any actual opposition to speak of.

### **The Rationale that may be used**

The West Bengal election results were not especially unexpected in that they were generally expected. Due to the Election Commission's stringent measures to maintain a level playing field for all in the state, which increased voter turnout, the opposition was not given the chance to explain away the defeat by pointing to the election malpractices. According to the conventional definition, the judgment symbolizes both change and continuity from the viewpoint of the Left Front. Given the continuous use of electricity in the Writers' Building, the 2006 poll is obviously continuity. However, the election has also supported the Front's new look because of the growing importance of the new leadership.

### **The Brand Buddha Appeared In Rural Bengal**

Successes of the Left Front's land reform programs, sharecropper registration program, and panchayati system, especially in rural areas, have prompted a significant process of radical changes in the state's political system. An important political campaign that has permitted significant economic development in rural West Bengal has been spearheaded by the Left Front government from 1977. In this instance, it has been notable how much power has been transferred to the elected panchayats, including major financial power. The rural poor have been guaranteed to participate in a truly democratic process of engagement in the development of their lives and socioeconomic surroundings thanks to this action and a consistent political commitment to executing land reforms. Even if the passing of the 73rd Amendment Act is an important step in that direction, the Left Front began the process of restructuring the panchayati institutions in the country between 1977 and 1980 by giving the panchayats considerable responsibility for local development.

As a result of rigorous party leadership control, programs to fight poverty that are financed by New Delhi or other organizations are implemented in West Bengal more successfully than in any other state. One reason for the Left Front's consolidation in rural Bengal is the supervisory position's promotion and maintenance of a constant interaction with the general public. In addition, the Left Front's long history of political mass mobilization has allowed it to preserve and expand its organizational network inside the State. As of version 6.3, the Left Front seems unstoppable in rural Bengal. This is one side of the coin. The Left Front rising story may be told in a variety of ways. The governing party candidates win unopposed in a sizable number of panchayat seats, which is suggestive of a risky political trend since they wouldn't dare to provoke a situation in which they would face the combined wrath of the cadres and police.

In addition, contrary to what the Left Front asserts, a study demonstrates that the panchayats are now governed by the expanding middle classes of rural society as a consequence of the downward devolution of power. Thus, these groups have earned the moniker synonymous with

the elected popular bureaucracy. It means that although seeming to bring in a time of real participatory democracy, the panchayats appear to be constrained by strict party control. Despite the huge electoral and organizational influence of Bengal's poorest rural districts, the process seems to have improved. This is perhaps because these local centers of democratic administration are strictly under party control. As an example, the CPI, which is dominated by what is known as the political-organizational perspective, justifies its hegemonic control over the party in terms of its ideological pursuit of democratic centralism.

The CPI state committee makes it very apparent that it is impossible to go around the party by arguing that taking part in democracy does not involve acting at will. It alludes to the activation of panchayats in accordance with the party's core ideals and guiding principles. Providing party leadership to panchayats is the main issue here. This leadership includes both organizational leadership and political leadership. The political leadership of the party only becomes established when people adopt the political attitude of the party as their own in their personal experiences. Even while decisions could be the correct ones, they do not always convert into actions. We need to organize the public and our activists to implement our decisions. The group has a distinct goal. The panchayat's operations should be conducted in a way that is compatible with the primary goals of the party. Therefore, there is no doubt that the party in power in West Bengal has authority over the panchayats. The CPI State Committee formed a guiding cell at the panchayat level to convey the party's position and to lead the panchayats in accordance with the directives of the party high command. As a result, the party orders all legitimately elected party representatives in the panchayat samiti and zila parishad to follow the directives of the aforementioned committees. The local and zonal committees of the party normally oversee the gram panchayat samitis. At each level, the Parichalan Committee of the party will ultimately decide, however elected party members are able to express their ideas if they are unhappy with the selection.

On the one hand, the party's growing power offers panchayats organizational strength; on the other, it supports party officials who, while being 'outsiders,' continue to have influence in panchayat bodies because of their designated place in the party instructions. As a result, the cornerstone of power devolution is literally destroyed by the consolidation of authority. Thus, populist policies and crony politics are being used more and more. In addition, the panchayat system indulges in politicizing the planning process and the implementation of the public projects as a result of panchayat elections where political parties compete and the victor directly controls the content of the village level plan and the beneficiary selection. This most certainly explains the reports of starvation and death that have been reported in Amlasole, West Midnapur, in the tribal parts of Purulia, Nadia, and the eastern part of Murshidabad, in the tea-garden districts of Cooch Bihar, and in the outlying areas of Dinajpur.

According to a high-ranking Left Front cabinet member, the local panchayat leaders squandered the Central government funds for development to buy liquor and build club houses. When panchayats failed, party officials seized control of these local groups to advance their own nefarious objectives. However, as the polling data show, the Left Front's momentum seems unstoppable. In reality, Bengal's rural areas are now more under the control of the Left Front. By winning all thirteen and five seats in the two economically deprived districts of Bankura and South Dinajpur, respectively, the Left Front outperformed other parties. Even in Burdwan, which often serves as the hub of left consolidation, the poll findings scarcely make a dent in the left's support base. By using the power of the state to affect social change among the impoverished classes, the government, in the words of one critic, has created a climate of security and has

provided more for the poor than other Governments. The Left Front has survived because of its ability to successfully combine political mobilization strategies with the government's improving pro-people policies. By contextualizing Marxist theory, the CPI-led coalition transformed its socioeconomic foundation from being a party of the industrial proletariat to that of marginal farmers, sharecroppers, and the landless poor. This socioeconomic base was carefully stitched together for a coalition of socially marginalized groups that included Dalits, Adivasis, and Muslims, as one author put it. The Left Front has been around for more than three decades because to a unique class-community coalition that makes them unstoppable in rural Bengal.

## CONCLUSION

In conclusion, During the West Bengal assembly elections, the Left Front reinterpreted Marxism, which had a significant impact on regional politics, administration, and development. The coalition's ability to alter its ideology, connect with the needs of the people, and implement pro-poor policies had an impact on both its electoral success and agenda for government. Changes in political dynamics and voter preferences, however, posed risks to the Left Front's political predominance. Understanding how the Left Front reinterpreted Marxism may provide insights into the complexities of regional politics, ideological change, and the dynamics of West Bengal's political competition.

