Federalism is a system of government in which power is divided between a central authority and constituent political units.

The Constitution of India establishes a federal structure to the Indian government, declaring it to be a "Union of States".

-Indian model of federalism is called quasi-federal system as it has features of both a federal and a unitary system.

Introduction

Federalism in India

Dual Government

The Constitution establishes a dual polity consisting the Union at the Centre and the states at the periphery.

Both is endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution.

The Union government deals with the matters of national importance like defence,

foreign affairs, currency, communication and so on. The state governments, on the other

hand, look after the matters of regional and local importance like public order, agriculture,

health, local government and so on.

The Constitutional Character of Federalism in India

- Dual Government
- Written Constitution
- Division of powers
- Supremacy of the Constitution
- Rigid Constitution
- -Independent judiciary
- -Bicameral legislature

Federal feature in India

Written Constitution

The Indian Constitution is a written document containing 395

Articles and 12 schedules, and therefore, fulfils this basic requirement of a federal government. In 2019, it consists of a Preamble, about 470 Articles (divided into 25 Parts) and 12 Schedules.

It specifies the structure, organisation, powers and functions of both the Central and state governments and prescribes the limits within which they must operate. Thus, it avoids the misunderstandings and disagreements between the two.

In a federation, there should be clear division of powers so that the units and the centre are required to enact and legislate within their sphere of activity and none violates its limits and tries to encroach upon the functions of others. This requisite is evident in the Indian Constitution.

The Seventh Schedule contains three Legislative Lists which enumerate subjects of administration, viz., Union, State and Concurrent Legislative Lists.

Division of powers

Federalism in India

Independent judiciary

The Constitution has provided for a Supreme Court and every effort has been made that the judiciary in India is independent and supreme.

The Supreme Court of India can declare a law as unconstitutional

or ultra-Vires, if it contravenes any provisions of the Constitution.

In order to ensure the impartiality of the judiciary, our judges are not

removable by the Executive and their salaries cannot be curtailed by Parliament.

India's Constitution is also supreme and not the hand-made of either the Centre or of the States.

If for any reason any organ of the State dares to violate any provision of the Constitution, the courts of laws are there to ensure that dignity of the Constitution is upheld at all costs.

Supremacy of the Constitution

Rigid Constitution

Bicameral legislature

A bicameral system is considered essential in a federation because it is
in the Upper House alone that the units can be given equal representation.

The Constitution of India also provides for a bicameral Legislature at the

Centre consisting of Lok Sabha and Rajya Sabha.

While the Lok Sabha consists of the elected representatives of people, the Rajya

Sabha mainly consists of representatives elected by the State

Legislative Assemblies.

The Indian Constitution is largely a rigid Constitution. All the provisions of the Constitution concerning Union-State relations can be amended only by the joint actions of the State Legislatures and the Union Parliament.

Such provisions can be amended only if the amendment is passed by a two-thirds majority of the members present and voting in the Parliament and ratified by at least one-half of the States.