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A STUDY ON THE CHALLENGES TO INDIA'S FEDERAL DESIGN

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ABSTRACT:

The term 'federalism' refers back to the naturally distributed distribution of powers among or lesser categories of administration inside the contemporary- day geographical region system of one, on the country-wide degree and the other, on the parochial, area, or neighborhood degree. The foremost look at espousing the civil shape in Indian polity is to end artistic unity and advanced civil governance in all of the Indian States. India's federal system is unique. It is called a civil society system / quasi-federal system because it has the characteristics of a system that involves both the government and the party. According to Article 1 of the Constitution of India, "India, to be known as Bharat, shall be a Union of the United States".¹ Federalism in India is not about states coming together to form a federal union. Instead, it changed from a unitary system to a federal system. However, the unstable enhancement among the countries and the absence of socio-financial and political possibilities in society have challenged federalism in India. The biggest challenge in cooperative federalism is the imbalance of power between the central government and the state governments. Because the federal government has greater power and resources than the state governments, the latter can feel excluded and unable to carry out their constitutional duties. The federal design is also affected by the integration of princely states, linguistic culture, and other central-state conflicts. The supplementary data for the disquisition was gathered from the papers, journals, papers, enactments, norms, and by-laws established for the discipline. The total sample size for the study is 200.

KEYWORDS:

Federalism, Union authorities, Socio- financial, Quasi - federal, and Unitary system

INTRODUCTION:

The structure of Indian federalism stands out due to its evolution, transitioning from a centralized framework during British governance to a federal framework after gaining

¹ INDIA CONST. art. 1.

independence. Throughout its history, Indian federalism has encountered numerous challenges and complexities, including the amalgamation of princely states, the reorganization of states based on language, the emergence of regional movements and calls for self-rule, the dynamics between the central government and state governments, issues related to financial federalism and the distribution of resources, and the need for collaborative federalism and coordination among states.

One of the key challenges in the design of Indian federalism is regionalism. This is primarily due to the growth of regional political parties and movements that are based on linguistic, ethnic, religious, or cultural identities. These movements have threatened the national cohesion and unity of India, with some regions or groups seeking greater autonomy, special status, or even separation from the Indian union.² The distribution of powers between the federal government and the states is ambiguous and not evenly balanced. The financial relationship between the federal government and the states is not fair or transparent, with the federal government collecting the majority of the taxes and deciding how to allocate them to the states based on its own discretion or criteria. The representation of states in the federal legislature and other federal bodies does not reflect their population size, geographical area, or contribution, leading to some states being overrepresented while others are underrepresented. The authority to change the Constitution lies with the Parliament, requiring a unique majority. The states do not participate or have any influence in the amendment process, except in specific issues that concern them.³ There is a necessity to enhance federalism by maintaining diversity and pluralism, protecting autonomy and rights, enhancing the quality and efficiency of governance, encouraging balanced and inclusive development, and promoting harmony and cooperation.

OBJECTIVES:

- To analyze the challenges over India's federal design.
- To know about the imbalance occurrence towards the study on federalism.
- To study the quasi-federal structure possessed in India with its objectives.

² wikipedia, https://en.wikipedia.org/wiki/Federalism_in_India, (last visited Mar. 6, 2024).

³ oecd, <https://www.oecd-ilibrary.org/sites/940cc5ee-en/index.html?itemId=/content/component/940cc5ee-en>, (last visited June. 6, 2024).

REVIEW OF LITERATURE:

India's federal structures, problems of commitment for the Central government, and issues bring out some important problems in both the design and implementation of the system (Mohapatra 2012). The report on the problem in India focuses on two basic issues major water-related challenges facing India, and the critical measures required to address them (**Aiyar and Tillin 2020**).⁴ The Article concludes by suggesting that the interpretive legacy of John Marshall better resonates with the fundamental normative and institutional problems of federal Indian law (**Ahluwalia 2019**). It is also found from the study that a large number of universities and colleges in India have been established during the last seven decades after independence, yet higher education is not equally accessible to all (**D. N. Singh et al. 2017**). The Paradox of 'Centralised Federalism': An Analysis of the Challenges to India's Federal Design, AMBAR KUMAR GHOSH, Occasional research foundation (**Thorlakson 2018; Anderson 2012**) where the paper argues that factors like weak institutional design, absence of appropriate mechanisms, problems in federal structure and above all, prevailing political compulsion have disturbed the fiscal devolution agenda of local levels of government in India.⁵⁶ The paper concludes with a broad assumption that local governments should have the upper hand in designing development programs and raising revenue while keeping the available local resources in mind (**Adeney 2007**).⁷

The reasons for this are examined and the implications of this for the design of federal systems in ethnically divided societies are assessed (**M. P. Singh and Verney 2003**).⁸ These limitations lead to recommendations for improving data analysis to support national rural water monitoring and evaluation, along with strategic approaches to data quality assurance, data access, and

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⁴ worldbank, <https://documents1.worldbank.org/curated/en/963521468042336419/pdf/443760PUB0IN0W1Box0327398B01PUBLIC1.pdf>, (last visited Mar. 6, 2024).