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## A BRIEF OVERVIEW TO ELECTION MACHINERY IN KOLKATA

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### ABSTRACT:

*The election machinery plays a crucial role in ensuring free, fair, and transparent elections in democratic countries. This chapter examines the components, functions, and significance of the election machinery in the electoral process. It explores the role of election commissions, electoral laws, voter registration, polling stations, and the management of elections. The chapter analyzes the challenges and advancements in election administration, the role of technology in the electoral process, and the importance of an efficient and impartial election machinery. By understanding the intricacies of the election machinery, we gain insights into the integrity and credibility of the electoral process.*

**KEYWORDS:** *Electoral Process, Fraud Prevention, Monitoring, Polling Booths, Polling Stations, Postal Voting, Voter Education.*

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### INTRODUCTION

The survey's findings from 2006 demonstrate how successful the Brand Buddha was in increasing the Left Front's base of support, particularly among those who had never backed the left. The results in Kolkata demonstrate that the poll results are obviously skewed in favor of the beleaguered left. Kolkata was never a stronghold of the left, and anti-incumbency forces have always had a significant impact on voter choices. This time, the Front's victory in 10 seats in Kolkata and the surrounding area is proof of the growing support it has among urban residents. The great majority of the Front also exhibits the similar trend in research results from Howrah and Hooghly, industrial districts. In Howrah, The Front took fourteen of the sixteen seats, with CPI winning eleven. In Hooghly, the Left Front won seventeen of the nineteen seats, with the CPI winning thirteen[1], [2].

There is no question that the Left Front's success was influenced by the party system. The Chief Minister, Buddhadeb Bhattacharjee, who represents both continuity and change and is the Front's new face, is participating actively in the 2006 election, which is novel. The Front Bhattacharjee leads seems to have benefited electorally from Bhattacharjee's efforts to industrialize the state and draw investors to it. The new leadership provided a message that kindled the hopes and aspirations of the new voters by placing more of an emphasis on manufacturing, urban infrastructure, and urban middle classes. In reality, the new administration's major goal is to put policies and plans for Bengal's development into place, in both the rural and urban regions, in order to stop the state's economic decline. Bengal served as the country's industrial hub until recently[3], [4].

In detailing his goals as the leader of the Front administration, Bhat-tacharya gave a roadmap for the future, saying at the outset that the message that the people have given us with their verdict is



that we have to give even more importance to what we are doing and we have to succeed. He listed three imperative tasks for the Front to perform at this news conference in order to meet the voters' expectations: Second, match the improvement in agriculture with similar growth in the industrial sector, which is possible if equal importance is given to industrial growth and investment in industries that create jobs and also contribute to the economy. First, continue to place importance on the agricultural sector because it is what sustains the economy in a significant way.

Clearly, the Chief Minister must balance his personal philosophy with the social-democratic ideals practiced in Europe. By taking a cautious approach to liberalization, Bhattacharjee seems to be achieving a balance between hard-core supporters who view economic liberalization as a bourgeois conspiracy and neo-liberal revisionists who are willing to support the ideology as long as it improves the economic well-being of the state. At the first press conference he held after the disclosure of the poll results, he made this apparent. Bhattacharjee emphasized that not everything about liberalization is right, saying we are against the policy of hire-and-fire of labor and arbitrary privatization. He may be adamantly socialist, but it is apparent from his remark that we cannot avoid liberalization because we live in a time where we must work according to the market conditions that he is a practical leader[5], [6]. He is in favor of using private capital to revive West Bengal's industrial sector since the Left Front cannot ignore this mandate.

He condemns isolationism, which he holds responsible for the fall of the Soviet Union. When the major goal is to ensure the economic well-being of the people, in line with the Chinese reformist ideology, Bhattacharjee never saw a contradiction between the private or even foreign sector and the governmental sector. He supports multi-party democracy as well as social-democratic economic ideas, believing that this form of government is most suited for a multicultural country like India. The Chief Minister redefines the CPI philosophy by denouncing the party's rigidity and parochialism, in accordance with the adage let a hundred flowers blossom. It is now impossible to foresee the outcomes of these pro-restricted liberalization viewpoints. It is clear that the Brand Buddha has been effective in expanding its fan base in urban Bengal, nevertheless. In Greater Kolkata, the Left Front increased its representation from twenty-two seats in the 2001 election to thirty-three seats out of a total of forty-eight, according to the poll's results. The largest loser in this election was the Trinamul Congress, which had won twelve of the seats. The Trinamul Congress, headed by Mamata, now has only eleven seats in the greater Kolkata area. Unquestionably, one of the reasons for this change of heart is the Trinamul Congress' sharp fall in popularity.

There is also no doubt that the Brand Buddha intended to reform the Left Front headed by the CPI by adapting the political philosophy to the new circumstances. This election victory is a crucial turning point for the Left Front because the Left Front cannot afford to maintain ideological uniformity in the significantly altered global circumstances brought on by the seeming triumph of the end of history phase. One state has been able to survive the strong anti-incumbency storms that have swept the rest of the country, which may help to explain why the Front is growing. The Front's ascent is also a symptom of peculiar state-centric social, economic, and political dynamics.<sup>30</sup> The fact that Buddhadeb Bhattacharjee created history by defeating his opponent by a massive margin of 58,130 votes and the growing relevance of the Brand Buddha in West Bengal politics are further indications of his undeniable popularity.

## **DISCUSSION**

Another aspect of the Left Front parties' electoral success is the CPI's cultivation of a strong organization with a wide network to maintain a firm grasp on the cadres and voters. The Left Front, notably CPI, also derives a large amount of strength from the labor force in the formal sector. There are over 3 million industrial workers that are members of the CPI-led Centre of Indian Trade Unions. The three primary associations that oversee the state's education sector are the West Bengal Government Teachers' Association, West Bengal College and University Teachers' Association, and All Bengal Teachers' Association. The Coordinating Committee is one of the biggest and maybe most powerful trade union organisations in control of the workforce in government. Through receiving prizes, these frontal organizations have gained the respect of their followers. Additionally, the CPI's lifeblood in rural West Bengal is the Krishak Sabha, which has a large membership among the peasants. Contrary to other contending parties, which increase their activity once the voting dates are known, these frontal groupings remain active continuously in their specific industries. They provide policymakers access to input that would not otherwise be available by building a relationship between the government and the people it rules. As a consequence, the public never views the government adversely, which undoubtedly broadens the base of support for the ruling party[7], [8].

