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Indian federalism: Construction of a Unitary Discourse

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India's rich diversity of ethnic identities, languages, cultures, and religions has been fundamental to its democratic values since independence. Indian federalism has played a crucial role in fostering a free society, promoting national unity, and ensuring balanced economic development. The nature of Indian federalism is a subject of insightful debate. Some scholars classify it as "administrative federalism," while others argue for "cooperative federalism" or a "keeping together" approach, in contrast to the "coming together" model seen in the United States. Although the official framework of the Constitution notes India as a "union of states", its centralising tendencies expose a deeper fear about unity, sovereignty, and postcolonial state building. This paper analyses the development of Indian federalism with an eye towards how a unitary rhetoric came to define the political practices of the Indian state as well as the constitutional framework. With special reference to Constituent Assembly debates, major theories of federalism, and current political events, the paper questions the prevailing narrative of "unitary federalism" while yet sensitive to the convoluted and sometimes contradictory reality of Centre-state relations.

Key Words: Constituent Assembly Debates (CAD), National Unity, Centralism, Keeping together Federalism, State Autonomy.

Introduction

Federalism in India has always been more than an issue of institutional construction. It captures more profound political conflicts between unity and diversity, between central power and regional assertion. Often referred to as uniting model of federalism, the Indian Constitution is in many respects a reflection of its time, moulded by the agony of the Partition, the need of national cohesion, and a strong passion for political stability. Although many research notes, the unitary bent of Indian federalism (Austin 1966, p. 200; Jones 1970, p. 167). This paper aims to re-examine that discourse, not to discredit it, but rather to investigate its formation, history, and ramifications. In its original form, federalism assumes a political compromise between self-governing entities that freely decide to unite. According to William Riker, federalism is a deal to preserve autonomy in face of internal fragmentation or outside threats (Riker 1964, pp. 11-16). Rather than a federal contract between sovereign states, there was a strong Centre designing the federation from above, but India stands opposite to this. A more flexible perspective comes from Alfred Stepan's idea of "asymmetrical federalism" (Stepan 2011, pp. 128–129). India, he says, is a "holding-together" federation in which federalism is enforced rather than negotiated. Reflecting this disparity, the specific provisions under Article 370 for Jammu and Kashmir and the sixth schedule for tribal territories in the Northeast, this concept in some way is inadequate when we take into account how regularly centralising impulses has destroyed such inequalities. Notwithstanding this constitutional foundation, Indian states have not been only administrative divisions. Popular agitation, especially the Andhra movement, which compelled the Centre to embrace regional demands, directly led to the linguistic reorganisation of states in the 1950s (Jones 1970, pp. 173–175). Rising regional parties including the TDP in Andhra Pradesh, the Shiromani Akali Dal in Punjab, and the DMK in Tamil Nadu challenged the Congress's centralising influence and reordered federal politics (Sarkaria Commission Report, 1988, Vol. I, pp. 68–75). The Constituent Assembly debates expose how administrative efficiency and issues of national unity dominated the federal idea. In his defence of a strong Centre, B.R. Ambedkar's speech underlined the threats of

“disintegration” in a nation as varied as India (CAD Vol. VII, p. 33). Similarly, Nehru’s focus on unity affected the inclination for residual powers being assigned with the Union (Austin 1966, p. 189). Strong unitary bias permeates Emergency powers (Articles 352–360), the ultimate power of Parliament over State List items (Article 249), and the application of Article 356.

Constitutional Background

The Indian Constitution embodies various principles that promote social revolutions, with one key objective being the protection of national unity and stability. The importance of unity is addressed at the very beginning of the Constitution. During the drafting process, this was recognized as a crucial issue when developing the federal and language provisions. The founding fathers of the Constitution prioritized national security and stability, which significantly influenced the federal structure of the country, leading to a greater reliance on the central government. It is important to note that the Constituent Assembly did not hold a public debate about whether India should be a unitary or federal state when drafting the Indian Constitution. This was a significant oversight during the deliberation process. The reason for this omission was straightforward: the Cabinet Mission Plan of 1946 proposed the establishment of a Union of India that would encompass both British India and the princely states. Following this guidance, the Constituent Assembly of India began its work on creating a constitution for the country. The Cabinet Mission Proposal outlined specific areas of responsibility for both the Union and the states. It proposed that the states would retain authority over all subjects except those specifically assigned to the Union (Venkatarangaiya & Shiviah, 1975, p. 73).

