

1. Do you think the federal political structure in India creates roadblocks in the Central Government's policies and interventions for development in various sectors? Critically examine.

Approach

The answer should first explain the meaning of federalism. Candidates should critically examine and elaborate on how various Central government policies faces roadblocks due to federal structure and then how due to federalism there is development in various sector.

Introduction

Federalism is a system of government in which the power is divided between a central authority and various constituent units of the country. Usually, a federation has two levels of government. One is the government for the entire country that is usually responsible for a few subjects of common national interest. The others are governments at the level of provinces or states that look after much of the day-to-day administering of their state. Both these levels of governments enjoy their power independent of the other.

Body

- Federalism is a system of government where there is a division of power between a central authority and constituent political units (state). The respective authorities are considered supreme in their allotted spheres (Schedule VII).
- Trust deficit between Centre and States is widening. Most state governments believe the thrust on federalism is limited to lofty ideas and big talks. Many States have shown their displeasure with the way the Centre has been dealing with the States.

However, such federal structure restricts the policies & implementation of Central government in various sectors like:

- Taxation GST Council: If the central government want to increase or decrease GST rates it has to get the support of states, which may restrict its taxation abilities. In GST Council Central government enjoys 33% vote while the states account for 66% and any major decision requires 75% support.
- Police reforms and Law & Order: Lack of uniformity in police procedures and lack of effective coordination amongst various State Police departments is hindering Central government's capabilities to handle inter-state crimes which has impact on National Security. Ex Counter Terrorism Operations.
- Agricultural marketing Sector: Lack of unified agricultural market along with state's reluctance to adopt Model APMC Act and their lack of enthusiasm to join e-NAM platform has restricted Centre's capabilities to objective of doubling farmer's income by 2022.

- Health Sector: Central government's initiative of Ayushman Bharat to provide Universal health coverage is also hindered by some states refusing to join the centrally sponsored scheme
- New Education Policy: Central government wants Uniform standards of education across the country so as to ensure accessibility and equity in access to education across the country. However, Southern States are objecting on the issue of three-language policy mooted in NEP.
- Land and Labour Laws: In order to boost investment and attract FDI to increase the economic activity, Central government wants a more relaxed labour & land regulation. However, State governments frame their own laws to suit their needs & thus varies from one State to another, which negatively impacts the transaction & expansion costs of companies.

Even as Indian federalism has a bias for the Union government, states have also sought to assert their interests and influence over the years, whether in times of one-party dominance or multi-party coalition politics it led to development in various sectors:

- The open market economy deregulated the economic interactions which were earlier strongly controlled by the Union government. Benefitted by the reforms, the state governments now got relative autonomy to initiate business endeavours and bring in foreign investments to their respective states.
- This polity gave state chief ministers a political opportunity to project themselves as 'drivers of growth and development'.
- The federalism phase also witnessed further decentralisation of Indian politics as the 73rd and 74th Amendments were passed in 1992 to strengthen the functioning of the third tier of Indian federalism in the Municipal and Panchayat level. This strengthened the ground for the empowerment the people at the grassroots.
- The most important moment for federalism in this phase is the revelation of the vital role of state governments on the ground in managing the COVID-19 crisis. After initial challenges, the Union government ceded adequate space and autonomy to the states for strengthening their healthcare facilities, managing the localised lockdowns, and implementing social security measures to mitigate the impact of the pandemic.
- The core objectives of Indian federalism are unity in diversity, devolution in authority, and decentralization in administration. Through federalism, the State pursues the goal of common welfare in the midst of wide diversity in socio-cultural, economic spheres.

India needs a Cooperative federalism:

In Cooperative federalism the Centre and states share a horizontal relationship, where they "cooperate" in the larger public interest. It is an important tool to enable states' participation in the formulation and implementation of national policies.

While all policy-makers and economists believe that "true" cooperative federalism is the way forward, they underline the need for the Centre to include states more aggressively in the decision-making process.

Conclusion

What is seldom recognised is that the degree of federalism in India has depended largely on two variables: the nature of political coalitions at the Centre and role of States in such coalitions (the period 1996 to 2014 for example), and the cultural diversity of regions. Hence, what is needed is a federal coalition that looks beyond the legal-constitutional aspects of federalism to preserve the idea of a plural India in terms of both culture and politics.