⁵ orfonline, <https://www.orfonline.org/research/the-paradox-of-centralised-federalism-an-analysis-of-the-challenges-to-india-s-federal-design>, (last visited Mar. 6, 2024).

⁶ Mohapatra, Bishnu Prasad, Local Self Governing Institutions and Fiscal Decentralisation in India-Form to Function (December 26, 2012). Available at SSRN: <https://ssrn.com/abstract=2193836> or <http://dx.doi.org/10.2139/ssrn.2193836>

⁷ academia.edu, https://www.academia.edu/7223044/Local_Self_Governing_Institutions_in_India_and_Fiscal_Decentralisation_Issues_Challenges_and_Policy_Prescriptions (last visited June. 6, 2024).

⁸ Anderson, Paul & Keil, Soeren. (2017). Federalism: A Tool for Conflict Resolution?. 10.13140/RG.2.2.10945.15209.

database functionality (Dyer 1994).⁹ Another article discusses the aspects of the character of the bureaucracy and nature of the federal polity which were found to impinge upon, disturb, and even overrule the realization of explicit educational policy aims (Ahluwalia 2019; Briscoe and Malik 2006; Frickey 1993).

METHODOLOGY:

The present paper was analyzed through the non-doctrinal research methodology and empirical and descriptive methods of research were used. The present analysis was made through a random sampling method where the survey was taken from the common public, professionals, etc. The sample size in the study is 200.¹⁰ The research tools used in the present paper such as bar graph, case summary, and graphical representation, and also used to analyze the study. Independent variables are Age, Gender, Marital status, Education qualification, place of residence, professional status, and Monthly income. Dependent variables significantly emphasize the differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation, India's federal design has a "central bias", Extreme political centralization/Geotic political Decentralization can both lead to the weakening of Indian federalism, Federal system makes government more manageable, Major challenges to the Indian federal structure.¹¹

ANALYSIS AND DISCUSSION:

INDEPENDENT VARIABLE

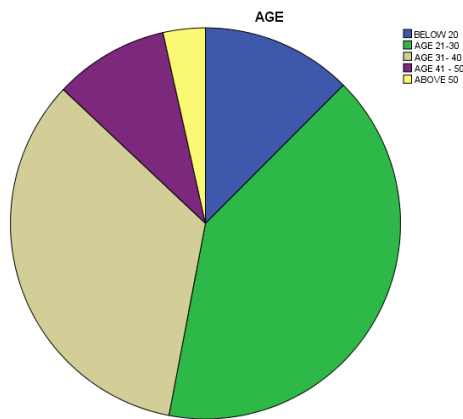
FIGURE 1

AGE

⁹ Wescoat, James & Riddhi, Pankaj & Shah, Ranu & Singh, J. (2019). Habitations, villages, and gram panchayats: Local drinking water planning in rural India with a Pune district case study. *Journal of Water, Sanitation and Hygiene for Development*. 9. 522.

¹⁰ M.D., Pradeep, Legal Research- Descriptive Analysis on Doctrinal Methodology (December 29, 2019). *International Journal of Management, Technology and Social Sciences (IJMTS)*, 4(2), 95-103 (2019), Available at SSRN: <https://ssrn.com/abstract=3510976>

¹¹ iasbaba, <https://iasbaba.com/2020/12/synopsis-14th-december2020-day-55-iasbabas-tlp-phase-2-upsc-mains-answer-writing-general-studies/>, (last visited June. 6, 2024).

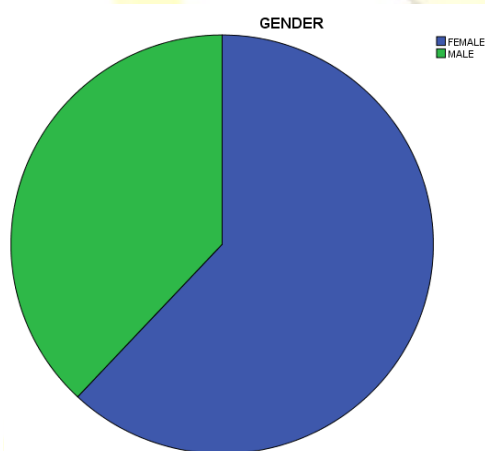


LEGEND:

This graph represents the age group category with respect to responses in the Study on the challenges to India’s federal design.

