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Q6(c)

The recent developments in Indian Politics has not eroded the true spirit of federalism in India. Critically examine this statement with the help of appropriate illustrations

UPSC Civil Services Mains 2025 · PSIR GS 1 · 15 marks · Federalism

Federalism: Constitutional provisions; changing nature of centre-state relations; integrationist tendencies and regional aspirations; inter-state disputes.

Core demand of the question

- Take the claim that recent Indian politics has not eroded the true spirit of federalism
- Critically examine with GST, 2019 J&K, farm laws and their repeal, and the **Fifteenth Finance Commission**
- Distinguish legal federalism from the political spirit of bargaining

Revision summary

The spirit of Indian federalism is bargaining among units, not only the three Lists.

GST created a shared tax forum that the Supreme Court treated as federal dialogue, while compensation and Union weight still skew the table.

The 2019 J&K reorganisation is the strongest evidence of unilateral thinning of a constituent unit, even after judicial upholding.

The farm laws showed Union overreach into the agrarian political economy; their repeal showed that protest and states can restore bargaining.

The **Fifteenth Finance Commission** remains a constitutional federal mechanism, contested over 2011 population and cesses that bypass the divisible pool.

Introduction

India is a Union that **Ambedkar** said could be both unitary and federal as need required. The 'true spirit' of federalism is not only a list of Lists in the **Seventh Schedule**. It is the habit of bargaining with states as partners. Recent years supply evidence for both erosion and resilience. A critical examination must use the illustrations asked for, not a hymn to cooperative federalism or a dirge.

Body

GST: shared tax, strained voice

The Goods and Services Tax created a common market and a GST Council, which the Supreme Court in **Union of India v. Mohit Minerals** (2022) described as a forum of federal dialogue whose recommendations have a real, though not dictatorial, force. That is an institutional deepening of shared rule. At the same time, compensation politics, rate-setting in which the Union's weight is heavy, and delays in meeting states' cash-flow fears show a spirit that can become Union-led uniformity. **K. C. Wheare's** classical coordinate federalism was never

India's model; **Granville Austin's** cooperative federalism is closer. GST tests whether cooperation is consent or compliance.

Jammu and Kashmir, 2019

The end of **Article 370** and the conversion of a state into Union Territories without the kind of state-legislature consent that many federal theorists would expect is the hardest illustration against the claim. Even if the Supreme Court upheld the constitutional pathway, the political spirit of federalism - that a constituent unit's identity is not unilaterally thinned - was strained. Ladakh's demand for a legislature and J&K's demand for statehood are the aftershocks of that strain.

Farm laws and repeal

The 2020 farm laws used Union entries with thin committee scrutiny. States and farmers treated this as an invasion of agriculture in spirit. Their **repeal in 2021** showed that protest and party maps can restore bargaining - resilience from society, not from the original process.

Fifteenth Finance Commission

Using 2011 population, the 15th FC reopened southern fears of being punished for lower fertility. **Article 280** remains a federal pillar; cesses that bypass the divisible pool weaken it. The claim of an uneroded spirit is too smooth. GST and the FC still work, roughly. J&K 2019 and the farm laws show unilateralism, partly corrected. Living federalism is this oscillation.

Flow diagram

Federal spirit -> GST Council Council
Federal spirit -> 15th Finance Commission
Federal spirit -> 2019 J and K
Federal spirit -> Farm laws / repeal
GST Council -> Cooperation and weight
2019 J and K -> Erosion risk
Farm laws / repeal -> Resilience via protest

Conclusion

Recent politics has both used and bruised the federal spirit. GST and the **Fifteenth Finance Commission** keep shared rule alive under Union weight. The 2019 J&K change and the farm laws reveal how far the Centre can go; the farm-law repeal shows that states and movements can still force a return to bargaining. The statement is only half true, and the illustrations are why.

Facts & figures

Mohit Minerals, 2022

The Supreme Court held that GST Council recommendations are not a diktat, underscoring a federal, not purely unitary, reading of GST.

Farm laws repealed, 2021

Parliament repealed the three 2020 farm statutes after sustained farmer protest and state-level resistance.

Article 280

The **Finance Commission** is the Constitution's periodic referee of Union-state financial federalism; the 15th FC used 2011 population in its formula.

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