Various political parties in India opposed the Cabinet Mission Plans. The proposal to establish India as a “Union” with a weak central authority and strong provincial governments was particularly unpopular among the members of the Constituent Assembly. Instead of following the Cabinet Mission’s suggestions, most Assembly members aimed to establish a strong central government (Bhattacharya 1992, p. 93). Some members of the Constituent Assembly believed that the Cabinet plan would not achieve true national unity, independence, or economic

security, and thus, there were no discussions on the benefits of a federal government. According to Austin (2017, p. 232), the Assembly did not face the severe conflicts of interest seen in Philadelphia in 1787 or between Ontario and Quebec. There was substantial debate in the Assembly about the division of powers, the effect of emergency provisions on the federal system, and the distribution of revenue, but these debates centred on procedures rather than federal ideas.

The members of the Constituent Assembly expressed significant concern regarding the financial provisions, advocating for increased revenue for regional governments. However, there was a consensus that the Union administration should be responsible for tax collection, subsequently allocating funds to the individual units. As noted by Austin, ‘this could hardly be called a traditional defence of provincial autonomy’ (Austin 2017, p. 232). Consequently, the arguments posed by classical federalists for robust provincial autonomy and a relatively weaker central government, as championed during the Philadelphia Convention in 1787, were fundamentally refuted in the perspectives of the Indian Constitution makers. Initially, they favoured a strong central government, as suggested by the Union Powers Committee. The second report of the Union Powers Committee notably advocated for a future Constitution that would be characterized as a federation with a strong Central government, emphasizing that residuary power should be retained exclusively in the hands of Centre. Although the majority of members in the Constituent Assembly initially concentrated on the significance of federalism, the discussions within the Assembly ultimately evolved in a different direction. Consequently, the idea of establishing India as a federation was not widely accepted among the Indian founders. The members’ inclination towards centralization subsequently ignited the demand for a decentralized federal polity and increased powers for the states following independence. In this regard, Verney (2003) observed that the Indian framers exhibited little interest in adopting a federal structure; rather, they preferred to discuss concepts such as “union” and “centre-state relations.” Throughout the discussions, the national government was consistently referred to as “the Union cabinet.” Despite this, the framers of the Constitution argued that

powers should be delegated to the states, akin to the delegation of powers to the provinces in the past regardless of what the Constitution provides specifically about federation (Verney 2003, 36).

Debating Federalism and State Autonomy in Constituent Assembly

The members of the Constituent Assembly were generally adamant about not adhering to any specific federalist idea or philosophy. They stated that India had many challenges that were unique to the country and that no alternative approach to federalism could solve these issues. Initially, it took the experience of several modern federations, such as the United States, Switzerland, Canada, and Australia, and followed a policy that was appropriate for India. They made fresh adjustments to established concepts about how to build a federal government in India during this process. Members of the Constituent Assembly responded to the topic of federalism in a very practical manner. This can be explained by the fact that some of them had taken part in the British-imposed federal arrangements in India in the late 1930s. They were fully aware that each federation is the result of its own distinct history, traditions, and political culture. When it came to writing its own constitution, India was unable to slavishly replicate that of any Western nation. The imitated Constitution would not have had the legitimacy of the indigenous people of India, and hence it would not have been able to survive the pressures and strains of Indian political, economic, and social forces that were bound to be unleashed upon political freedom.

However, Indian creators were unable to fully articulate the federal government model of the United States, Canada, or Australia. Instead of being a “coming together federation,” as Stepan (2011) noted, the federalism practiced in India is best described as a “keeping together federation.” One could argue that the people who drafted the Indian Constitution did not promote the idea of state rights. Rather, they prioritised the establishment of economic and national unity while stressing the importance of maintaining cultural and linguistic independence. Dr. Ambedkar made it clear that the Indian Union could not be disbanded and that states within it lacked the authority to break away from the federal government. He additionally pointed out that

India is an indestructible “union of states”. He went on to say that the Constitution of the State and the Union are a single framework from which neither can escape and within which both must act in order to be legitimate.