In order to effectively mobilize voters for the Left Front during election campaigns, the Left Front draws on the following framework. The Left Front often depends on the help of the frontal groupings. This system probably doesn't exist in any other electoral democracy elsewhere in the globe. These committees, which are overseen by full-time party cadres, are crucial to both the election campaign and the process of selecting candidates for the numerous assembly districts. The activity of several committees, each of which operates within specific geographic borders, is coordinated by the district committee, the highest authority in the district and which is put under the state-level committee, situated in Calcutta. Even though they concentrate their efforts on the elections while they are taking place, they continue to serve as long-term local affiliates of the Left Front parties after the voting is over, engaging in the regular activities of local citizens. To put it another way, they continue to act as a link between the province's local governments and its party machinery, providing the Left Front government with the essential data it needs to carry out the right policies. The various state agencies are linked to the election cell at the party headquarters, which also runs a propaganda cell to spread the party's viewpoints on a variety of social, economic, and political issues. This is how the electoral system works[9], [10].

As a result, an established election system has enabled the left-wing stronghold to endure throughout time. This without a doubt contributes significantly to its consistently high electoral performance. Both the Indian National Congress and the Trinamul Congress have failed to create a system that can rival the Left Front. In contrast to other political parties, whose political mobilization begins and maybe ends with the election, the Left front participates in continuing engagement with people, which may result in votes during the election. The communist juggernaut seems to be unstoppable since there is hardly any organized opposition that can match the cast-iron organization, strengthened by trained cadres, and an electoral machinery with tendrils even in the most remote areas of rural Ben- gal. In the 2004 Lok Sabha election, the Left Front won 35 of the 42 parliamentary seats it fought for, while the Congress took home six and the Trinamul Congress one. The reason must be found in the opposition parties' inability to unite against what is perhaps the best organized political party in India. The anti-Left political parties still lack a leader worthy of the name and an organization capable of competing with the mass fronts of the parties constituting the Left Front.

The Left Front is a cohesive group that is prepared to overlook differences for the sake of the alliance, in contrast to a fragmented opposition. As a consequence, the outcome of the assembly election in 2006 may have been anticipated. It is hardly surprising that the Left Front won more than 50% of the popular vote, outperforming all other opposition parties. The Trinamul Congress got 26% of the popular vote while the Congress and BJP's percentages stayed at 15% and 2%, respectively. This made the splintered opposition ineffective against the well-organized left. Undoubtedly, the voters' split support for the opposition and the left was one of the key contributing elements to the Left Front's victory, claims a study. If there hadn't been a split in opposition votes, the Left Front's number of seats in the legislative assembly would have surely declined. The Left Front candidates gained a handful of seats automatically because votes were divided among the groups opposing the ruling coalition. If there had been a mahajot of the three largest anti-Left Front political parties, namely the Congress, the BJP, and the Trinamul Congress, the CPI-led alliance would have suffered setbacks in numerous seats.

Out of the 60 seats, candidates for the Left Front fell short in Darjeeling, Kandi, Bow Bazaar, Chowringhee, Serampore, and Kharagpur Town. Although there was very little opposition unity in these six, the opposing parties prevailed. This is likely due to the fact that a substantial portion of votes were divided between the governing and opposition parties, which may have fueled the sons of the soil debate. The results, in addition to these six seats, only serve to further highlight the strong opposition unity that explains the anti-Left Front candidates' success in a setting where the leftist juggernaut seems to be unstoppable. Given how fragmented the opposition is, it becomes sense to attribute the large Left Front victory on that division. As a consequence, rather from being a reflection of pro-left beliefs, the Front candidates' success is the inevitable outcome of factional strife inside the opposing parties. In reality, the opposition parties lost up to 70 seats since they were unable to form an electoral coalition to oppose the Left Front, whose representatives were elected owing to votes split between the Trinamul and Congress candidates.

There is no doubting that internal conflict and the erratic leadership style of the opposition parties in West Bengal have seriously damaged them, even if it is disputed whether the defeat of the anti-left political parties in the elections can be ascribed to a serious strategic failure. The Trinamul Congress emerged as a rival to the three main parties, but one commentator claims that it self-destructed because of its founder, Mamata Banerjee, who dashed the hopes by her whimsical behavior that hardly inspires a great deal of confidence. Furthermore, while she is an excellent rabble rouser, another analyst points out that she is unable to think or execute any coherent programme for either the administration or the state because she is too busy. At one time, it was the BJP, and at another, it was the Congress. In addition to failing to appeal to the politically baptized Bengalis, perhaps because of its backing for the so-called communal ideology, the BJP lacks the infrastructure and public support necessary to portray the organization as a serious opponent. Due of its failure to resolve factional conflicts, the Congress is a weak link<sup>36</sup>. Contrarily, the Bengali electorate is compelled to accept the Left Front as superior to the rival parties, and the new leadership appears to have won over the majority of voters with suitable socio-economic programs for reviving the state economy and improving its infrastructure.

Even while the vote swing of 1.2% in favor of the Left Front is not particularly significant, it is apparent that the Trinamul Congress as a whole took a significant hit in West Bengal. Because it is apparently the only alliance that can provide a government reasonably compelling economic and political agenda something that both of the major competitor parties sadly lack the Left Front gained the voters' support for a second term. Thus, a fervent supporter of the Left Front comes to

the sardonic conclusion that importing poll workers, poll observers, and paramilitary security guards from elsewhere was not enough to secure free and fair elections in West Bengal; one must also import voters from other states!<sup>38</sup> There is no doubt that the Front stopped reversals in several constituencies by attracting new supporters.

### **Political Expediency or A Fusion of Cultures?**

Building coalitions has always been a crucial component of democratic politics and administration. In its widest definition, coalition building denotes the beginning of actions to achieve agreement across various social groups and communities in the pursuit of a minimally shared agenda. According to this concept, forming coalitions is a continual activity for a number of organizations, including political parties, large mass movements, and the government, in the competitive environment of democratic society. Coalition government is an effective way to manage interactions between the legislature and administration when one political party is unable to win a clear majority in the legislature. By gaining crucial votes in the legislature, the executive is able to amass staying power throughout the process. In a number of European nations, coalition politics and multi-party coalition governments' operations have developed and stabilized. In the Indian polity, coalition seems to be ingrained. This focuses on its historical development while highlighting the crucial role that sociopolitical processes had in determining its character. Coalition is more than just political parties joining forces to gain control; it also reflects the division of social interests among the general public. Thus, this article aims to answer the questions of whether coalition is the end result of a process that might have started once the Congress Party ceased to be an umbrella organization and whether coalition is a convenient method of bringing together parties, regardless of ideology, in order to gain control of the government.