FIGURE 2

GENDER

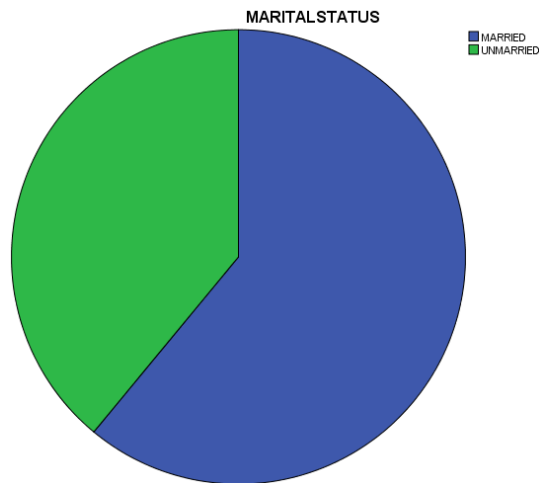


LEGEND:

This graph represents the gender of different age groups people with respect to responses in the Study on the challenges to India’s federal design.

FIGURE 3

MARITAL STATUS

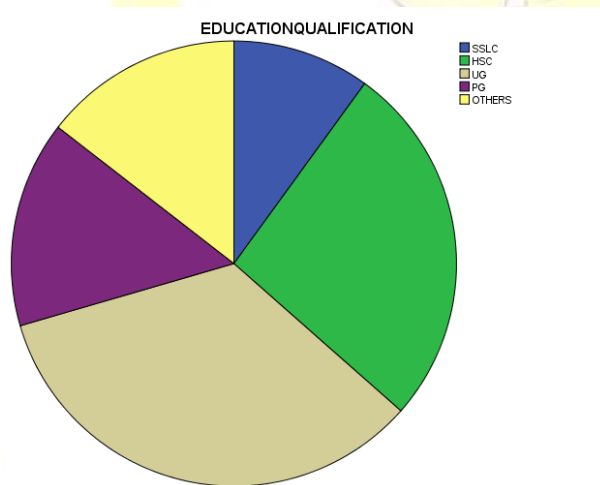


LEGEND:

This graph represents the distribution table of material status of different age groups people with respect to responses in the Study on the challenges to India’s federal design.

FIGURE 4

EDUCATION QUALIFICATION:

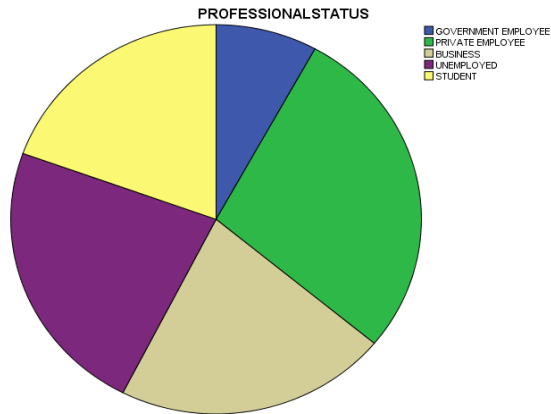


LEGEND:

This graph represents the distribution table of education qualification with respect to respondents in the Study on the challenges to India’s federal design.

FIGURE 5

PROFESSIONAL STATUS

**LEGEND:**

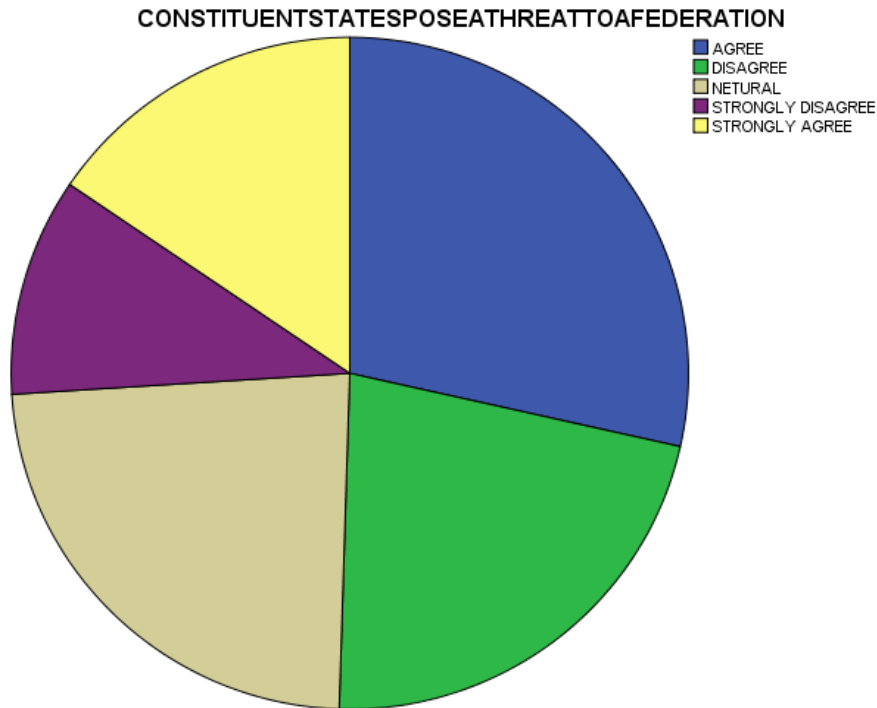
This graph represents the distribution table of professional status with respect to respondents in the Study on the challenges to India's federal design.

