

A REVIEW OF THE ISSUE OF STATE AUTONOMY IN INDIAN FEDERALISM

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Abstract

We know that imbalanced and uneven development among different states and regions within a state is a major issue in Indian federalism. Consequently, all the disparities in levels of development have often created a sense of resentment among the states, particularly those that are less developed. They believe that their region is left behind due to discrimination by the central government. In some cases, political leaders, activists, and civil society organizations in these states argue that their state or region could develop if they are given more autonomy to manage their own affairs. Therefore, in the perspective of above facts the rise of demands for state autonomy has always been a burning issue for the research scholars, social activists and politicians. Moreover, the issue of state autonomy has always been seen as an attempt to control the resources and development process. The present research paper is a modest attempt to make a review of the issue of state autonomy in the perspective of Indian Federalism.

Paper Identification



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Introduction

It is a well-known fact that the Constitution of India makes a provision of federal system, therefore, division of powers between the central government and state governments in India is a key aspect of the country's federal system. This division of powers is distinct from the distribution of powers between the three branches of the federal government: the executive, legislative, and judicial branches. The Constitution of India outlines the division of powers between the central and state governments through the Union List, State List, and Concurrent List. The Union List contains powers and responsibilities that are reserved for the central government, such as defense and foreign affairs. The State List contains powers and responsibilities that are reserved for the state governments, such as education and health care. The Concurrent List contains powers and responsibilities that are shared between the central and state governments, such as agriculture and commerce.

As we know that all the states have the ability to legislate on matters listed in the State List, and the constitutional division of powers between the central and state governments grants certain independence to the states. This state independence allows states to

exercise their powers and responsibilities without interference from the central government. Key decisions are made based on the powers granted to the states in the Seventh Schedule of the Indian Constitution. This arrangement allows for a balance of power between the central and state governments, and helps to ensure that the rights and interests of both levels of government are protected.

Issue of State Autonomy

However, the constitution of India provides an effective and lawful administration to activate the federal system. In order to gain autonomy, some of these states demand special status. Special status means providing certain disadvantaged states with special treatment in central assistance and tax exemptions. It also includes setting up special development authority/boards for that region, reservation for locals in jobs, setting up more educational institutions, health infrastructure like hospitals, medical colleges, incentives to industries etc. From a broader perspective, autonomy demands are also linked with social justice, democratic rights movements, democratic upsurge, and devolution of power.

For the implementation of federal relations, the Constitution of India has provided a fair mechanism. As another tool at the disposal of the central government to address denied autonomy to disadvantaged groups is the tool of Panchayati Raj Institutions. With the enactment of the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA), discrimination prevalent in scheduled areas could be reduced by empowering grass-roots democracy in the scheduled areas. However, the political direction of the country, dominated by party system and coalition politics, seems to ignore the importance of power devolution to the lowest level in order to fulfill autonomy demands; instead, states remain the main actors in the discussion of autonomy. Due to the importance of states as the

main unit enjoying autonomy, we consider demands for statehood to be the main focus in many autonomy movements.

Actually, prior to the Fourth General Elections in 1967, the relations between the central and state governments were cordial, with the dominance of the Congress party as the ruling party at both the central and state levels. These elections were a turning point in Indian politics and particularly in federal relations. The Congress party lost elections in nine states, and its majority in the Lok Sabha was also significantly reduced. This development provided a boost to autonomy demands, with regional parties coming to power in various states. The regional parties felt that the current constitutional scheme did not respect the sentiments of the states nor accommodate the needs and issues of states. Therefore, the maximum autonomy of the states is demanded for their development and progress. From the 1970s to the 1990s, the central government became somewhat controlled by regional allies in coalition politics. The pursuit of state autonomy remains a persistent issue in Indian federalism. The sub-sections below discuss some of the demands for autonomy made by regional political parties in India.

Rajamannar Committee

The issue of regionalism has been a very controversial issue in Indian federalism. As we know that the tendency of regionalism in Indian federalism has been very helpful in the emergence of regional political parties such as; National Conference and PDP in J&K, Akali Dal in Punjab, Indian National Lok Dal and JJP in Haryana, BSP and SP in Uttar Pradesh, RJD in Bihar, BJD in Orissa, DMK and AIDMK in Tamil Nadu. These regional parties have raised the issue of autonomy and demanded more powers and financial resources. The DMK party in Tamil Nadu, combining Tamil linguistic and cultural nationalism, built a strong movement for autonomy. In the mid-1960s, the DMK lobbied for a separate independent sovereign state of Tamil Nadu. Later, the demand was extended to

propose a separate Dravidnad with Tamil Nadu, Andhra, Kerala, and Karnataka. This was seen as a serious threat to the country's unity by the central government. With the rising separatist tendencies in the country during the 1960s, the central government introduced the Sixteenth Constitutional Amendment to curb separatist tendencies. The Bill, which became Act, was also known as the Anti-Separation Bill to prevent separatist and secessionist tendencies and protect India's unity and territorial integrity. In response to the amendment, the DMK also gradually moderated its stance and dropped the demand for a sovereign Dravidian. However, over time, the DMK continued to demand greater autonomy for the states.