### **Historical Roots**

The nationalist movement, particularly the Gandhian conception of Swaraj, is where coalition politics in India first emerged. It is undeniable that European nationalist ideologies had a significant impact on the non-Western leaders who participated in the liberation movement. Additionally, they were cognizant of these concepts' limits in non-European socioeconomic contexts owing to their foreign provenance. By the start of the twentieth century, they were speaking in a native lexicon while organizing the imaginary community for a primarily political goal. Although they borrowed from European nationalism, they significantly indigenized it by finding or creating local counterparts and endowing it with new meanings and subtlety. This is likely the rationale for Gandhi and his allies' preference for Swadeshi above nationalism during the anti-British movement in India. Gandhi steered clear of using nationalist terminology partly because he was aware that the Congress's brief dalliances with such notions during the first quarter of the 20th century scared away not just Muslims and other minorities but even some lower caste Hindus. In a nation like India that was not unified in terms of religion, color, culture, and shared historical recollections of oppression and struggle, this seemed to be the most practical proposal one could possibly imagine.

This is the underlying reason Gandhi and his Congress colleagues preferred the relaxed and chaotic plurality of the traditional Indian life to the order and homogeneity of the European nation state, reasoning that the open, plural, and relatively heterogeneous traditional Indian civilization would best unite Indians.<sup>3</sup> Drawing on values significant to the Indian masses, the Indian freedom struggle developed its own modular forms that are distinctively different from the American civil

rights movement. Even if the 1947 Great Divide of the Indian subcontinent was expressed in terms of religion, the nationalist discourse referencing the exclusivity of Islam was insufficient to support Pakistan after Bangladesh was established in 1971. In the backdrop of the nationalist articulation of the independence movement and the expanding democratization of the political processes that had already included previously sociopolitically disadvantaged segments of society, Swaraj significantly improved as a concept and a tactic. Swaraj therefore served as a major leveller by assisting in the mobilization of people despite clear socioeconomic and cultural disparities.

This was the key to Swaraj's political strategy's success. Swaraj was characterized as national independence, political freedom of the person, economic freedom of the individual, spiritual freedom of the individual, or self rule, underscoring its significance in a deeply divided country like India. Even though these four definitions focus on four distinct aspects of Swaraj, they are nonetheless mutually supportive. The fourth of them has a more positive meaning than the previous three, which are all negative in nature. Swaraj, which is defined as national independence, individual political freedom, and economic freedom, respectively, entails the end of foreign domination, the absence of individual exploitation, and poverty. When the first three requirements are satisfied, spiritual liberation becomes a desirable state of being that everyone strives to achieve. In other words, it is implicitly assumed that self-rule depends on the absence of the specific deterrents that prevented the realization of Swaraj in its purest moral meaning. Gandhi preferred the term Swaraj to its English translation even in his conceptualization, most likely due to the difficulty of finding the exact synonym in another language.

As the topic of discussion, the coalition of forces that Gandhi assembled drew heavily on Swaraj, which served as the ideological glue for the nationalist campaign. It also highlights the relevance of the multicultural socio-economic context in India and the significance of the process by which ideology is expressed in a specific way. Therefore, coalition is an ideology of multicultural living that has taken many different forms across various historical eras of Indian history. Within an institutional setting, coalitions are articulated. This has been embodied in Indian constitutional laws and practices in two distinct ways. Despite the fact that it bears the stamp of the 1935 imperial Constitution, the Constitution serves as an example of a variety of strategies used to establish and uphold norms, values, and practices that are essential to the multicultural reality of India. The functioning of the constitutional institutions has, however, undergone a noticeable transformation, likely as a result of the changing ideological nature of the polity in which they operate and translate the democratic spirit of the polity in the years after the 1947 transfer of power in India.

The Constitution was important in maintaining India's heterogeneous identity despite its colonial origins. In addition, the dominant socioeconomic environment in which British governmental processes were embedded seems to have had a significant impact on this process. According to a constitutional scholar, the Constitution's greatest accomplishment lies below the surface of government. It has given rise to a framework for social and political advancement as well as an institutionalized rationale for political conduct. It not only establishes the national ideal, but more importantly it specifies the rational, institutional way in which they are to be pursued - a huge step for a people committed primarily to irrational means of achieving other-worldly goals. One of the institutional devices borrowed from the British system is the first-past-the-post system, which largely explains peculiar electoral outcomes that are advantageous for coalition.



In contrast to parties with tightly focused support, those with a large following suffer disadvantages under this system. For instance, regional parties that get a large number of votes in a limited number of seats do much better than parties that receive a large number of votes dispersed throughout many constituencies. A candidate or party wins under this system by receiving the most votes. None of the parties that gained control at the union level ever had a majority of the vote. The Congress party, headed by Rajiv Gandhi, achieved history by winning 44% of the popular vote. In the most recent Lok Sabha election, held in 2004, the NDA received 35.5% of the vote, while the incumbent UPA received 36.5% of the popular vote, winning by only one percentage point. Therefore, it is very possible to assert that the current governing body in New Delhi is completely unrepresentative merely due to the lack of support from the majority. Additionally, in a situation where coalition-building seems to be crucial in the establishment of governments, this approach undercuts democratic procedures.

It is most probable that ideologically-based parties with a broad support base would fail, whereas caste- and regionalism-based parties will do better since their supporters are concentrated in certain areas. Additionally, because of their size, regionalists and casteists play a vital role in the creation of coalition governments. According to an analyst, the demise of majority governments and the strengthening of coalitions of convenience have thus promoted casteism, regionalism, and communalism. A proportional representation system, in which a party can have a presence in the legislature based on its overall popular support, regardless of whether the party can win seats on the basis of the most votes, is undoubtedly a solution. Small parties won't longer have an unfair edge due to focused support. The institutional structure that the Constitution affirmed in addition to the first-past-the-post voting method seems to have contributed to coalition culture, most likely because it was founded on consensus and the accommodation principle. The capacity to reconcile or harmonize is referred to in the second; the first is a method of reaching judgments by unanimity or near unanimity. Although they may appear irreconcilable, ideas and points of view may coexist with accommodation.