2. Parliament of the country is the repository of the sovereign will of the people and its successful functioning is a joint responsibility of both the government and the opposition. In this light, examine the role of the Speaker.

Approach

Candidates should write about how the Indian parliament is a repository of the sovereign will of people and then examine the role of the speaker in managing parliamentary affairs with neutrality. Candidates can write challenges faced by speaker and then conclude.

Introduction

As K R Narayanan noted 'Parliament is the head and front of body politik in India'. The quality of governance depends on the effective working of the parliament with the ruling and opposition working in tandem complimenting each other. Speaker, in this light acts as a neutral umpire passing impartial decisions ensuring the smooth working of the parliament.

Body

- The government has to understand that the role of the opposition is of checks and balances. They must facilitate ample amount of time for discussions and deliberations and accommodate diverse views of the opposition.
- On the other hand, opposition has to understand their role which includes constructive criticism, ensuring quality debates, representation of their respective constituency and help in sustainable and inclusive development.

Role of the speaker:

- The role of speaker is vital to balance the practical functioning of government and the constructive role of the opposition. Speaker is the head of the Lok Sabha, guardian of powers and privileges of the members, the House as a whole and its committees.
- He has to maintain order and decorum in the house for conducting the business and regulate the proceedings so that the parliament doesn't become a place for wasteful discussions. For instance, the 2017 winter session was a washout as there were severe disruptions and speaker was not able to maintain decorum.
- He has the responsibility to ensure fair opportunity for the opposition to air their views. E.g. in the latest budget session, the speaker allotted time for every newly elected MPs.
- He is the final interpreter of the provisions of the Constitution of India, the Rules of Procedure and Conduct of Business of Lok Sabha, and the parliamentary precedents within the House.

- He adjourns the House or suspends the meeting in absence of a quorum. Thus, he ensures the discussions happening have maximum views including the opposition.
- He exercises casting vote to resolve deadlock. Also, he presides over a joint sitting of the two Houses of Parliament.
- He can allow a 'secret' sitting of the House at the request of the Leader of the House and thus is responsible to maintain secrecy in sensitive matters.
- He decides whether a bill is a money bill or not. Objectivity in the matter is necessary failing which the opposition role is diluted and also the Rajyasabha is made a concerned spectator.
- He decides the questions of disqualification of a member of the Lok Sabha, arising on the ground of defection under the provisions of the Tenth Schedule. By this function, he upholds the freedom of expression of legislators who often stay mute on party lines fearing disqualification.
- As ex-officio chairman of the Indian parliamentary group, he acts as a link between the parliament of India and various parliaments of the world. This also provides insight to legislators on international functioning of other legislatures and hence improve quality of the parliamentary functioning.
- As the appointing authority of the parliamentary committees, he ensures the detailed scrutiny of the bills, budgetary allocations etc., and hence help in holding the government accountable. The selections of members and chairman objectively are necessary.

Challenges faced by speaker in handling the affairs:

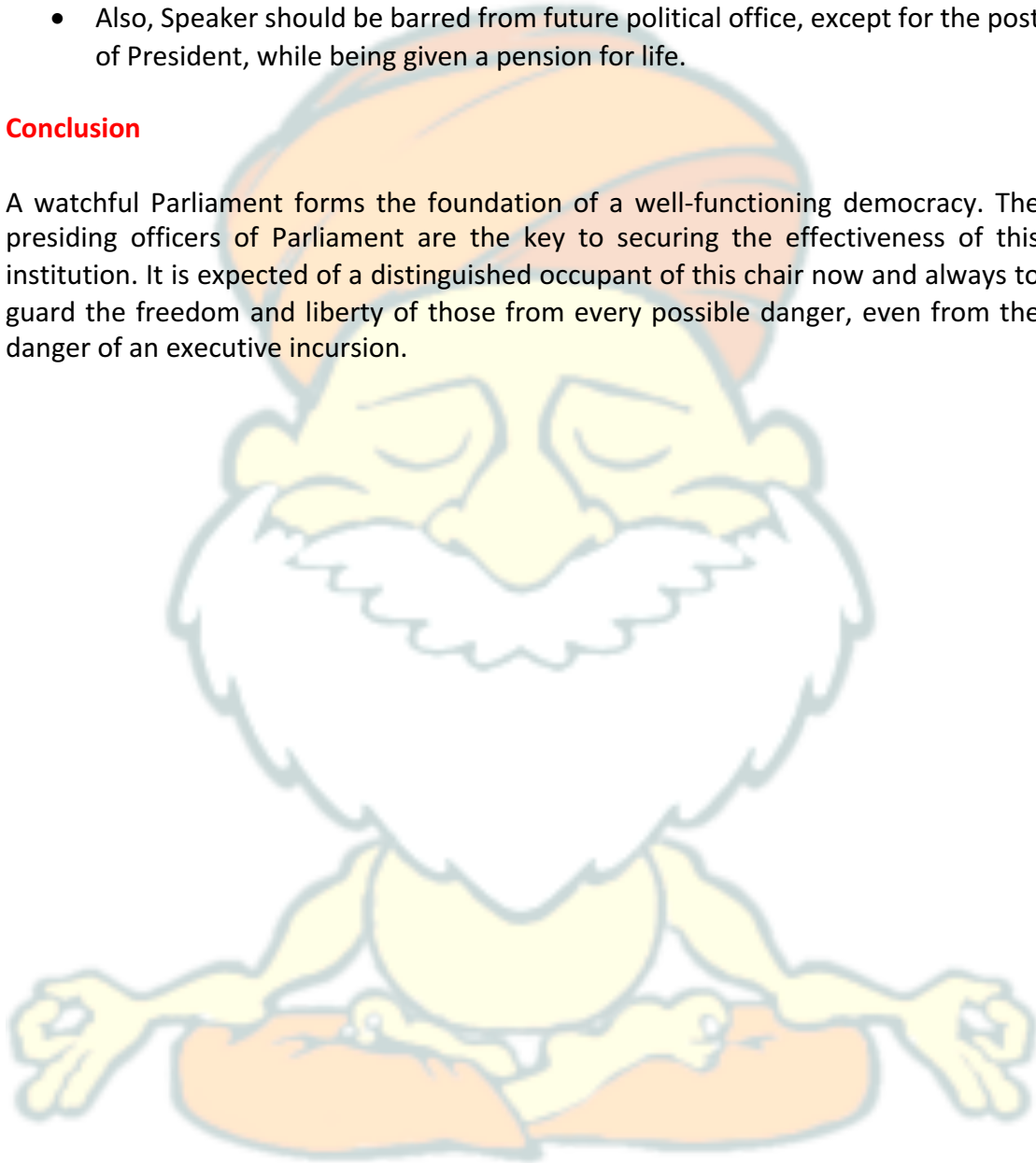
- The office of speaker is paradoxical in nature as speaker, whether in Parliament or in State Assemblies, contests the election for the post on a party ticket. Also, the need for re-election compel speaker to favour their political party also pushes them to compromise neutrality.
- However, the role of the presiding officers has become increasingly politicized. Thereby creating doubts over Speaker's role vis-à-vis anti-defection law being biased, as recently seen in the Karnataka political crisis.
- In recent times, there are number of instances where the role of speaker has been criticized for decision on membership of MLAs under the anti-defection law and their ruling have been challenged in courts.
- With the increase in the multitude of parties, the time available to each party to represent its interests during discussions is reduced. The time spent on issues, which parties wish to move for discussions, increases, even when the number of sittings in Parliament has not increased proportionately. This aggravates the constraints faced by the Speaker in prioritising between matters and often faces the allegation of partisan.
- With no security in the continuity of office, the Speaker is dependent on his or her political party for reelection. This makes the Speaker susceptible to pulls and pressures from her/his political party in the conduct of the proceedings of the Lok Sabha.
- In recent time speaker uses its discretionary power to pass many important bills on day after introduction of bill without proper discussion and references.

Way forward:

- One mechanism to increase efficiency and trust in the Speaker is to increase transparency in his decision-making process.
- On exercise of its power during anti defection law Speaker should act against those legislators who defy the party whip while voting on matters that impact government stability.
- Anyone seeking the office of the Speaker might be asked to run for election on an independent ticket.
- Also, Speaker should be barred from future political office, except for the post of President, while being given a pension for life.