In 1969, the government of Tamil Nadu, led by the DMK party, constituted a three-member committee under the chairmanship of P.V. Rajamannar to study Center-state relations and suggest constitutional amendments to secure greater autonomy for the states. The other members of the committee were Lakshmanaswamy Mudaliar and P. Chandra Reddy. The Rajamannar Committee made several recommendations, such as repealing Article 356, dissolving the Planning Commission (now known as the NITI Aayog) and making the Finance Commission a super permanent body, transferring some subjects to the State List from the Union and Concurrent lists, and establishing a high-power council for the reallocation of subjects in the three lists.

Anandpur Sahib Resolution

This resolution is known as an effective step for the demand of State Autonomy. In this regard, it is to say that the Shiromani Akali Dal, also known as the Akali Dal, is a regional party in Punjab with a strong base among the Sikhs in Punjab. Master Tara Singh, a Sikh political and religious leader, was instrumental in organizing the Shiromani Gurdwara Prabhandak Committee. Under the leadership of Tara Singh, the Akali Dal demanded a sovereign state for Sikhs until the mid-1960s. Under the leadership of Sant Fateh

Singh, several movements occurred for Panjab Suba, a separate state for Punjabi speakers in India. He began a fast unto-death for the demand of Panjab Suba. The central government accepted the demand for Panjab Suba. However, this did not satisfy all the Sikhs; the Shiromani Akali Dal passed a resolution for greater autonomy for states at the Batala conference in 1968. Again, in October 1973, the Akali Dal adopted a resolution containing both religious and political demands at a meeting held at Anandpur Sahib, popularly known as the Anandpur Sahib resolution. The Anandpur Sahib resolution demanded that the central government's powers be confined only to defense, foreign affairs, communications, currency, etc., and all other powers should be vested in the states. Akali Dal leader Gurnam Singh moved this resolution, and when he became the Chief Minister of Punjab, he invited DMK Leader Karunanidhi to Ludhiana to discuss autonomy for states. This duo is considered to pave the way in seeking greater autonomy for states.

West Bengal Memorandum

This effort is regarded as a major step to point out the issue of State Autonomy. Actually, the Left Front Government in West Bengal had adopted a memorandum in 1977 seeking a revision of Center-State relations and submitted it to the central government for consideration. The memorandum pointed out how the central government had made violations into the powers of states, and the autonomy of states was increasingly eroded. The West Bengal Memorandum stated that Article 356 of the Constitution is the anti-federal instrument for subverting the federal system and the autonomy of states. Therefore, Articles 356 and 357, which enable the President to dissolve a state government or its legislative assembly, should be deleted. Accordingly, the Constitution should be amended to include the word 'Government' in the description of the Republic of India. Also, the word Union in the Constitution should be replaced by the word Federal.

Vijayawada Conclave

Most of the scholars are agree with the fact that the dominance of the Congress Party in the political history of Andhra Pradesh continued uninterrupted for decades until it was upset by the Telugu Desam Party (TDP) in the 1983 elections. The TDP succeeded in ending the Congress rule in Andhra Pradesh within a short time. The Telugu Desam Party was founded on 29 March 1982 by N.T. Rama Rao, a renowned film star. He played the roles of Hindu mythical characters like Lord Rama, Krishna, Karna, etc. and as a moral figure who championed the cause of the weaker sections of society. The TDP has emphasized the need for greater economic decentralization and state autonomy by transferring more powers to states. It also demanded the abolition of the post of Governor. The TDP leader N.T. Rama Rao hosted an opposition parties meeting at Vijayawada in May 1983. After the meeting, opposition leaders issued a joint statement adopting the call made during the conference of southern chief ministers in Bangalore organized by Ramakrishna Hegde to review Union-State relations.

Srinagar Conference

In October 1983, about fifty leaders from seventeen political parties met in the Srinagar Conclave hosted by Farooq Abdullah, the then Chief Minister of Jammu and Kashmir state (which was converted into two Union Territories - Jammu and Kashmir and Ladakh, on 5th August 2019). The Srinagar Conclave united parties like the DMK, TDP, Akali Dal, the Republican Party of India, the Assam Jatiyabadi Dal and National Conference, and the Left Parties. All the parties present were united by the cause of federalism and greater autonomy for the states.

Center-State Financial Issue

Lawrence Saez (2002) has commented that the Constituent Assembly was inclined to favor a unitary state for India due to the partition of India in 1947. It resulted in a more moderate tendency in the independent state, although it was federal in structure.