However, we can see that the CA members did not overlook the province or state autonomy features. Dr. B.R. Ambedkar also described the country’s Constitution as “federal inasmuch as it establishes what may be called a dual polity, (which)... will consist of the Union at the centre and the States at the periphery, each endowed with sovereign powers to be exercised in the field assigned to them by the Constitution.” In light of this, Dr. Ambedkar propagated for maintaining unity in all aspects of life while preserving the federal nature of the nation or state. According to Anderson (2012), the Indian Constitution’s framers purposefully avoided using the phrase “federal”. It is critical to understand this since it explains their intentions. In reality, the union evolved into something resembling a creatively flexible federation, with state governments enjoying a significant degree of autonomy as long as they did not allow for intervention by internal disputes or crossed the centre’s political will too boldly. The founding fathers envisioned a union with less centralising features. However, we cannot rush to this conclusion right now. If we carefully investigate and evaluate the Constituent Assembly’s arguments on federalism and state autonomy, the argument’s plausibility will become evident.

The first meeting of the Constituent Assembly

On December 9, 1946, the Constituent Assembly held its first meeting at Constitution Hall in New Delhi. In his inaugural address as Provisional Chairman of the Assembly, Dr. Sachidananda Sinha made several observations regarding the process of drafting the Indian Constitution, drawing comparisons to the frameworks of other established federations. He praised the Constitution of Switzerland for its many valuable and instructive features, expressing confidence that the Assembly would analyse it and use it as a model for creating a new constitution for an independent India. Sinha also hoped that the members would consider the American Constitution. He pointed out that the American Convention, held in Philadelphia in 1787, set a precedent for subsequent national conventions around the world. Sinha

believed it was important to emphasize the American system of constituent and constitutional law to adapt its provisions thoughtfully to evolving needs and circumstances. This statement clearly reflects the Constitution makers' intention to establish a federal system. This goal was to be accomplished through the Objective Resolution, which was drafted and proposed by Pandit Jawaharlal Nehru on December 13, 1946, just four days after the Constituent Assembly's inaugural meeting.

Nehru's address in support of the Objective Resolution was widely regarded as a moving and inspiring opening speech. He urged the Assembly to pass the resolution, assuring that the people of the Indian states are free to join the government at any time. Nehru emphasized that the Constituent Assembly would not coerce the states into any decisions that went against their will; instead, it would seek their collaboration and assistance in drafting the Indian constitution. The resolution was discussed over four days—December 13, 16, 17, and 19. Ambedkar expressed concerns about the third paragraph of the resolution, which states that a Union Government will exist with specific legislative, executive, and administrative powers. He opposed fragmentation and advocated for a strong, united central government, much more powerful than the one established by the Government of India Act of 1935.

The Idea of Unified and Strong India

The Constitutional Assembly was assigned several significant responsibilities, the most important of which was to design a constitutional framework within an integrated structure. This framework would enable all the states on the subcontinent to cooperate in achieving the goal of a strong and unified India. From the very beginning of their movement, the Indian National Congress has emphasized the importance of maintaining India's unity and integrity while being governed by a strong central authority. As a result, the agenda has consistently reflected a commitment to India's overall national cohesion. On April 28, 1947, Sardar K. M. Panikkar (Bikaner), speaking on behalf of the sixteen states represented at the inaugural meeting of the Constituent Assembly, expressed his gratitude for the presence of some delegates from Indian States. He viewed this

participation as a meaningful sign of the unity to come. The commencement of work in cooperation between state and provincial leaders brought hope for the establishment of the Union of India.