They are not just avoided or dismissed but rather resolved instantly. Therefore, accommodating others is a belief and attitude issue. The most noticeable trait in every aspect of Indian society, according to a pundit. The Indian constitutional structure is a good example of consensus and accommodation, as the proceedings in the Constituent Assembly and the development of constitutional practices in independent India amply demonstrate. Accommodation is the constant attempt to reconcile divergent views or actions, to find a workable compromise, and to avoid seeing the human situation as entirely black or entirely white. The Congress system was supported by the institutional framework that the Constitution offers as long as it remained an umbrella party representing a variety of socioeconomic interests. Up to the 1967 elections, the Congress system operated almost without a hitch; however, non-Congress administrations took control in a number of states, ushering in a new era of coalition politics in India. An insightful political analyst makes the following arguments to explain this phenomenon.

The inclusion of new participants and groups in the political process has led to the emergence of new and more distinct identities and patterns of political cleavage, as well as the expectation of more open political access and a stronger emphasis on performance from the administration.

Voters are increasingly looking for methods to engage in politics more effectively and develop their ability for evaluation and decision-making, yet intermediaries and vote banks are still vital. Regional politics were revitalized by the fall of the federal and coalitional pillars of

Congress. The party's regional roots were undermined and its disastrous potentials were unleashed as a result of the centralization of power that began in the early 1970s. Regional demands weren't filtered through party channels, but started to be asserted with rising irritability against the center, as the article states. These aspirations were first limited to individuals who recognized their identities as unique socio-cultural units inside the polity; but, later on, as seen in Punjab and Kashmir, they were expressed as calls for full scale autonomy and separatism.

Therefore, centralization and disregard for federal channels incited strident regionalism; the replacement of a national electorate and the redefinition of democracy forced Congress to invite local identities into the national arena, which worked to the advantage of those who claimed to represent these groupings of religion and caste more directly and intimately. It was therefore not surprising that by the 1996 national poll there were as many as twenty-eight different religious and caste groups. These groups made substantial contributions on the national landscape while asserting their regional identities. Increased powers were given to regional administrations as a result of economic reforms implemented in 1991 by Narasimha Rao's minority Congress government, which also sparked greater competition for control over them. In fact, the success of the former chief minister of Bihar, Laloo Prasad Yadav, is largely attributed to his ability to sway the masses by clinging to local dialects and illustrations that are meaningful to the people at the grassroots. This is because of the intensity of political competition, which produced a generation of regional leaders with remarkable skills and ability to resort to novel ways of flattering popular cultural sensibilities.

Without a question, India's political and constitutional system has undergone significant modifications to accommodate evolving conditions. Despite the constituent states' increased power, Parliament still holds the highest authority, at least in terms of the constitution. Given the new situation, it is clear that the federal tradition is now more important than the Westminster tradition, especially in the current era of coalition politics, where no one political party has an absolute majority in parliament. 'Executive federalism' is a structure of power-division between different layers of governmental authorities that adheres to guidelines clearly defined in the form of 'Union', 'State', and 'Concurrent' lists in the Seventh Schedule of the Constitution of India. This system was used by the Constitution's framers to effectively unite various Indian states under a single authority. The component states are no longer only tools of the Union due to the exigencies of coalition politics; their significance is now felt more and more in what was formerly considered as the exclusive domain of the center.

A move toward legislative federalism, in which the upper house representing the federal government's departments and agencies has equal authority to the lower parliament, seems to have started. Legislative federalism is a system based on equitable and effective representation of the regions, and it draws inspiration from American federalism, in which the Senate has significant authority alongside the House of Representatives. Given the involvement of both houses in their formulation, the choices made at the Union level seem to be both democratic and representational. In other words, legislative federalism in its correct form ensures that both houses are significant in the decision-making process, which no longer remains the Lower House's exclusive domain due to its unmistakably representational nature. The upper chamber will play a large and important role in the legislative process in addition to serving as an effective platform for the regions. If correctly constructed, it might be a mechanism that the regions as a whole utilize to balance the Lower House's reliance on the population representation concept. Since India's political and constitutional system is based on the Westminster model with a strong center

and unitary government, it will also mark a significant shift from the past.

Since political involvement has increased over the past 20 years, traditionally underprivileged and marginalized groups have taken a central role in politics and governance at all levels. Questions about inclusion, exclusion, different patterns of empowerment, and the impact of these last on the growth and consolidation of democracy are raised by the rapid politicization and accelerated participation of groups like Dalits and other backward classes. One aspect of these changes has to do with the procedures and tactics that have motivated the inclusion of marginal groups in the political decision-making process. Thus, the emergence of coalition administrations is a sign of India's democracy's expansion and maturation. Parties that aim to represent them are obtaining more seats, generally at the expense of Congress, which is no longer genuinely a national party, giving diverse regions and socioeconomic classes a bigger interest in the system. The post-colonial agenda of social transformation in the post-colonial world was controlled and perpetuated by idioms and ideas, but this is not unique to India. Instead, it has been eclipsed by these enormous political shifts, which are also symptomatic of social churning. These modifications have profoundly altered the political landscape; many of them are also manifestations of unhappiness that might be linked to the subalterns' resentment of an elite that has monopolized the advantages and privileges of post-colonial economic prosperity.

## CONCLUSION

In conclusion, the election machinery is crucial to the electoral process. It consists of a variety of components and duties that are essential for organizing free, open, and fair elections. Technology advancements have presented opportunities and challenges for the election process, requiring a balance between efficiency and security. For a democratic society to function, the voting process must be kept legitimate and honest. By acknowledging the complexity and challenges the electoral process faces, we can work to strengthen democratic ideals and ensure that the voice of the people is reflected in election outcomes.

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## A BRIEF INTRODUCTION ON SYNDROME IN INDIAN POLITICS

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### **ABSTRACT:**

*The presence of syndromes in Indian politics has been a subject of study and analysis. This chapter examines the concept of syndromes in Indian politics, exploring the various patterns, behaviors, and tendencies that can be observed within the political sphere. It delves into the phenomenon of political dynasties, populism, identity politics, and regionalism as syndromes that have shaped Indian politics. The chapter analyzes the causes and consequences of these syndromes, their impact on governance, electoral outcomes, and the overall functioning of democracy. By understanding the syndromes in Indian politics, we gain insights into the complexities, challenges, and dynamics of the political landscape.*

**KEYWORDS:** *Anti-Incumbency, Coalition, Dynasty Syndrome, Horse-Trading, Identity Politics, Minority Appeasement.*

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### **INTRODUCTION**

The formation of coalition governments by the Congress-opposing parties in numerous Indian provinces in 1967 signaled the start of alliance growth. After being motivated by Rammanohar Lohia<sup>15</sup>, some parties formed partnerships that substantially, if not fully, depended on anti-Congress emotions. Lohia was adamant in his belief that if the parties' collaboration continued, their ideologies may grow more compatible. It was questioned whether a communist-led opposition, which also included groups like Swatantra and the Jana Sangh, could ever come to power. It did not seem unreasonable to wonder whether they could work together given their different philosophies[1], [2]. With Krishna Menon at one end and S. K. Patil at the other, Lohia retorted, how could 'a motley Congress' be brought together? Because the Congress inherited the habit of working together and shared loyalty to the Nehru-Gandhi family, it is assumed, despite its divisions and contradictions.

