

Ch:2.FEDERALISM

READ THE FOLLOWING LONG QUESTIONS AND ANSWERS THOROUGHLY AND TRY TO UNDERSTAND AND WRITE IN YOUR H.W.COPY.

Long Answer Questions (LA)

Question 1.

Which five provisions of the constitutional amendment of 1992 really strengthened the third tier of democracy in India? Explain. (2015, 2013, 2012)

Answer:

Major steps towards decentralisation and strengthening of third tier taken in 1992 were:

1. Now it is constitutionally mandatory to hold regular elections to Local Government bodies.
2. Seats are reserved in elected bodies for scheduled castes, scheduled tribes and other backward classes (OBCs).
3. At least one-third of all positions and seats are reserved for women.
4. An independent institution called the State Election Commission was created to conduct Panchayat and Municipal elections.
5. The State Governments are required to share some powers and revenue with Local Government bodies.

Question 2.

Why has federalism succeeded in India? Which are the policies adopted by India that have ensured it? Explain. (2013, 2012)

Answer:

Reasons for success of federalism in India are:

1. Clearly laid out Constitutional Provisions providing a three-fold distribution of powers in the three lists—Union List, State List and Concurrent List—between the Union Government and State Governments.
2. The nature of democratic politics in our country which ensures that the spirit of federalism, respect for diversity and desire for living together became a shared ideal.
3. The creation of linguistic states. Boundaries of several old states of India were changed in order to create new states. This was done to ensure that people who spoke the same language lived in the same state. Later some states were created to recognise differences based on culture, ethnicity or geography. For example: Nagaland, Uttrakhand, Jharkhand, Telangana, etc.
4. Restricting Centre-State relations. The constitutional arrangements for sharing power work depending on how the ruling parties and leaders follow these

arrangements. For a long time, the same party ruled both at the Centre and in most of states. Post-1990 saw the rise of regional parties. Since no single party got a clear majority in the Lok Sabha, the national parties had to enter into an alliance which led to a new culture of power sharing and respect for autonomy of State Governments.

Question 3.

Explain any five features of federalism. (2015)

Answer:

Features of federalism:

1. There are two or more levels of government.
2. Different levels of government govern the same citizens, where each level has its own jurisdiction in specific matters of legislation, taxation and administration.
3. Existence and authority of each level of government is constitutionally governed.
4. The fundamental provisions of the Constitution cannot be unilaterally changed. Such changes require the consent of both the levels of government.
5. Courts have the power to interpret the Constitution and powers of the different levels of government. The highest court acts as the umpire if any dispute arises between different levels of governments.
6. Sources of revenue for each level of government are specified to ensure its financial autonomy.
7. Federal system has dual objectives. To safeguard and promote unity of the country, and to accommodate regional diversity.

Question 4.

Describe the three forms of power sharing among different organs of government in India. (2014)

Answer:

The Constitution declared India as a Union of States based on the principles of federalism. The Constitution originally provided for a two-tier system of government, the Union or the Central Government representing Union of India and the State Governments. Later, a third tier was added in the form of Panchayats and Municipalities.

As in any federation, these different tiers enjoyed separate jurisdiction. The Constitution provided a three-fold distribution of legislative powers:

1. Union List includes subjects of national importance, i.e., defence of the country, foreign affairs, banking, communications and currency.
  2. State List contains subjects of state and local importance, i.e., police, trade, commerce, agriculture and irrigation.
  3. Concurrent List includes subjects of common interest to both the Union Government as well as the State Governments, i.e., education, forests, trade unions, marriages, adoption and succession.
- In case of dispute, law made by the Union Government shall prevail.

4. Residuary—Subjects which do not fall in any of the three lists, i.e., computer software, etc. Union Government has the power to legislate such subjects.
  - As India is an example of 'holding together' federation, all states in the Indian Union do not have identical powers. Some states enjoy special status such as Jammu & Kashmir. There are some states too small to become independent like the Union Territories of Chandigarh and Lakshadweep.
  - This sharing of power between the Union Government and State Governments is basic to the structure of the Constitution. Any change to it, has to be passed by both the Houses of the Parliament with at least two-third majority.
  - The judiciary plays an important role in the implementation of constitutional procedures. In case of any dispute about division of powers, the High Courts and the Supreme Court make a decision.

#### Question 5.

Describe in brief the language policy of India?

Answer:

1. Our Constitution did not give the status of national language to any one language.
2. The formation of linguistic states united the country and made administration easier.
3. The leaders of our country adopted a very cautious attitude in spreading the use of Hindi. Hindi was identified as official language.
4. The banning of use of English for official purposes in 1965 took a violent form in Tamil Nadu. The Central Government responded by agreeing to continue the use of English along with Hindi for official purposes.
5. Promotion of Hindi as an official policy of the Government of India but it does not impose Hindi on states where people speak a different language.
6. Besides Hindi, there are 21 other languages recognised as scheduled languages by the Constitution.
7. This flexibility shown by Indian leaders helped our country avoid the situation that Sri Lanka finds itself in.

#### Question 6.

What were the major steps taken to make decentralisation more effective?

Or

What amendments were made in the Constitution in order to make the third tier of democracy (Local Government) more powerful and effective?

Answer:

Major steps towards decentralisation taken in 1992 are:

1. Now it is constitutionally mandatory to hold regular elections to Local Government bodies.
2. Seats are reserved in elected bodies for scheduled castes, scheduled tribes and other backward classes (OBCs).
3. At least one-third of all positions are reserved for women.

4. The State Election Commission was created to conduct Panchayat and Municipal elections.
5. The State Governments are required to share some powers and revenue with Local Government bodies.

Question 7.

Explain the structure of the new Panchayati Raj institutions, both in rural and urban areas.

Answer:

Rural Local Government is known by the name of Panchayati Raj/ Democratic decentralization.

- Each village or group of villages has a Gram Panchayat.
- Panch, President or Sarpanch are directly elected by all the adult population of the village and is the decision-making body.
- The Panchayat works under the supervision of Gram Sabha, with all the voters as its members.
- The local structure goes up to the district level—a group of Gram Panchayats form a Panchayat Samiti or Block or Mandal.
- All the Panchayat Samitis or Mandal together constitute the Zilla Parishad which consists of elected members.
- Lok Sabha members, Local MLAs and officers are also members of the Zilla Parishad.
- Its Chairperson is the political head of the Parishad.

Urban areas local bodies.

- Municipalities are set up in towns.
- Big cities are constituted into Municipal Corporations.
- Both are controlled by elected bodies consisting of people's representatives.

Municipal chairperson is the political head of the Municipality.

The head of Municipal Corporation is an officer called the Mayor.

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