

Federalism: Class 11

1. MEANING OF FEDERALISM

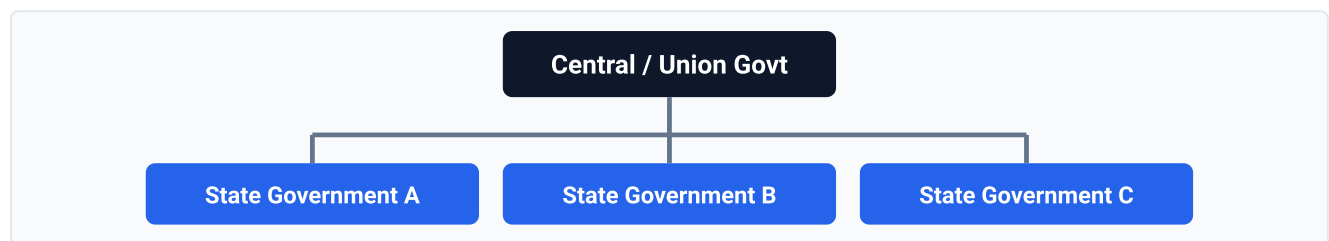
Federalism is a system of government in which powers are divided between a central government and regional governments, such as state governments. In a federal system, both levels of government exercise their powers independently in their respective areas.

Example: India has a Central Government and State Governments. Both have their own powers and responsibilities.

MAIN FEATURES OF FEDERALISM

- **Multiple Levels:** There are two or more levels of government.
- **Same Jurisdiction over Citizens:** Different levels of government govern the same citizens.
- **Constitutional Definition:** The powers of each level of government are clearly defined by the Constitution.
- **Supremacy of the Constitution:** The Constitution is supreme.
- **Rigidity of Fundamental Provisions:** The Constitution cannot be changed unilaterally by one level of government in matters requiring a special procedure.
- **Independent Judiciary:** An independent judiciary interprets the Constitution and settles disputes between different levels of government.
- **Financial Autonomy:** Each level of government has its own sources of revenue to perform its functions.

SYSTEM DIAGRAM: STRUCTURE OF POWER DISTRIBUTION



2. TYPES OF FEDERATIONS

There are two main types of federations:

A. Coming Together Federation

In this type of federation, independent states come together to form a larger unit. The states agree to share their sovereignty and combine their security and economic interests.

Features:

- Independent states come together voluntarily.
- States usually have equal powers.
- The central government and state governments share powers.
- States generally enjoy considerable autonomy.

Examples: USA, Switzerland, Australia.

Important Point: In a coming together federation, the constituent states generally have strong powers.

B. Holding Together Federation

In this type of federation, a large country divides its powers between the central government and state governments. The central government may be more powerful than the state governments.

Features:

- A large country divides its powers between different levels of government.
- The central government is generally more powerful.
- Different states may have different powers in some cases.
- The division of powers is determined by the Constitution.

Examples: India, Spain, Belgium.

Important Point: India is an example of a holding together federation.

3. WHAT MAKES INDIA A FEDERAL COUNTRY?

India is a federal country because the Constitution divides powers between the Union Government and State Governments.

Important Features of Indian Federalism:

- **1. Two Levels of Government:** India has a Union Government and State Governments. Local governments also function as a third tier.
- **2. Written Constitution:** India has a written Constitution that defines the powers and responsibilities of different levels of government.
- **3. Division of Powers:** The Constitution divides legislative powers between the Union and the States through three lists.
- **4. Supremacy of the Constitution:** All levels of government must function according to the Constitution.
- **5. Independent Judiciary:** The Supreme Court and High Courts interpret the Constitution and resolve legal disputes.
- **6. Rigid Constitution in Certain Matters:** Certain constitutional amendments require a special majority in Parliament and ratification by at least half of the State Legislatures.
- **7. Separate Sources of Revenue:** The Union and State Governments have constitutionally defined sources of revenue.

4. DIVISION OF POWERS IN INDIA

The Constitution provides three lists for the distribution of legislative powers between the Union and State Governments.

List / Category	Subject Scope & Jurisdiction	Examples	Reason / Authority
A. Union List	Contains subjects of national importance. Only Parliament can ordinarily make laws on these subjects.	Defence, Foreign Affairs, Banking, Currency, Railways, Atomic Energy	These subjects require uniform policies throughout the country.
B. State List	Contains subjects of state and local importance. State Legislatures can ordinarily make laws on these subjects.	Police, Public Order, Agriculture, Public Health, Local Government	States are better placed to understand and address many local needs.
C. Concurrent List	Contains subjects of common interest to both the Union and State Governments. Both Parliament and State Legislatures can make laws on these subjects.	Education, Forests, Marriage and Divorce, Trade Unions, Adoption and Succession	Shared responsibility allowing both central standards and state adaptability.
D. Residuary Powers	Subjects that are not mentioned in any of the three lists are called residuary subjects. In India, Parliament has the power to make laws on residuary subjects.	Taxation on certain new activities not covered by existing lists, Cyber technology	Vests unforeseen future legislative subjects with Parliament.

KEY RULES & IMPORTANT POINTS

Important Point (Concurrent List Conflict): If a Union law and a State law conflict on a Concurrent List subject, the Union law generally prevails, subject to constitutional provisions and exceptions.

Residuary Powers Example: Taxation on certain new activities that are not covered by the existing constitutional lists may fall within Parliament's residuary powers.

Summary: The Indian Constitution establishes a clear distribution of legislative authority, ensuring both national unity through Union & Residuary dominance and regional autonomy through State & Concurrent responsibilities.