DEPENDENT VARIABLE**FIGURE 6**

Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation¹²

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¹² byjus, <https://byjus.com/free-ias-prep/issues-challenges-pertaining-federal-structure/>, (last visited June. 6, 2024).

**LEGEND:**

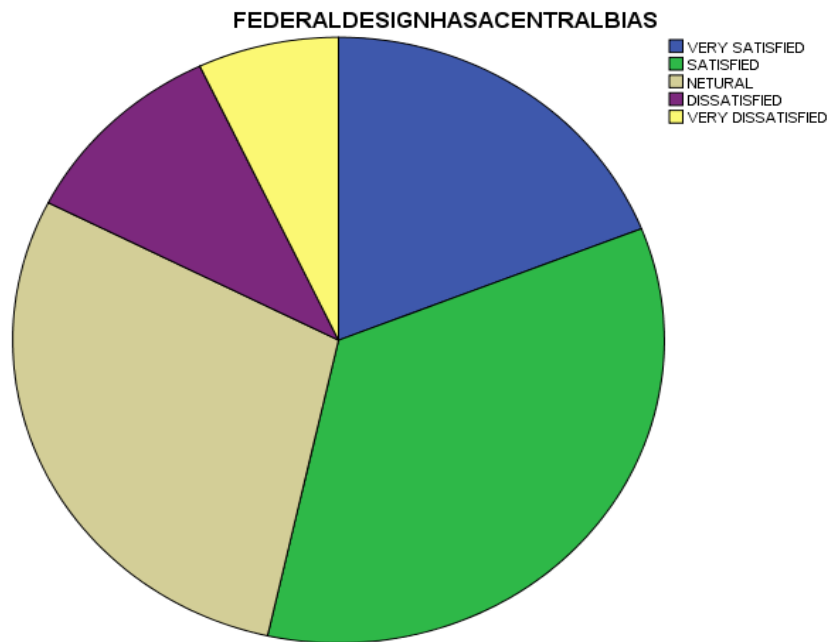
This graph represents the distribution table of responses for the question of the dependent variable that differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation with respect to responses in the Study on the challenges to India's federal design.¹³

FIGURE 7

India's federal design has a "central bias"

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¹³ byjus, <https://byjus.com/free-ias-prep/issues-challenges-pertaining-federal-structure/>, (last visited June. 6, 2024).

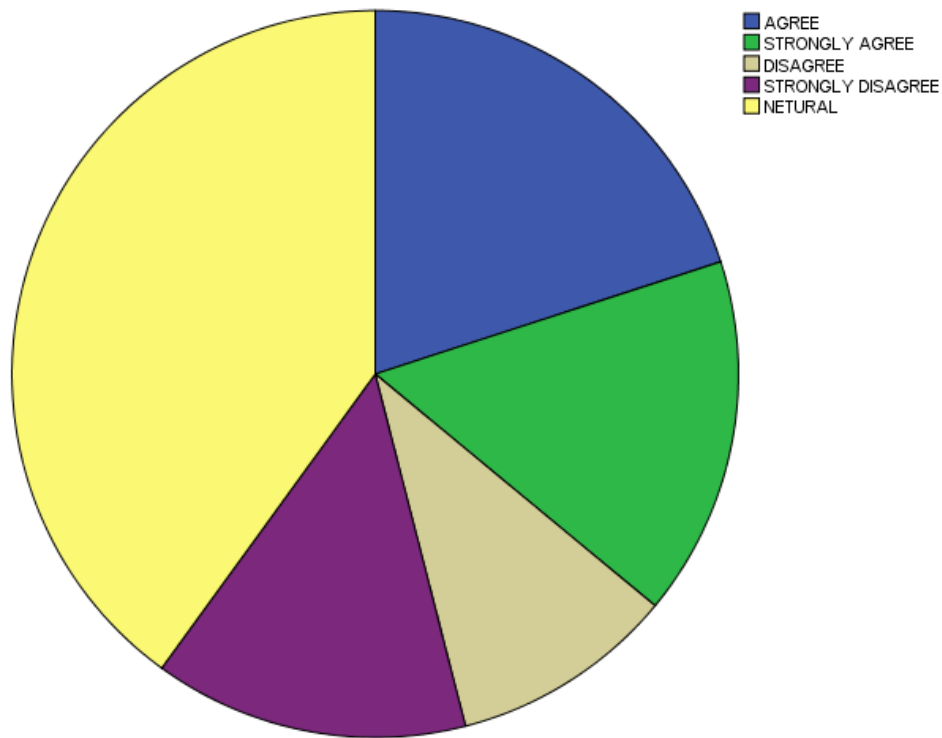
**LEGEND:**

This graph represents the distribution table of responses to the question of the dependent variable that India's federal design has a "central bias" in the Study on the challenges to India's federal design.