Sri Brojendra Lal Mittar, another member of the Assembly from the state of Baroda, argued that states are an integral part of India and should be granted the same level of autonomy as British India. As a result, the states had high hopes of participating in the drafting of the Constitution. They sought unity despite existing disagreements among them. In this context, Austin (2017, 237) noted that the argument for strong provincial governments or state autonomy was a “dead issue” among Assembly members. Consequently, there was little discussion regarding Union versus provincial sovereignty, a sentiment clearly reflected in the later Memorandum on the Union Constitution. The initial attempt to outline the ideas for the new constitution was made on May 30, 1947, when Constitutional Adviser B. N. Rao drafted a memorandum on the Union Constitution. The key clause of this memorandum, which embodied the “Union of India” principle, stated that the Union would be a sovereign, independent state known as the Union of India, encompassing all territories included in India under the Government of India Act of 1935. In June 1947, this memorandum was presented to the Union Constitution Committee for consideration. It sparked extensive discussions about the concept of federation, even as the shifting political landscape influenced the foundational aspects of the proposed constitution. During this period, it became increasingly clear that the territory of the future “Union of India” could not encompass all of “British India.” It is important to note that the term “Federation” was more commonly used than “Union” at that time, leading the Union Constitution Committee to decide to refer to the future government of India as the “Federation of India” instead of the “Union of India.”

CAD on the draft Articles 1, 2 & 3.

During the Constituent Assembly, extensive debates and discussions took place regarding the draft of Articles 1, 2, and 3. Article 1 of the Constitution being drafted identified India as a “Union of States.” This phrase has faced considerable criticism, with many arguing that “Federation of States” would be a more appropriate

terminology. However, members of the Drafting Committee supported the use of the term “Union” instead of “Federation.” On November 4, 1948, Ambedkar presented the draft Constitution to the Constituent Assembly and provided a justification for the significance of the term “Union.” He referenced the Canadian Federation to illustrate his point. Ambedkar explained that the goal of the Drafting Committee was to clarify that, although India would function as a federation, it was not the result of an agreement among states to form a federation, and no state had the right to secede. As a “Union,” the federation cannot be dismantled. On November 15, 1948, conversations within the Constituent Assembly revealed that there were extensive debates regarding the content of Article 1. The term “Provinces” was replaced with “States.” This change suggests that Article 1 played a significant role in defining India as a federal state by referring to it as a “Union of States.” Although this term was initially controversial, it was ultimately included in the original constitution, despite a lack of interest from many members of the Assembly. Article 2 was largely uncontroversial and received unanimous approval after some textual revisions. It was ratified on the same day, and its text stated, “Parliament may by law admit new states into the Union, or establish new states, on such terms and conditions as it thinks fit.” In contrast, the drafting of Article 3 sparked considerable debate within the Assembly. K.T. Shah proposed an amendment that would alter the laws concerning changes to state boundaries, the modification of areas, or the renaming of states.

In a similar manner, Ambedkar proposed a revision to the existing provisions of Article 3 and advocated for a substitution of this clause. He argued that if any bill is introduced that changes the boundaries or the name of any state or states, the President must consider the opinions of the state legislature and the state itself regarding the proposal. It is evident that other assembly members, including K. Santhanam, R.K. Sidhwa, and H.V. Kamath, supported Ambedkar’s ideas, as they deemed them to be more transparent than the revision proposed by K.T. Shah. However, the debates on drafting Article 3 progressed with a renewed focus on abolishing the distinction between “Provinces” and the “Indian State.” During the discussions on draft Article 3, the Constituent Assembly did not engage in

deliberations concerning state autonomy. Ambedkar's amendment was the only one approved, and Article 3 was ultimately settled. From this, it is clear that the members of the Constituent Assembly were focused on defending centralization rather than state autonomy in relation to these articles, making no significant progress toward protecting states' rights. The Constituent Assembly approved the Constitutional provision of draft Article 3 in November 1949, and the Fifth Amendment Act of the Constitution was passed in 1953. These amendments took effect on December 24, 1955.