A more significant role was assigned to the central government in the federal system. The Union list contains the most subjects related to jurisdiction and economic aspects, and the union Parliament also enjoys residuary powers. It strengthens the centripetal forces while weakening diffusive forces. It has inevitable economic consequences, leading to the dependence of states on the Union government. Ronald L. Watts (1996) has figured out that regional social diversity and a powerful tendency of fragmentation coexist in India. Therefore, it is reasonable to keep a strong national government with the power to thwart separation attempts. The Union list has more powers and subjects related to economic issues than the states. As provided in the State List and Concurrent list, states have inadequate economic resources compared to the Center. It is also because residuary powers lie with the Center. Hence, the states are short of revenue resources and largely dependent on the Center to implement specific public policies. The party ruling at the Center can gain popularity at the state level by using its public policy, in effect utilizing more financial resources, influencing voters, and determining the chief activities at the state level. It becomes merely conflict between State and Center, leads to demands of autonomy. Many committees and commissions have been constituted to resolve issues of state autonomy and contentious areas of center-state relations.

Demand for Political Autonomy

Actually, the rise of competitive politics, the emergence of socially marginalized groups in mainstream politics, worker political class has led to various demands for political autonomy of states and regions the politics of different regions and the rise of regional parties as a response to the dominance of the Congress party have shaped autonomy demands in India. The overall differences of social, economic, cultural and political conditions in regions create differential power relations with each other and the Center. A crucial issue in autonomy demands is

environmental management and control over natural resources. These movements can also coincide with demands of ethnic groups such as clans, hill-dwelling communities, and diverse communities to have specific autonomy over village administration and traditional practices. These demands have been accommodated through instruments of asymmetrical federalism by creating new states and special acts like Panchayats(Extension to Scheduled Areas) Act, 1996(PESA). With the advent of liberal economy and capitalism, there is also a concern over the control of land and forests as a resource. These concerns are: first, states often see their autonomy eroded by giant corporations that support political elites. It also leads to a reaction at the state level including greater demand for autonomy to conduct business and development related activities. Secondly, with the advent of capitalist economy, the dominance of traditional elites, such as landlords and local ruling groups, gets challenged by market forces to demand regional autonomy. From 1967-79, the rise of parties like Akalis in Punjab, the DMK in Tamil Nadu, the Bharatiya Kranti Dal (BKD) in Uttar Pradesh, Kulaks in U.P, Punjab, and Haryana, as well as a critical part of the Dravidian development are instances of territorial independence developments.

The demand for independence among certain states in India has been fueled by the historical disparity in the development of these regions. Some underdeveloped states, known as the "bimaru" states (Bihar, Madhya Pradesh, Rajasthan, and Uttar Pradesh), have poor economic conditions and are the main providers of raw materials for the country's industrial development. These states have often used the argument of "resource curse" to advocate for fairer treatment within the national government plan. The rise of the market economy has led to the marginalization of backward regions. Furthermore, weak governance in the "bimaru" states has left natural resource-producing regions vulnerable to the interests of private

corporations. As a result, there is a demand for more local control over governance. For instance, the development of the Jharkhand Area Autonomous Council was established in 1995 by the Bihar government, but the Jharkhand region remained dissatisfied with the state government's failure to adequately represent their interests. Over the years, many commissions have been formed to address the demand for independence and create new states.

Conclusion: Thus, we can point out that the debate over state autonomy in India began during the pre-independence period, when the British reorganized political units to ensure control over the region. The bitter experience of partition made constitution makers wary of outside powers. The manipulative, divisive policies of British rule made local communities wary of over-centralization. This animosity has been at the heart of autonomy-related issues in state politics. Additionally, the dominance of the Congress party for many years after independence suppressed many regional aspirations and strained the state-center relationship. Attempts at unification by ignoring local aspirations and identity issues led to autonomy demands. To address these demands, the Center used various techniques such as granting autonomy through state re-organization, creating new states, linguistic regional states, autonomous local bodies, and Union Territories. Overall; demands for state autonomy are ongoing in various parts of India. The main reasons are the economically disadvantaged states, centrally planned development, and growth of the entrepreneurial and industrialized market economy, linguistic sentiments, and diversity of development among the regions, identity, and the dominance of the Center. Innovative practices like local PRIs self-rule in Scheduled areas have not been very effective because states continue to be the main actors in public politics, while autonomy through local self-rule remains in theory only. With the rise of new political elites and regional parties, autonomy politics has become a

prominent feature in state politics. Several regional parties consistently demand a re-evaluation of Center-state relations for greater autonomy to states. Toay, demands to carve out Mithilanchal from Bihar, and Harit Pradesh from Uttar Pradesh are being raised on different occasions.

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