FIGURE 8

Extreme political centralization/Geotic political D centralization can both lead to the weakening of Indian federalism

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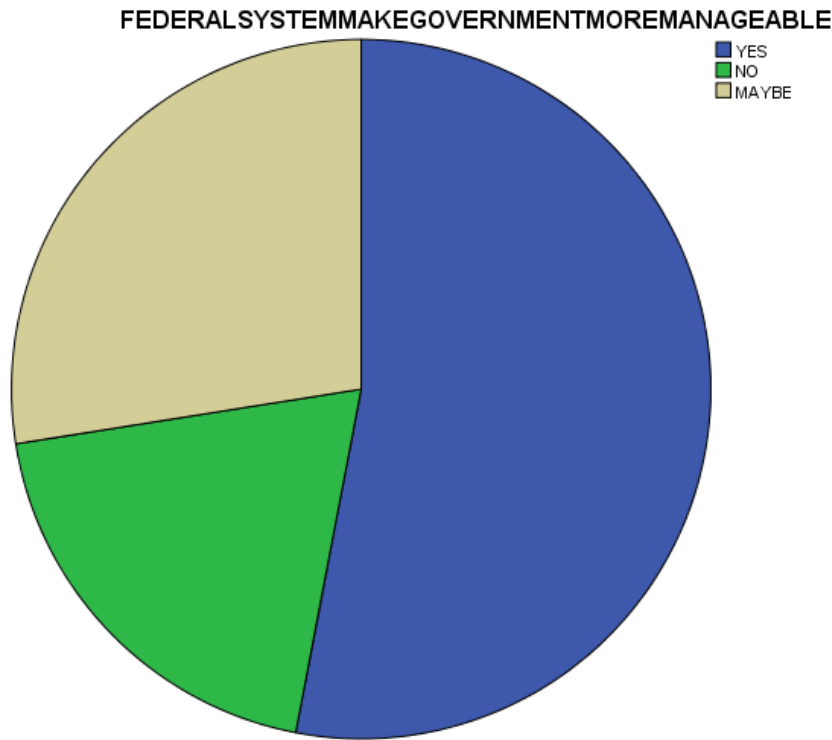
CENTRALISATION CAN BOTH LEAD TO THE WEAKENING OF INDIAN FEDERALISM**LEGEND:**

This graph represents the distribution table of responses for the question of the dependent variable that Extreme political centralization/Geotic political D centralization can both lead to the weakening of Indian federalism with respect to responses in the Study on the challenges to India's federal design.

FIGURE 9

The federal system makes government more manageable

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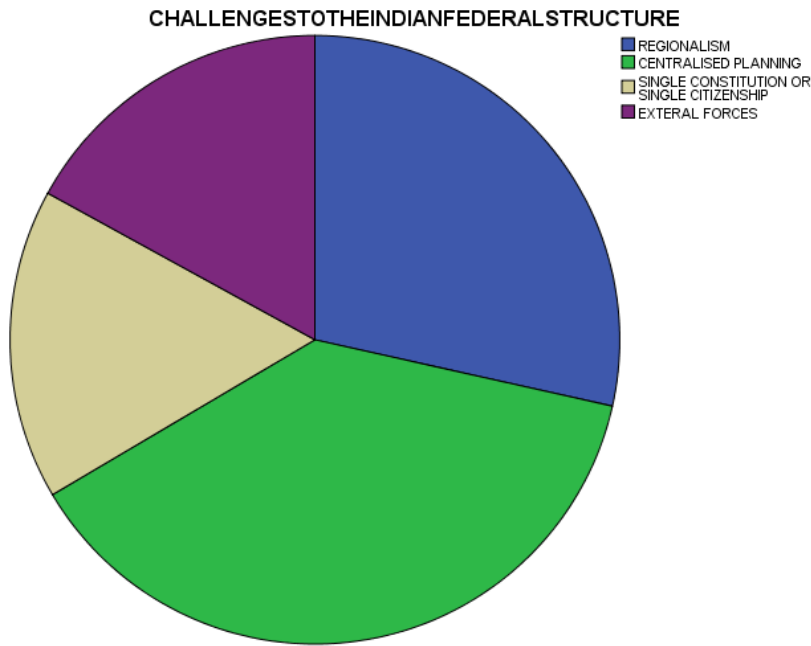
LEGEND:

This graph represents the distribution table of responses to the question of dependent variables that the Federal system makes government more manageable with respect to responses in the Study on the challenges to India’s federal design.