CAD on the Division of Powers between the Union and States

The provisions regarding the allocation of powers between the Union and the Provisional governments are outlined in Part XI of the Indian Constitution. This part is titled "Relations between the Union and the States" and is divided into two chapters in the original Constitution. Chapter I defines the Union-State Legislative Relations, while Chapter II addresses the Administrative Relationships between the Union and the States (Articles 256-263). The financial provisions of the Constitution are discussed separately in Part XII. Articles 245-255 and the Seventh Schedule of the Constitution of India establish the list system, which includes the Union, State, and Concurrent Lists. These articles cover the distribution of legislative powers between the Central Government and various State Governments. The discussions on the allocation of powers between the Union and the States did not extend for a long period within the Constituent Assembly. The Assembly did not spend much time debating the distribution of legislative and executive powers. The founding fathers intended to grant states tangible rights and resources necessary for development, such as land, water, and power, which were essential for socioeconomic progress. These allocations were largely accepted by Assembly members under the justification of protecting the "national interest." However, when the topic of drafting financial arrangements arose, it had already been addressed in detail. On the other hand, neither of the committees chose to uphold the recommendations concerning the residual powers, resulting in subsequent changes. Regarding the federal structure and the distribution of powers, the Union Constitution Committee made its position clear from the outset:

1. The Constitution should establish a federal structure with a strong central government.
2. There should be three comprehensive legislative lists: Federal, Provincial, and Concurrent, with residual powers assigned to the Centre.
3. The States should be treated equally with the Provinces regarding the Federal Legislative list, subject to the consideration of any specific matters that may arise once the lists have been fully developed.

At this stage, we can observe that the Union Constitution Committee when discussing the distribution of powers, particularly regarding residual powers, did not consider the aspects of state autonomy or states' rights. Both reports altered the existing provisions. In a surprising turn of events, the provinces readily accepted these changes. Only a few voices were raised in the Assembly when many subjects previously on the Provincial list were transferred to the Concurrent List and the Union List. As a result, it is difficult to identify a strong consensus among the members of the Constituent Assembly concerning the safeguarding of state autonomy.

Meanwhile, when the issue of how the Union and state governments should divide their respective revenues was brought up in the Constituent Assembly, there was little time for discussion, and the matter seemed to lack significant interest. Although many provincial governments and their representatives sought an increase in provincial revenues, they believed they should not have to rely on the Union Government to achieve this goal. According to Austin (2017, p. 271), provincial representatives advocated for more provincial resources not out of a desire for regional autonomy, but rather from a sense of pride and the hope that their provinces could accomplish their social responsibilities. Not a single provincial government justified its request by citing the need to protect provincial sovereignty or states' rights. For example, on August 5, 1949, B. Das from Orissa stated in the Assembly that the drafting Committee must have considered the report of the Expert Committee and altered the articles under discussion. He noted that the Finance Department of the Government of India should not release funds arbitrarily appropriated, as this would enable

the provinces to grow economically and better serve the people entrusted to them.

With the exception of sections related to the Finance Commission, most of the financial provisions in the Indian Constitution were directly adopted from the Government of India Act of 1935. Since its establishment on November 22, 1951, the Finance Commission has been responsible for addressing issues related to the distribution of revenues between the central and regional governments. In terms of fiscal relations between the centre and the states, the Assembly accepted most of the recommendations made by the expert committee. This committee suggested that provincial governments should have adequate resources of their own. However, regarding the authority to levy taxes, the Assembly found it impractical to implement. According to the expert committee's findings, there should continue to be 'divided heads' of taxation, and the shares allocated to both the central and provincial governments for each of these categories must be adjusted naturally, without friction or interference between them.

CAD on Emergency Provisions

The most contentious aspect of the Indian Constitution is the emergency provisions. These provisions allow for the distribution of powers to be easily altered, and their implementation could shift the fundamental nature of the Constitution from federal to unitary. In this regard, Morris-Jones (1987, p. 82) observed that those in the Assembly favoring a "states' rights" approach were responsible for the most scandalous proposal of all, which threatened the integrity of the federation—namely, the emergency provisions themselves. The Constituent Assembly established these provisions without engaging in significant debate, endowing the President and Governors with legislative powers. According to Rao (1968, p. 802), one of the primary concerns of the Constituent Assembly was to incorporate sufficient provisions into the Constitution to facilitate unified, swift, and efficient action in emergencies. However, apprehensions arose regarding the potential for the President to intervene in a state without a genuine threat to public safety or merely based on claims that a state government had failed to fulfill its constitutional responsibilities. This

concern generated most of the major arguments surrounding the emergency provisions.

