

# Nature of Indian Federalism

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## ABSTRACT

*This article is written to review the basic nature of the Indian constitution and the challenges faced by it. India has been called a quasi-federal state as the constitution of India gave more powers to the union government- to safeguard the territorial integrity of India. As we examine the features of the Indian federalism, we find there are a lot of asymmetries in the division of powers. The states of India felt that they were not given adequate powers to govern their states. Examining the challenges faced by the Indian federal system, the article evaluates the concept of Cooperative Federalism in India.*

*Words- federalism, unitary features, emergency powers, reorganization of states, judiciary, cooperative federalism.*

<sup>1</sup>Federalism is the distribution of powers between the centre and states. India is a union of states under article 1 of the constitution. There are two types of federations-like in India to accommodate the diversity of states – Dr Ambedkar said that the constitution of India can be federal in structure, but the word union was used for these advantages; firstly, Indian federation is not a result of an agreement with the units and secondly, the units had no freedom to secede from it. The American federation was formed by signing of a voluntary agreement between sovereign and independent states.

However, according to D. D. Basu in his book 'Introduction to The CONSTITUTION of INDIA'<sup>2</sup>, the Indian constitutional system is basically federal with unitary features. Essential features of federalism are:

Dual government -the Centre and states,

Distribution of powers

Supremacy of the constitution

Authority of the courts- incase of dispute-supreme court- the division of legislative and administrative powers between the union and the states and the supreme court guards the violation of powers and to invalidate any action which violates the Indian constitution.

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