However, he maintained his doubts about the sustainability of anti-Congress parties. Lohia recognized that attempts for opposition unity were an innovative political strategy seeking to advance the non-Congress parties as well. Even if it might not achieve anything spectacular, he said, such a combination would at least offer people hope that the country would overcome the Congress' dominance of the central government. The non-Congress governments that took over nine states in 1967, notwithstanding their transient character, altered the course of history by driving out the Congress Party from the provinces[3], [4]. This signaled the beginning of a phase of non-Congressism that had not yet fully formed, probably as a result of the lack of a close-knit organizational network of the opposition parties over the whole country. After the 1967 assembly elections, Samyukta Vidhayak Dal coalitions, which opposed the Congress, put in place governments in the majority of the states despite having structural problems. Since these



governments disintegrated so rapidly, probably as a consequence of a lack of ideological and programmatic consistency, the euphoria around their inception was short-lived. Lohia's untimely passing also left a gap since nobody could fill it by organizing a broad coalition of the opposition parties. The ultimate breakup of the Congress Party, the war with Pakistan in 1971, and the Emergency of 1975–1977 all greatly slowed down the opposition's ability to unite during the next decades[5], [6].

The loose-knit Janata coalition, which spoke for a range of, if not competing, interests, replaced the Congress party on the eve of the 1977 national elections, ushering in a new era in Indian politics. By the time the Janata administration's brief interlude ended, the centripetal tendencies had likely already taken root in Indian politics and it is probable that the government was too distracted with other matters to make any serious attempt to resist them. Indira Gandhi's managerial style significantly undermined internal democracy within the Congress Party. After the collapse of provincial Congress units, state leaders were reduced to becoming nothing more than party patrons. As she established herself as the key to both political success and personal fortune, there was hardly any challenge to her authority. The outcomes were disastrous. The state tended to overlook the wishes of the component entities and promote power consolidation since those who mattered in political decision-making neither opposed centralization nor attempted to give an alternative[7], [8].

## **DISCUSSION**

### **S Pan-Indian Coalitions: Trends And Patterns**

The Janata Party's ascent to power in 1977, thirty years after India gained independence, led to the creation of the country's first real coalition at the level of the Union government. By resisting the 1975–1977 Emergency imposed by the previous Indira Gandhi-led Congress government, the Janata Party, a combination of several pre-election allies, reinforced the alliance. Only 2.5 years after taking power, the Janata administration was toppled in the national election of 1980 as a result of intra-party conflict. In 1989, the Janata Dal formed the following coalition government at the Union level under the leadership of V. P. Singh, an ex-Congressman who quit the party over disagreements with Rajiv Gandhi. After the previous administration was defeated by a motion of no confidence in the Lower House, the Janata Dal, a breakaway section of the Janata Dal, established a government with the help of Congress, the only largest party in the Lok Sabha. Four coalition governments took office in India after Narasimha Rao's tenure ended in May 1996, but none of them completed the full term of the eleventh Lok Sabha.

The BJP-led first of these four coalition governments had only been in power for thirteen days when it became clear that it would lose the no-confidence motion on the house floor. The United Front government under H then acted in response. D. Congress provided support for Dave Gowda. Following the election, thirteen parties merged to create the United Front. Congress vowed to withhold backing from the United Front administration until the current premier was replaced because he was unable to come to an agreement about inter-state disputes involving the Cauvery water. I was chosen as president of the United Front government that the Congress supported. K. Its leader is Gujral. A mid-term election was scheduled for February or March of 1998 in reaction to its death when Congress withdrew its support. In nine of India's major states, the BJP established pre-election coalitions with up to thirteen big and minor regional parties. Because of its inability to maintain power for more than thirteen days in 1996 owing to a lack of numerical support in the lower house, the BJP was lured to the coalitional approach. The election

results show that this strategy worked for the BJP, which gained 182 seats in the twelfth Lok Sabha in 1998 to overtake all other parties as the largest party. With its electoral allies, it received 258, but fell short of the required 272 votes. Given that the coalition was the largest collection of parties, the president asked it to create the Union-level government. The cooperation, however, never materialized despite repeated warnings from one member to abandon the coalition.

The AIADMK's departure signaled the end of the coalition, although the other participants, led by the BJP, continued to work together. The fourth coalition government was overthrown in less than two years, much like the first. These four unique coalition government experiments at the Union level failed because they did not last through their full mandates, but they are nonetheless symptomatic of significant changes in the political landscape of India. Beginning at this point, both the BJP and the Congress, its main competitor, emphasized pre-election alignment with partners, sometimes even downplaying the significance of ideological consistency while making alliances[9], [10]. The thirteenth general election, held in September and October 1999, was noteworthy in India's recent political history for at least two reasons. First, a pre-election coalition led by the National Democratic Party was successful in gaining a majority in the Lok Sabha for the first time. Despite losing 2% of the overall vote, the BJP maintained its previous record of 182 Lok Sabha seats. Contrarily, despite the first-past-the-post election system, the Congress witnessed a 3% rise in votes even though it lost thirty members. After its five-year tenure, the BJP-led NDA, which was founded in 1999, made it abundantly evident the strength and endurance of a mega-political formation in the country. With the establishment of a new coalition administration at the center after the 2004 Lok Sabha elections, the trend that began in 1999 seems to have persisted.

A coalition of regional and state-based parties under the direction of Congress called the United Progressive Alliance also has the Samajwadi Party and other left-leaning groups on its side. The emergence of coalition administrations is explained by how difficult it is for pan-Indian parties to get a majority in parliament on their own. Numerous factors contribute to the tremendous social upheaval at the local level. But the idea of a coalition really has its historical roots in India. The National Congress, for instance, was a powerful social coalition that achieved substantial electoral success up until the 1967 fourth general elections under Gandhi's leadership. Under Mrs. Indira Gandhi's leadership, the trend seems to have halted, and she introduced India to plebiscitary politics, which turned out to be the Congress party's worst foe. The Janata Party and several Janata Dal-led 'fronts' were the first political parties to seek to form a national political coalition, but the BJP is likely the first political party to have understood the importance of doing so. Despite having different ideologies from the BJP, the party deserves praise for really trying to share power with a range of allies. This can be seen in the NDA's gradual expansion from an eighteen-party coalition to a twenty-four-party alliance.