FIGURE 10

Major challenges to the Indian federal structure





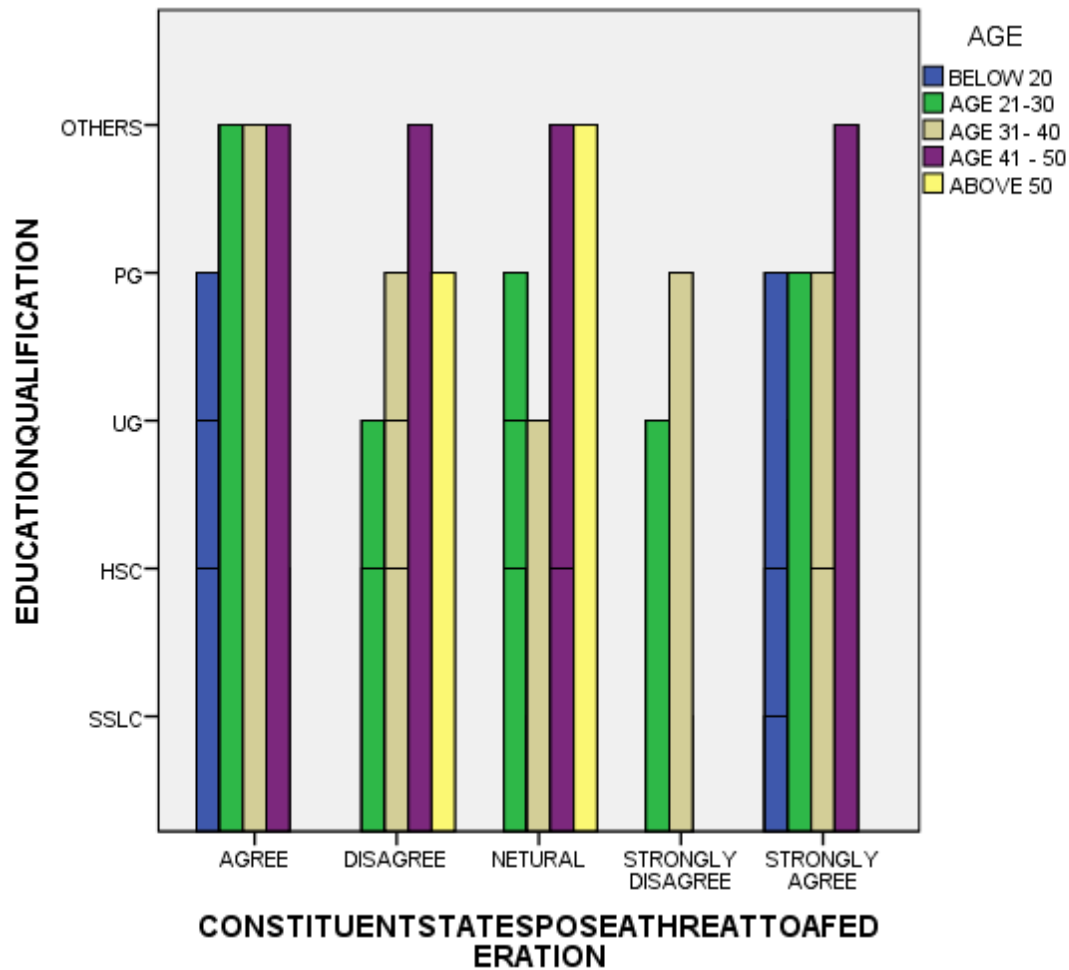
LEGEND:

This graph represents the distribution table of responses for the question of the dependent variable that Major challenges to the Indian federal structure with respect to responses in the Study on the challenges to India’s federal design.

FIGURE 11

Comparison of dependent variable (age, education qualification) and with independent variables (Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation)¹⁴

¹⁴ byjus, <https://byjus.com/free-ias-prep/issues-challenges-pertaining-federal-structure/>, (last visited June. 6, 2024).

