



Basis of classification : nature of relationship between the centre and states

- Unitary system of government

- Federal System

- The word 'federation' derived from the latin word '*foedus*' meaning treaty or agreement
- Two modes of formation
 - Integration
 - Disintegration

Nature of Indian polity

- The Constitution provides for a federal system of government
- 'Federation' though, is mentioned nowhere in the constitution
- Reasons
 - administratively large size of the nation
 - vast socio-cultural diversity

- Art 1 of the Constitution describes India as a 'Union of States'
- *'This is to indicate two things – one that the Indian federation is not the result of agreement among states like the USA and two, that states have no right to secede from the Indian federation'* – Dr B.R. Ambedkar

What makes Indian system federal ?

- Dual polity
- Division of powers between centre and states- Union list(97 subjects), State list (66 now 61), Concurrent list (47now 52)
- Supremacy of the Constitution
- Rigid and written Constitution
- Independent Judiciary
- Bi-cameralism

Unitary features

- Strong centre
- Single constitution
- Single citizenship
- Unitary nature during emergencies
- Integrated Judiciary
- Union withholds the power to change states' boundaries, create new states
- All India Services
- The institution of Governor
- Integrated election machinery
- States economically dependent on the Centre

Commentaries

- *'Quasi federal'* – K.C. Wheare
- *'Federation with a strong centralizing tendency'* – Ivor Jennings
- *'Cooperative federalism'* – Granville Austin
- *'Bargaining federalism'* – Morris Jones
- *'Both the Union and the states are created by the constitution. Both derive their respective authority from the constitution yet the constitution avoids the tight mould of federalism and could be both unitary as well as federal according to the requirements of time and circumstances'* – Dr B.R. Ambedkar
- *Federalism is a basic feature of the Constitution, states have an independent constitutional existence* – SC in A.R. Bommai Case