Conclusion

A watchful Parliament forms the foundation of a well-functioning democracy. The presiding officers of Parliament are the key to securing the effectiveness of this institution. It is expected of a distinguished occupant of this chair now and always to guard the freedom and liberty of those from every possible danger, even from the danger of an executive incursion.



3. What are the challenges associated with India's linguistic identity today? Analyse. Has the Constitution been able to address the potential conflicts arising out of linguistic diversity of India? Critically examine.

Approach

Candidates should try to write first about Indian linguistics diversity and then write about challenges associated with it. Then critically examine whether constitution has addressed the potential conflicts.

Introduction

India is a land of many languages, boasting of 22 languages accepted by the Constitution and many more languages and regional dialects. Even the States were organized on linguistic basis, making it an important part of the Indian social and political fabric.

Body

Challenges with India's linguistic identity:

- Single Indian language for the entire country and imposition of Hindi as national language is not welcomed by all states.
- India has a long history of linguistic unrest, for example creation of Andhra Pradesh post-independence, separation of Maharashtra and Gujarat etc.
- There is a north-south divide on the basis of language where languages of southern states are treated as their identity. This causes the regionalism feeling at large.
- Not all languages get due representation in the state. For example: tribal languages in the Jharkhand and other states.
- Demand of small states as we have seen recently in West Bengal when they imposed Bengali on the Gorkhaland people, they started agitation against the move and then the separate state agitation got ignited.
- Discrimination in state government and central governments in the employments, example non-marathis feel discriminated in Maharashtra government services.
- Conflict over 3-language formula, where state language and English are accepted but there is no consensus over Hindi.
- Not everywhere education is in the native languages, especially for tribals, language is the biggest barrier for them to get educated as

they do not understand mainstream languages and there is lack of tribal language teachers and translators.

- Exploitation of people by the politicians due to linguistic diversity, as it not only binds the masses but also divides people politically.

Constitution has addressed the potential conflicts due to linguistic diversity in following ways:

- Article 29 and 30 provides for protection of cultural and educational rights for linguistic minorities.
- Article 343 provides for Hindi to be the official language of the union along with Article 351 that gives directive for development of Hindi language to fulfill aspirations of majority of the population.
- Under Article 345 states are free to choose their official language.
- Article 346 talks about use of 'authorised' language for communication between states and Union and on agreement Hindi may also be used.
- For protecting linguistic interests of minorities, Article 347, provides for special provision where President can direct a language to be the official language of the state if he is convinced that a substantial portion of population speaks the language.
- Special officer for linguistic minorities under Article 350-B to investigate all matters related to the safeguards provided for linguistic minorities under the Constitution.
- Also, eighth schedule provides for 22 recognised official languages that represent the regional and cultural diversity of the country.

Despite the above provisions, Constitution has not addressed all potential conflicts:

- As per the People's Linguistic Survey of India (PLSI), there are 780 languages being spoken in the country. However, not all languages get due recognition and is not practical also.
- Imposition of majority language like Hindi and English over regional languages.
- No autonomy for a district/s to have its own language, if a majority of population speaks it. Such autonomy can prevent demand for smaller states.
- In a globalizing world where Hindi and English hold currency, mother tongues are becoming endangered. The government doesn't acknowledge they exist nor are they taught in schools. People who speak minority languages or 'mother tongues' are too old or not interested in passing them on to their kids.

Other Measures to preserve linguistic diversity:

- Promoting universal acceptance for international domain names: According to UNESCO, Internationalised Domain Names (IDNs) can help to foster the growth of local languages online by allowing Internet users to use non-Latin scripts to access domain names.
- Engage indigenous people: To realise the rights and aspirations of indigenous people, it would be necessary that the government should engage and support indigenous people in determining their own development through policies that are inclusive, equitable and accessible.
- Awareness: The internet can be used to raise awareness about the issues of language extinction and language preservation. It can be used to translate, catalog, store, and provide information and access to languages.

Conclusion

Linguistic diversity has been a critical aspect of the multiculturalism that has been the defining characteristic of India through the ages. In recent years the language diversity is under threat as speakers of diverse languages are becoming rare and major languages are adopted after abandoning the mother tongues. The problem needs to be addressed at societal level, in which the communities have to take part in conservation of language diversity that is part of cultural wealth and bonds. This encourages reciprocity and secures an enriched value system of unity amongst people of different States.