Kamath argued against keeping these emergency provisions, which were included in the draft of Article 277A. The Assembly expressed a variety of opinions regarding this article. Pandit Hriday Nath Kunzru delivered a speech objecting to the proposed Article 277, which he characterized as “practically subversive of the financial rights of the state.” He warned that it could threaten the economic autonomy of states, reducing them to the status of municipal and district boards. Conversely, B. Das referred to the emergency powers of the President, stating that they had turned the President into a “new Frankenstein.” In light of these concerns, the Drafting Committee agreed to reconsider the issues raised and prepared the drafts accordingly.

State Autonomy and Political Practice

From the above Constituent Assembly debates it is therefore rather clear that India’s constitutional structure is centralised, however reality of Indian federalism has sometimes differed from a strict, top-down paradigm. Indian states have actively shaped the federal conversation by frequently claiming their political, cultural, and economic uniqueness, hence transcending their mere administrative appendages of the Centre.

A turning point in this claim was the 1950s linguistic reorganization of states. Strong regional movements from below drove this change. The Andhra movement made the Indian government realise the power of regional languages and cultural identity when Potti Sreeramulu died during a hunger strike calling for a separate state for Telugu speakers. The founding of Andhra State in 1953 and the thorough States Reorganisation Act of 1956 showed the Centre is cautious but required accommodation of these regional aspirations. According to Morris-Jones (1970), the Union made a major compromise to the political and cultural ambitions of the people by reorganising (pp. 173–175). The emergence of regional parties in later decades changed the federal balance even more. From grassroots movements anchored on regional identity, linguistic pride, and local concerns, parties including the Dravida Munnetra Kazhagam (DMK)

in Tamil Nadu, the Shiromani Akali Dal in Punjab, and the Telugu Desam Party (TDP) in Andhra Pradesh formed. These groups helped to produce a more plural and negotiated federal polity by contesting the centralising hold of the Indian National Congress.

The Sarkaria Commission Report (1988) claims that by distributing power and increasing the importance of regional players in national politics, these phenomena fundamentally changed the political scene (Vol. I, pp. 68–75). Moreover, globalisation has given Indian states access to a wider range of trade and commerce opportunities, and that the general use of communication and technology has made it possible for states to operate effectively within their borders. Therefore, States are increasingly more assertive when it comes to demanding greater independence from outside influence in their own domain. It is obvious that states today enjoy more administrative authority than legislative one. The state autonomy arguments are taking on new dimensions as ideas like cooperative federalism and market federalism become more prevalent.

In recent decades, fiscal federalism has likewise stayed a very divisive ground. States have been demanding a fairer share of national earnings, attacked the Centre for establishing centrally sponsored schemes (CSS) limiting fiscal autonomy. Although these programs are meant for growth, their rigid rules can restrict state government choice. The 2010 Punchhi Commission Report emphasises the need of a more flexible and cooperative fiscal relationship and advises that national aims and state-level priorities must be balanced (Vol. I, pp. 92–94). Presented as a uniting fiscal change, the Goods and Services Tax (GST) adoption in 2017 set off more discussion. Many states have expressed worry that it compromises their fiscal autonomy even if it streamlined indirect taxes and encouraged a common market. Tensions in the present fiscal system have been highlighted by unhappiness about postponed compensation for income losses, particularly in recessionary times. As the Finance Commission Report (2020) notes, the GST experience has begged important issues regarding the long-term viability of fiscal federalism in India and the necessity of maintaining states' autonomy in income generating (pp. 101–105).

The Ambiguities of Cooperative Federalism

Indian federalism has nowadays classified as a model of cooperative federalism. One of the major step towards cooperative federalism in 2015 was the replacement of the Planning Commission with the National Institution for Transforming India (NITI Aayog). Unlike its predecessor, NITI Aayog was meant to be a forum for states to engage in the policy-making process instead of only being obliging consumers of central plans. However, the institution's limited financial power and essentially consultative position have limited its influence. As the NITI Aayog Report (2018) notes, although the body wants to encourage cooperation, its lack of authority to distribute money greatly reduces its impact over state developmental paths (pp. 23–24).