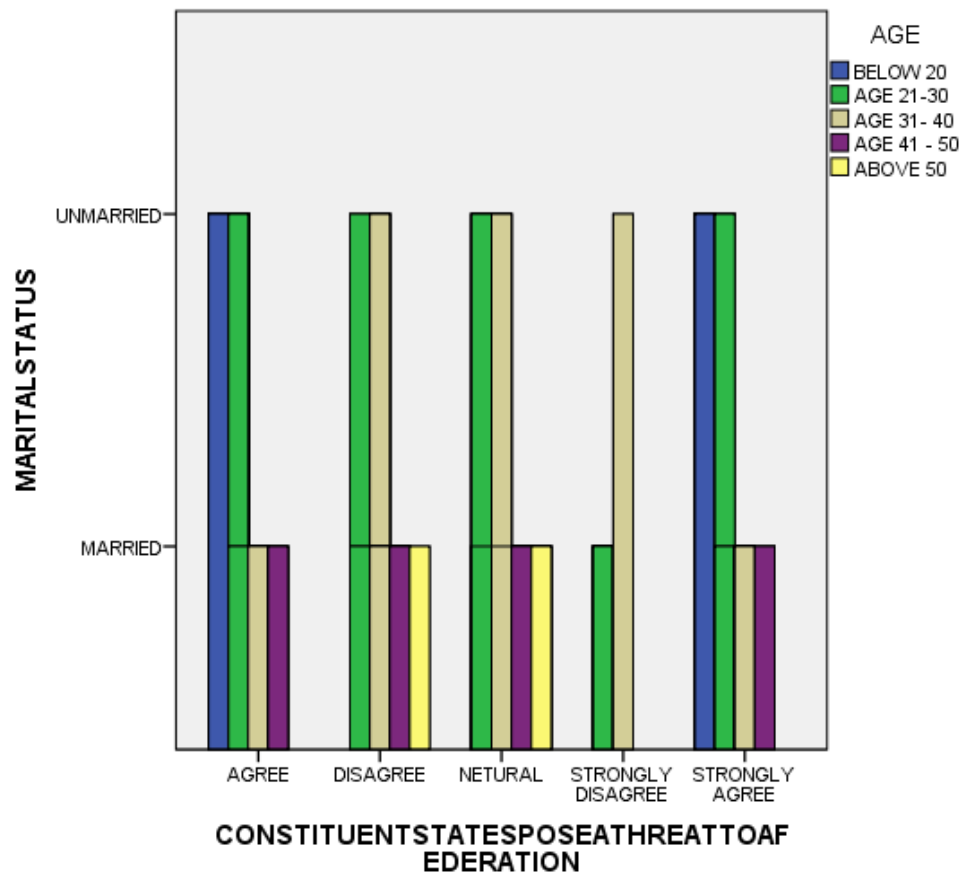


LEGEND:

This graph represents the comparison table of responses for the question of dependent variable and with independent variables that is Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation and with age, education qualification with respect to responses in the Study on the challenges to India’s federal design.

FIGURE 12

Comparison of dependent variable (age, marital status) and with independent variables (Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation)



LEGEND:

This graph represents the comparison table of responses for the question of dependent variable and with independent variables that is Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation and with age, marital status with respect to responses in the Study on the challenges to India's federal design.

RESULT:

In the shown figure 1, the age group from 21 to 30yrs is more in number count that is 43.7% and the age group above 50yrs is less in count that is 4% with respect to the opinion from the respondent in the Study on the challenges to India's federal design. In the above-shown Figure 2, there are more responses from males than females that is 59.6% and 40.4% respectively with respect to the opinion of the public from the respondents in the Study on the challenges to India's federal design. In the next shown figure 3, there are more responses from unmarried people than married people that is 63.6% and 36.4%¹⁵ respectively with respect to the opinion

¹⁵ "Track C Epidemiology and Prevention Science." *Journal of the International AIDS Society* vol. 15, Suppl 3 10.7448/IAS.15.5.18440. 22 Oct. 2012, doi:10.7448/IAS.15.5.18440

of the public from the respondents in the Study on the challenges to India's federal design. In the shown figure 4, there are more responses from undergraduate people which is about 35.8% and 9.9%, and fewer responses from the others respectively with respect to the opinion of the public from the respondents in the Study on the challenges to India's federal design. In the shown figure 5, there are more responses from students than from other sector people that is 20.5% at maximum and 8.6% from business a few responses respectively with respect to the opinion of the public from the respondents in the Study on the challenges to India's federal design. In the shown figure 6, there are more responses that agree than other options is 27.5%¹⁶ as maximum and 12.6% strongly disagree as fewer responses respectively with respect to the opinion of the public from the respondent in the differences economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation. In the shown figure 7, there are more responses from the rating scale about being satisfied than other options are 35.1% as maximum and 11% from the rating scale about very dissatisfied as a less responses respectively with respect to the opinion of the public from the respondents in India's federal design has a "central bias". In the shown figure 8, there are more responses from strongly agree than other options is 40.4% as maximum and 11.3% neutral as fewer responses respectively with respect to the opinion of the public the respondents in the Extreme political centralization/Geotic political Decentralisation can both lead to the weakening of Indian federalism. In the shown figure 9, there are more responses to yes than to other options is 54.3% as maximum and 17.2% from No as less responses respectively with respect to the opinion of the public from the respondent in the Federal system to make government more manageable.¹⁷

In the shown figure 10, there are more responses from centralized planning than other options is 35.8% as maximum and 15.9% from Single constitution or single citizenship as less responses respectively with respect to the opinion of the public from the respondent in Study on the challenges to India's federal design. In the shown figure 11, there are more responses that agree than other options 27.5% maximum and 12.6% strongly disagree as fewer responses respectively comparison with age and education qualification the categories of age 21-30 group

¹⁶diversityabroad,

https://www.diversityabroad.org/common/Uploaded%20files/Research_Reports/2020_survey_of_diversity_report.pdf, (last visited June. 6, 2024).

