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Q7(a)

Does the actual working of Indian federalism conform to the centralizing tendencies in Indian polity? Give reasons for your answer

UPSC Civil Services Mains 2023 · PSIR GS 1 · 20 marks · Principal Organs of the Union Government

Principal Organs of the Union Government: Envisaged role and actual working of the Executive, Legislature and Supreme Court.

Core demand of the question

- Does the actual working of Indian federalism conform to the centralizing tendencies in Indian polity? Give reasons for your answer. (20 marks)

Revision summary

- **The Constitution designs a strong Union:** Article 3, residuary power, All-India Services, and emergency including Article 356.

Actual working has often followed that design through President's Rule, centrally sponsored schemes, and Governors.

S. R. Bommai (1994) and coalition politics after 1989 are the main federal counter-forces.

Finance Commission devolution after the **Planning Commission** reduced one allocative lever of the Centre.

The working is therefore Union-heavy federalism with cyclical State assertion, not either pure unitarism or dual federalism.

Introduction

Indian federalism is a constitutional division of power with a strong Union. The actual working often conforms to centralising tendencies that the text itself contains. The same working also shows State assertion through parties, the **Finance Commission**, and the Supreme Court's limits on President's Rule. The answer is therefore yes, with important counter-movements.

Body

Centralising design in the text

- **K. C. Wheare** called India quasi-federal. **Granville Austin** called the practice cooperative, but the Union remains the heavier partner.
- **Article 3** allows Parliament to form and alter States; the Union is not a compact of indestructible States.
- The Union List, residuary power in **Article 248**, All-India Services, and **Articles 256, 257, 355, 356**, and 365 give the Centre tools of direction, protection, and takeover.
- Emergency provisions and a unified integrated judiciary pull interpretation toward national power.

- Single citizenship and a national election commission are nation-making centralisms that Austin's cornerstone required after Partition.

Actual working that conforms to that design

- President's Rule was used frequently until **S. R. Bommai v. Union of India (1994)** subjected it to judicial review and to the floor-test principle.
- Centrally sponsored schemes, the **Planning Commission's** old Plan grants, and now Union indices and agencies still steer State policy in List II subjects such as health and urban development.
- Governors, the Lieutenant Governor in Union Territories, and central investigating agencies are recurrent sites of Union weight.
- GST created a shared tax but also a Council in which the Union's voice and the need for a common rate structure limit State tax autonomy.
- During national crises, as in internal emergency 1975-77, the polity worked as a unitary command.

Counter-working that does not fully conform

- After 1989, regional parties and coalition governments federalised the Union cabinet itself, which **Dahl** would read as contestation inside the Centre.
- The **Finance Commission's** rise after Plan grants ended, and the **Fourteenth Finance Commission's** higher tax devolution, moved money by formula rather than by Plan bargaining.
- Linguistic States, **Article 370's** long special status until 2019, and the 73rd and 74th Amendments created other power centres.
- **Bommai, Kesavananda**, and inter-state water benches are judicial federalism, not only Union will.
- **Ambedkar** had said the Constitution can be both federal and unitary as conditions require; the question is whether conditions or convenience drive the shift.

Reasoned answer

- Yes, actual working still conforms in large part to centralising tendencies, because the text invites them and because Union politics uses them.
- No, not as a completed unitarism, because States, parties, and courts regularly force bargains.
- The accurate political-science statement is a strong-Centre federation whose centralising tilt is structural, and whose federal practice is cyclical with the party system.

Flow diagram

Constitutional design -> Centralising tools
Centralising tools -> Arts 3 248 356
Actual working -> Centralising tools
Actual working -> Bommai coalitions FC
Bommai coalitions FC -> Bargain not unitarism

Conclusion

Indian federalism's working does conform to centralising tendencies built into **Articles 3, 248, 256**, and 356 and into schemes, Governors, and emergencies. Bommai, coalitions, and **Finance Commission** devolution are the main limits. The polity remains a Union-heavy federation, not a compact of equal States.

Facts & figures

Article 3

Parliament may form new States and alter areas, boundaries, or names; States are not indestructible units.

Article 356

President's Rule in States; historically the main centralising emergency in federal practice.

S. R. Bommai (1994)

Supreme Court held that the floor of the Assembly is the test of majority and that 356 is reviewable.

Article 248

Residuary legislative power of Parliament.

Fourteenth Finance Commission

Raised States' share in the divisible pool to 42 per cent, a fiscal federal shift after Plan grants.

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