The Inter-State Council, another important tool for cooperative government, has also fallen short of expectations. It has met very occasionally, albeit being constitutionally obligated to help cooperation between states and between the Centre and states. Its recommendations also remain non-binding, therefore compromising its institutional effectiveness as a venue for interstate negotiation and conflict resolution.

Because of its inclusive structure – where Centre and states share decision-making obligations – the Goods and Services Tax (GST) Council has been frequently cited as a functional form of cooperative federalism. Nevertheless, the experience following implementation exposes ongoing issues. The Council's reputation has been undermined by problems like opaque decision-making, delayed payments to states, and voting power disparities. The Finance Commission Report (2020) indicates that many states believe the present system favours the Centre, therefore casting questions on the actual federal character of the GST structure (pp. 117–120).

The COVID-19 epidemic showed even more the restrictions of cooperative federalism. Though public health is a state topic covered by the Indian Constitution, the Centre made controversial choices about lockdowns, funding allocation, and vaccination distribution without consulting states very much. This unilateralism during a national crisis highlighted the frailty of cooperative systems and strengthened the

Centre's authority even in sectors officially under state jurisdiction (NITI Aayog COVID Report, 2021, p. 7).

The Contemporary federal movement

The Current political events have heightened worries concerning state autonomy claims. One of the most notable instances was the August 2019 abrogation of Article 370, therefore depriving Jammu and Kashmir of their particular constitutional status. This action was carried out without the approval of the legislative assembly of the state, therefore essentially ignoring the federal consent concept. Such moves, as Stepan (2011) contends, expose the Centre's ability to supersede federal rules when politically expeditious (p. 132). Furthermore causing questions regarding the political abuse of federal institutions is the growing usage of central investigative agencies including the Central Bureau of Investigation (CBI) and the Enforcement Directorate (ED) in states run by opposition. Though ostensibly independent, these organisations have been accused of specifically targeting state governments and politicians at the Centre who disagree with the dominant party. Furthermore under examination is the divisive role governors – especially in states like West Bengal, Maharashtra, and Tamil Nadu – have played. Governors, who are unelected appointments of the President, have been seen as political actors meddling in state issues, therefore upsetting the federal equilibrium.

Conclusion

The Constituent Assembly debates made it abundantly evident that the main objective of the Constituent Assembly members was to construct a unitary discourse of federalism. The requirement of unity was even more important when the issue of regional autonomy emerged. Clearly, the idea of federation – that surfaced sporadically during the discussions – tended to fit more closely Unitarian rhetoric. For a variety of reasons, the emphasis was on enhancing the Centre, giving maximum control and command. The arguments among the Constituent Assembly produced a federal model without a notable balance of power between the Centre and the provinces. Although the Assembly did not entirely neglected the state rights issues, most of its members supported a strong national government acting in their own best

interests. As provincial representatives often lacked unanimity in proclaiming their rights, there might possibly have been negotiations between provincialists and those advocating a strong Centre.

Therefore, it may be argued that Indian federalism is the outcome of constitutional architecture as much as of shifting political practice. Though the official structure is towards centralisation, this unitary impulse has remain unchallenged. Relatively, the assertion of regional identities, the growth of political federalism via state-level parties, and the central function court rulings play in resolving federal problems have shaped and reshaped India's federal landscape. Above all, constitutional clauses by themselves cannot enable one to understand the real experience of Indian federalism. The continuous evolution of the federal demands such as linguistic movements in the 1950s to current state-level pushback against centralized policies; political mobilizations –from linguistic movements to define the limits of the federal arrangement – have also been very significant. Courts have also intervened at turning points to specify and guard the boundaries of federal sovereignty. However, the federal spirit in India can never be undermined. States keep opposing central encroachments using constitutional means. Legal challenges to central laws, cooperative efforts by opposition-led states, and several policy innovations –such as those connected with public health, education, and welfare – reflect the continuous contestation and vibrancy of India's federal structure. Although the Centre might have great influence, states remain active players in forming the Union, preserving the discussions and conflicts defining federalism in a multifarious, plural democracy.

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