¹⁷ Preston, C C, and A M Colman. "Optimal number of response categories in rating scales: reliability, validity, discriminating power, and respondent preferences." *Acta psychologica* vol. 104,1 (2000): 1-15. doi:10.1016/s0001-6918(99)00050-5

people responded more than other age group people with respect to the opinion of the public from the respondent in the differences economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation. In this shown figure 12, there are more responses from agree than other options is 27.5% as maximum and 12.6% strongly disagree fewer responses respectively as comparison with age and education qualification the categories of age 41-50 group people responded more than other age group people with respect to the opinion of the public from the respondent in the differences economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation. In the shown figure 12, there are more responses from agree than other options 27.5% maximum and 12.6% strongly disagree, and fewer responses respectively compared with age and marital status as the categories of age 21-30 group people responded more than other age group people and more responses from the categories of unmarried people with respect to the opinion of the public from the respondent in the differences economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation.

DISCUSSION:

The above chart states that there are more teenage group people who are from 21 to 30yrs, thus they are seeking much focus and Study required on the challenges to India's federal design (**fig 1**). The above chart states that there are more female respondents, thus this shows that they are directly depending on their Study on the challenges to India's federal design (**fig 2**).¹⁸ The above chart states that there are more unmarried people as respondents, thus this shows that they are under access to Study the challenges to India's federal design. (**fig 3**).

The above chart states that there are more postgraduate people, thus this shows that they are much involved in the need to Study the challenges to India's federal design; perhaps their opinion reflects this study (**fig 4**). The above chart states that there are more students as respondents, thus this shows that they are under the access of Study on the challenges to India's federal design, therefore their opinions are reflected in this study (**fig 5**). The above chart states that more people responded to the agreement on the survey for Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat

¹⁸ oecd, <https://www.oecd.org/education/skills-beyond-school/AHELOFSReportVolume1.pdf>, (last visited June. 6, 2024).

to a federation therefore their opinion is reflected in this study (**fig 6**). The above chart states that there are more respondents for satisfaction, thus this shows that India's federal design has a "central bias" Therefore their opinion is reflected in this study (**fig 7**). The above chart states that there are more respondents from strongly agree, thus this shows that Extreme political centralization/Geotic political D centralization can both lead to the weakening of Indian federalism, and therefore their opinion reflects in this study (**fig 8**).¹⁹ The above chart states that there are more respondents for yes, thus this shows that the Federal system makes government more manageable therefore their opinion is reflected in this study (**fig 9**). The above chart states that there are more respondents for centralized planning, thus this shows that Major challenges to the Indian federal structure and therefore their opinion reflects in this study (**fig 10**). The above chart states that more people responded to the agreement from the survey for comparison with respect to independent and dependent variables that is age, and education qualification with Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation therefore their opinion reflects in this study (**fig 11**).²⁰ The above chart states that more people responded to the agreement from the survey for comparison with respect to independent and dependent variables that is age, and marital status with Differences in economic standards/ relative economic/ fiscal Incompatibilities among the constituent states pose a threat to a federation therefore their opinion reflects in this study (**fig 12**).²¹

LIMITATIONS:

The major limitation of my study is the collection of sample frames from the general public. Almost all of the general public who do not have any legal knowledge could not give the appropriate answers since they were not aware of the structural orientation of the Indian federal system. There is no proper solution for the problem faced by the public who responded through online surveys. There was a huge difficulty in getting the responses Since the collecting of responses was not much wider and awareness should reach all the public with a well-organized style.

CONCLUSION:

¹⁹ orfonline, <https://www.orfonline.org/research/the-paradox-of-centralised-federalism-an-analysis-of-the-challenges-to-india-s-federal-design>, (last visited June. 6, 2024).

²⁰ iasbaba, <https://iasbaba.com/2020/12/synopsis-14th-december2020-day-55-iasbabas-tlp-phase-2-upsc-mains-answer-writing-general-studies/>, (last visited June. 6, 2024).

²¹ *Id.*, at 1548.

From the observation of this study, we can find that the Methods to fortify Federalism in India by Improving the Distribution of Authority and Resources, Guaranteeing Increased Voice and Involvement, Encouraging Collaborative and Competitive Federalism, Tackling Regional Disparities and Imbalances, Upholding Federal Values and Aims. Restructuring the central state relation would be one of the best ways to strengthen it in practice. The Supreme Court, The Inter-State Council, The Finance Commission, and The NITI Aayog, are some Entities that are advancing Federalism with a solid foundation to safeguard against threats and challenges.



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