The 2004 national election is analogous to the 1999 Lok Sabha election, at least in one way. Both the BJP and the Congress are unable to form a government at the center on their own since neither party was able to secure a majority. The evident consequence of these poll findings is that regional and state-based parties are essential to provide the magic number to the parties seeking to form the government. These breakaway groups have become crucial to governance since there is no longer a single party with a majority in the parliament. The role of parliament has undergone a fundamental alteration ever since multi-party coalitions were made to seem as the normal form of government in India. What has changed in recent years is that the bulk of the members offering the government numerical support now include a substantial number of parties, both within and

outside the ruling coalition.

The government must have the support of one or more parties, each of which has a distinct philosophy and constituency, in order to maintain its position of power. The government's reliance on the support of parties that are inherently hostile to it has had a number of unintended effects on the functioning of Parliament and other important institutions of Indian democracy, despite the fact that many of them are united at the federal level. The ruling coalition could not always be free to implement policies that are consistent with its objectives if there isn't consensus among the partners that are necessary for its survival. This has had a huge impact on the importance of 'behind the scenes' agreements between different sets of party leaders, both within and outside of government. As long as the leadership has the majority of the vote and can convince parliament to behave as it sees fit, there is no threat to the continuance of the administration.

Without a doubt, the formation of these small parties was influenced by the collapse of Congress and its failure to represent the diverse social and economic interests at the grassroots. Coalition therefore functions as a vast equalizer of interests, and political alliance attempts to express the voice that has been overlooked at the level of government formation by focusing those parties that are not especially centrist. Because of their crucial role in the effectiveness and continuity of the administration, these minor parties forced the bigger parties to reevaluate their policies in light of the changing socioeconomic and political realities. Thus, coalitions have become more than simply a means of linking parties; regardless of the size and complexity of their organizations, they have also ushered in a time of constant contact among those fighting for power.

The seeming collapse of the national parties is partly a result of their incapacity to settle issues brought on by clashing socioeconomic strata. Regional political parties often develop with a clear socioeconomic goal. They are political groups, in other words, that depend on unique, mostly untapped social and economic interests. They are useful in redefining political borders, which alters the nature of politics and includes those who have traditionally been excluded from democratic processes. Thus, the political coalition in the middle is influenced by the social coalition at the bottom. Local and federal levels seem to be connected by regional parties that represent a variety of social alliances. They play a crucial part in upholding the existing administration, therefore they cannot be ignored, much less wished away. The socio-political and economic issues affecting the social groupings they represent are thus likely to have an impact on national policy. In this approach, the regional parties serve as an ideological bloc that provides the federal government with corrective steps by providing the right viewpoint on its plans and policies. Coalition consequently represents a fantastic opportunity for the national decision-makers to implement socially relevant and economically uplifting initiatives, given the contributions from the grassroots that are made possible in large part by the engagement of the regional and state-based political players.

It seems that a pattern has been set by the outcomes of the thirteenth and fourteenth national parliamentary elections that will affect how the government is made up going ahead. In India, coalitions organically arise in the sense that a complex social coalition leads to a political coalition, therefore it is obvious that the days of the one-party majority are past. Any reversal of the trend is completely impossible due to the grassroots social churning that involves disadvantaged segments in Indian society. These socially and economically marginalized groups not only have a significant influence on political choice, but they also get backing from organized

parties with established support networks in at least one state. In view of the massive socioeconomic developments in rural India during the late 1980s, coalition government is much more than merely an arrangement based on ad hoc political alliances; it may even be impossible. The preceding NDA government and its successor under the auspices of the UPA are instructive, even if ideological affinity may not necessarily have played a role in building the bond among the coalition's members. Even yet, they remain important forces that the administration can only wish away at its own peril whenever a coalition partner enters the government. In order to forestall challenges to the coalition's legitimacy, a coalition compels the government to embrace its member regional parties as equal partners rather than merely as extensions of the party or parties heading the coalition. Political parties fighting for power at the federal and state levels are crucially involved in a process whereby India's political system and its ideological limits are drastically altered and then redefined by acknowledging partnership as inevitable.

Thus, contrary to commonly held ideas that Indian politics consisted of a single dominant party system disintegrating into a multi-party coalition, the current Indian polity has come to be seen as the epitome of coalition politics. Even the early cabinet government was built on coalition principles, with a social and ideological alliance in addition to the one dominant party. It is important to remember that the coalition's slow dissolution led to the creation of the majority of the Indian party system. It reached its pinnacle in 1967, when this degradation also led to the emergence of a political coalition at the state level. Throughout the 1970s and 1980s, the Indian electorate experimented with coalition and one-party rule. Prior to Indira Gandhi consolidating the Congress into a single party under her exclusive control, it was a collection of groups.

Throughout the 1990s, India's coalition culture slowly but surely evolved. The UPA's assumption of power and the NDA's completion of a five-year term have shown without a doubt the possibility of a government, even one formed by a coalition of parties, despite the red herring that proponents of stability have thrown in the path of such a combination. The patterns and priorities of building or sustaining coalitions everywhere and in every situation are influenced by perceived political expediency and convenience, despite the fact that values cannot be minimized. The patterns of coalescence that a society develops through time may provide insight on the societal faults that lead to unfavorable political combinations. There are a few other characteristics that are specific to the notion of coalition in India, in addition to the uniting influence of centrism in any coalition of parties. To put it another way, a few distinctive aspects of India's socio-political reality that seem to have affected the theoretical analysis of this phenomenon are what underlie the formation of coalition governments. The following are the most significant ones:

The political phenomenon of coalition is determined by regional politics. Regional parties decide to cooperate despite having divergent views since their programs are compatible. The NDA is a prime illustration of how the regional parties were essential to the establishment and maintenance of the national administration. They connected due to a common minimal program. A common minimum policy, to which the regional parties made significant contributions, remained as the uniting principle even in the formation of the United Progressive Alliance after the fourteenth Lok Sabha election in 2004. For instance, in an attempt to maintain constitutional purity, the post-election United Front of fourteen parties created a common minimum program dedicated to the ideas of political, administrative, and economic federalism. In order to accomplish this, the program proposed a dual strategy: the Front, true to its commitment, proposed to implement the key recommendations of the 1984 Sarkaria Commission to grant the states more autonomy so they could choose their own plan priorities within the framework of the national five-year plans;

and the United Front government promised to appoint a strong committee to review and update the Commission's recommendations.

