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Q11

Indian constitution exhibits centralising tendencies to maintain unity and integrity of the nation. Elucidate in the perspective of the Epidemic Diseases Act, 1897; The Disaster Management Act, 2005 and recently passed Farm Acts.

UPSC Civil Services Mains 2020 · GS II · 15 marks · Indian Constitution

Indian Constitution - historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Core demand of the question

- Indian Constitution exhibits centralising tendencies to maintain unity and integrity of the nation. Elucidate in the perspective of the **Epidemic Diseases Act, 1897**, The **Disaster Management Act, 2005** and recently passed Farm Acts
- Honour the official stem. **Treat the Farm Acts** as the 2020 package; record that they were repealed in 2021 while still analysing them as this paper required
- Keep the elucidation within a 15-mark length

Revision summary

India's Constitution is a strong-Centre federation built for unity and integrity.

The **Epidemic Diseases Act, 1897**, gave executive epidemic powers reused in COVID-19.

The **Disaster Management Act, 2005**, nationalised lockdown command through NDMA and the Union Home Ministry.

The 2020 Farm Acts used Union trade and commodities entries to recast State-regulated farm markets.

Those farm laws were repealed in 2021; as a 2020 case they still show centralisation meeting federal resistance.

Introduction

- **The Constitution is a Union of States with a strong Centre:** a long Union List, All-India Services, **Articles 352-360**, and residuary power. Unity and integrity are the stated reasons. The **Epidemic Diseases Act, 1897**, the **Disaster Management Act, 2005**, and the Farm Acts of 2020 show how that centralising habit works in a health emergency and in the farm market - and where States push back.

Body

Centralising design in the Constitution

- **Federal in a dual-polity sense, India is not a league of sovereign States:** single citizenship, unified judiciary, and **Article 3** on State boundaries already tilt to the Union.
- Emergency provisions, the GST Council's Union vote-weight, and Centrally Sponsored Schemes continue that tilt in ordinary times.

- **The 2020 examples are statutes, not amendments, which is how centralisation often arrives:** Union legislation on a crisis or on a claimed national market.

Epidemic Diseases Act, 1897

- A colonial public-health statute, it lets a government take special measures and prescribe regulations to prevent the spread of a dangerous epidemic disease.
- In COVID-19 the Union and States used it, with the 2020 ordinance against violence on healthcare workers, as a quick legal peg beside the newer disaster law.
- **Centralising tendency:** a thin, executive-heavy Act, born to protect imperial ports and troops, still lets a distant government regulate bodies and movement with limited legislative debate.
- **Unity rationale:** a virus does not stop at a State border; a national frame reduces beggar-thy-neighbour lockdowns.
- **Limit:** public health is largely a State subject; 1897 does not by itself create a modern rights-based health federalism.

Disaster Management Act, 2005

- The Act builds NDMA, SDMA, and a chain of plans; **Section 6** and the Union Home Ministry's COVID-19 guidelines turned a disaster statute into a national lockdown instrument from 24 March 2020.
- Migrant-worker distress showed that a Centre-written lockdown without matching State fiscal and shelter capacity is centralisation without capacity.
- **Unity rationale:** one definition of disaster, one national executive for earthquakes, cyclones, and a pandemic classified as a disaster.
- **Federal tension:** States ran hospitals and police; they often received instructions more than a co-authored plan, which is the DM Act's Union-nodal design under stress.

Farm Acts, 2020

- **Three Union laws:** Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act; Farmers (Empowerment and Protection) Agreement on **Price Assurance and Farm Services Act**; Essential Commodities (Amendment) Act.
- The Union placed them on trade, commerce, and essential commodities - Union and Concurrent entries - while agriculture and markets are the States' daily field; Punjab and others answered with their own Acts and protests.
- **Centralising tendency:** a national 'one nation, one market' claim over APMC-era State regulation, justified as farmer freedom and integrity of the internal market.
- These Acts were repealed in November 2021 after sustained protest. For a 2020 paper they still illustrate the tendency: the Union legislated first; politics forced a retreat later.
- **Unity rationale in 2020 Union speech:** fragmented mandi law blocked a national agricultural market. Integrity cost: deep agrarian regions read the package as an attack on MSP and federal compact.

Reading the three together

- Crisis statutes (1897, 2005) centralise in the name of life and order; farm statutes centralised in the name of a national market.
- Both uses fit the Constitution's Union-heavy map; both need State machines to work.
- **Elucidation is not endorsement:** unity is a constitutional value (Preamble, **Article 19** restrictions, duties), but so is a federal distribution that keeps agriculture and public health politically close to the citizen.

Flow diagram

Constitutional Union tilt -> Epidemic Diseases Act 1897
Constitutional Union tilt -> DM Act 2005 COVID lockdown
Constitutional Union tilt -> Farm Acts 2020
Epidemic Diseases Act 1897 -> Unity and integrity claim
DM Act 2005 COVID lockdown -> Unity and integrity claim
Farm Acts 2020 -> State protest and 2021 repeal

Conclusion

The Constitution's centralising tendencies - Union lists, crisis executives, and national-market legislation - were on display in the **Epidemic Diseases Act**, the DM Act's COVID-19 use, and the 2020 Farm Acts. Those tools can serve unity in a pandemic; the farm package showed that the same habit can strain integrity when States and farmers withhold consent. The Acts of 2020 were repealed in 2021; the constitutional tilt they revealed remains.

Facts & figures

Epidemic Diseases Act, 1897

Colonial statute for special measures against dangerous epidemic disease; used with a 2020 ordinance on violence against health workers.

Disaster Management Act, 2005

Creates NDMA/SDMAs; legal basis of the national COVID-19 lockdown guidelines.

Farm Acts, 2020

Three Union laws on trade outside APMC, contract farming, and ECA stocking; repealed November 2021.

Seventh Schedule

Agriculture and local markets sit with States; trade, commerce and essential commodities give the Union a legislative door.

Article 3 / Emergency / AIS

Structural centralisers that make 1897, 2005 and 2020 statutes unsurprising in design even when contested in politics.

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