The 1989 survey's findings demonstrate how regionalized and fractured the vote response patterns had become. The Mandal recommendations<sup>20</sup> have also helped to regionalize Indian politics by using the region-specific caste makeup of OBCs. The similar pattern was seen in the 1996 elections. An observer notices that there isn't a nationwide wave in support of or against any political grouping. It became clearly evident that regionalization of the Indian politics, even at the national level, was now a reality with the installation of the United Front government at the center in 1996. However, there are localized mini-waves that are dominated by regional problems, as in the cases of Madhya Pradesh, West Bengal, Bihar, or Tamil Nadu. When the Indian parliament was first constituted in 1996, there were more varied parties than ever before, with 28 represented. It is crucial to take into account state-specific issues and the several regional parties that had set their own stamp on the national political imagination in light of the Front's supporters' strong links to the regions and the fall of the federal and coalitional foundations of Congress.

It's possible that regional lords like Mulayam Singh Yadav, Laloo Prasad Yadav, and Naveen Pattanaik, who established unassailable positions in UP, Bihar, and Orissa, respectively, withdrew their support, which led to the decline of the Janata Dal, a crucial part of the first Third Front government at the center. Their success in forging caste pacts with Muslims and Dalits<sup>two</sup> castes that are disproportionately represented in the population helped them win the election. The social constituency for the third force had subsequently clearly expanded, but it remained fractured and divided between diverse regional and sectional parts as a result. coalition is also an articulation of a process of an increasing fragmentation of the party system along regional and ethnic lines that is linked with a process of creolization or vernacularization of Indian politics. In order to understand this situation the growing fragmentation of political parties as well as the changing nature of their support base Alfred Stepan theoretically split political parties into politywide and centric-regional parties. In contrast to politywide parties, which have a significant organizational, electoral, and emotional presence in all or nearly all of the member units of the federation, centric-regional parties receive almost all of their votes in one unit or geographic area within the federation.

In a parliamentary political system, the centric-regional parties provide a party with substantial statewide support a sufficient number of votes to form a major and effective administration. The increasing prominence of these centric-regional parties in the governing coalitions in the center of India also points to the growing regionalization of the parties that owe their survival, if not existence, to the regions. When interpreting India's coalition experience, which is extensive and rich at the state level, it is conceptually significant to emphasize that the regional parties have significantly increased their prominence at the national level, most likely as a result of the relative fall of the politywide parties. The fact that the centric-regional parties outperformed the so-called national parties suggests a process that highlights the centric-regional parties' unbeatable role in coalition building, while this process is now somewhat ambiguous. They cannot be ignored just because the Congress no longer adequately represents the center of Indian politics, as the pan-Indian parties formerly did owing to their success in striking a balance between different regional interests. Since the 1977 Morarji Desai government, it has been argued that the quick demise of the pre-NDA coalitions, although showing the forceful democratic churning at the grassroots, did not instill confidence in their ability to govern. They were openly wielding the scepter of



disintegration, and their enemies accused them of being governed by local figures who were only interested in local issues. Some claim that the whole spirit of regional parties is to highlight local issues and discount national ones. This is an argument against the expansion of regional parties as vital components of national coalitions. The argument seems less persuasive given that the NDA successfully completed its five-year term, and there is little reason for skepticism due to the growth of a positive coalition culture built on inventive engagement amongst constituents on the basis of a shared minimum program. The emergence of regional parties may thus result in increased conflicts rather than a happy nation.

The regional parties' emergence as a coherent force striving for power at the federal level is likely the result of their expansion as a result of Congress' decline as an established party that represented several and sometimes conflicting socioeconomic interests. The nationalist generation left the country, internal democracy died, and the popularity of the top leadership among the general public increased. These are only a few of the reasons why it lost its supremacy. Congress was no longer a party capable of balancing opposing social interests and achieving the personal objectives of those who contributed to its expansion at the provincial and municipal levels. The Congress Party's progressive self-destruction in various ways throughout the country produced a hole that has repeatedly been filled by the parties backed by OBCs and other lower castes. This has further highlighted how region-specific issues are becoming increasingly important in national politics and how entrenched regionalism is. A new political trend may be seen in the way regionalism has brought about a certain democratization by including the hitherto underrepresented groups in socio-political organizations.

Second, with every election, new socioeconomic classes and groups are introduced to politics. Since the prominent groups of the governing party tended to make it difficult for them to do so, these newcomers found it easier to join politics via non-Congress parties or, on occasion, even founded new parties. Therefore, it seems that the development of new parties outside of the BJP and Congress fold to reflect previously overlooked sociopolitical aims is a major factor in the construction of a coalition with what appears to be a unique ideological stance. Third, the key role that regional parties played in the coalition government seems to have supported the economic reform process that began by stealth in 1991 without admitting the paradigm shift. Two related elements may be used to logically justify the coalition partners' support for the reform process. First, regional parties with neutral economic ideology are becoming more prevalent in national politics.

The second justification centers on the growing and widespread acceptance of the need for a very rapid economic growth that can be served by the market-oriented reforms. Their crucial contribution to the stability of coalition governments and their involvement in politics stem from upfront opportunistic motives the need to step up economic growth that reforms try to push. Even the Left Front, led by its principal partner, the CPI, which had previously vehemently opposed economic reforms, has changed its mind, even at the expense of losing support in rural West Bengal by insisting on the creation of special economic zones for the state's rapid industrialization. The implications for politics are hard to predict. The benefits of economic transformation have not yet reached the grassroots, however, for obvious reasons. Perhaps people are waiting for the simmering discontent to come to the surface in ways that may not make sense in the context of rabid consumerism euphoria.

## CONCLUSION

In conclusion, Syndromes in Indian politics are recurring characteristics, actions, and tendencies that affect the political climate. Political dynasties, populism, identity politics, and regionalism are examples of popular syndromes that have an impact on governance, election outcomes, and the functioning of democracy. Understanding and addressing these symptoms would enable India to progress toward a more inclusive, accountable, and effective political system that satisfies the many needs and aspirations of its populace. To lessen the negative consequences of populism on Indian politics, transparency, accountability, and institutional improvements must be encouraged. By strengthening democratic institutions, ensuring that all political actors are treated equally, and fostering an environment of inclusive and participatory politics, the challenges caused by syndromes may be addressed.

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