Chapter IV  

Congress Party And Centre State Relations

India's constitution in its origin and development, is essentially a document authored by the Congress. The constituent assembly was overwhelmingly dominated by the members of the Congress party. The party had a clear majority of 69% in the assembly, a majority that increased to 82% after the country was partitioned. In addition to its majority status, the Congress Party provided considerable ideological leadership for the nation under the distinguished personalities of Jawahar Lal Nehru, Sardar Patel and Rajendra Prasad.

By and large, the development of India's federal polity has been shaped by the Congress Party. Except for a brief period of Janata Party rule in 1977-79, the Congress party has been in power since independence to ninth general election (1989). As a result, the operation and structure of Indian federalism have been significantly influenced by the operations and structure of the Congress which itself has manifested varying degrees of federalism in its style of operation.

It is a well-known observation that the actual functioning of the federal system in any country does not depend on the written constitution and the general legal
framework but on the various factors that influence the political process in the country. Among these factors, an important place has been assigned to political parties. Hence, any evaluation of Indian federalism will be incomplete without the study of political parties and particularly the Congress Party.

The Congress Party, prior to independence played a very decisive role in the struggle against colonial rule. The party significantly contributed to take India to the threshold of independence. Its role in the freedom movement contributed to its position on the federal polity of India. This role coupled with its duration of holding reins of the government have determined, to a large extent, the shape of federalism in India.

The Congress Party, as a matter of fact underwent three historical stages such as Confederal, Federal, and Unitary. During its first stage of development, the party was virtually a confederal association of various provincial bodies. A number of English educated nationalists set up political associations in several parts of the country, particularly in Bengal, Bombay and Madras in the nineteenth century. With this development, India entered the modern era of nationalism. As Anil Seal wrote, "These were the
provincial associations which began to search for ways and means of working together in India as a whole, a trend which culminated in the Indian National Congress. The new elites, although dispersed geographically, had comparable status and aspirations because they had western education and professional background. Their similar background facilitated the development of an all India movement. When the Indian national Congress was formally established in 1885, more than 50% of the delegates (39 out of 72) were lawyers. The delegates came together as representatives of regional associations, but eminent regional leaders ultimately emerged as all India leaders of the Congress Party.

In its early decades, the Congress was essentially a movement whose members didn't necessarily aspire to become a party. As Gordon Johnson wrote, "In its quest for unity, the congress found it necessary to work through a very loose and informal organisation. There were various attempts to establish a more formal organisation, but nothing came-about until 1908.

To maintain the often delicate alliance among the new elites, central political principles evolved within the Congress. One was the principal of moderation. Another was
the principal of accommodation and consensus. Both these principles helped to maintain a kind of informal federation in decision making within the Congress. No matter how strong the personal antipathies, or how hard the bargaining, the compromise and reconciliation was everything.\(^5\) Resolutions of the Congress generally reflected decisions to formalize compromises. This era in the history of the Congress can be called its federal stage.

After the first world war, the new political forces which had emerged were more vocal in their demand for self government of which provincial autonomy formed an integral part. The Govt. of India Act of 1919, which embodied these reforms, introduced, unintentionally, the principles of federalism into the Indian political system. However, the gradual democratisation of the administration, the introduction of partial responsible government in the provinces and what was more, the clear prospect of a further expansion of the principle of responsibility made the problem centre province relations one of immediate importance and brought the issue to the centre of the political forefront of India.\(^6\)

The annual session of Congress in December 1927 was utilised to focus attention on the constitutional problems.
The conference appointed a committee under the chairmanship of Motilal Nehru' to draft a constitution. But, the Nehru committee in its report didn't use the term 'federal' in any of the articles in its draft constitution. Thus, it avoided expressing itself explicitly in favour of federalism, but the essential feature of federal constitution was incorporated in the new constitutional scheme. A statutory division of power between the centre and provinces was provided. Another feature which confirms that the constitution drafted by the Nehru Committee was in fact, federal in form was the provision under which the supreme court was given the power of deciding on the constitutional validity of laws made by the central and provincial legislatures. Another prominent feature of the draft constitution was the provision of full provincial autonomy. The council of ministers responsible to an elected legislature was to control all the departments at the provincial level. The governors were not vested with any special powers which would have restricted the power of cabinet or legislature.

But, on the whole, the Nehru Committee recommendations were for centre oriented constitution. The committee was inspired by a strong and stable constitutional system, which, in view of the country's history and the known
existence of divisive forces should be capable of maintaining national unity, at the same time, providing dependable safeguards to the muslims and other minorities. However, the Nehru Committee report failed to satisfy the Indian Muslims and it created apprehensions in the minds of Indian princes and the vested British interest felt threatened. While the report didn't satisfy the immediate needs, it had profound influence on the drafting of the constitution of India.

The Indian National Congress had no role in shaping the Government of India Act 1935, which provided for an All India Federation. The first round table conference which decided the broad outlines of the future federal constitution had no representative of the I.N.C. (Indian National Congress). The second round table conference which was attended by Mahatma Gandhi, as the sole representative of Congress, did find his support to the general principle of federation but couldn't settle down to the discussion of the details of federal set up. The I.N.C. (Indian National Congress) didn't participate in the third round table conference as it had then launched a civil disobedience movement. As the Congress party had no share in the framing of the Act and as it differed in several important aspects
of the federal scheme recommended by the Nehru committee, it expressed its opposition to the federal part of the Government of India Act of 1935.

However, in the decade between 1937-47, the Congress party's commitment to a federation with strong centre couldn't be sustained and underwent marked changes to the other extreme of a minimal centre and maximum autonomy for constituent units. "Unwilling to demand the coercion of territorial units, it was nevertheless prepared to pay a considerable price to the separatist forces in order to maintain India as a single political entity" It did even recognise the right to secession. In 1945, the Congress working Committee admitted that it can't think in terms of compelling the people in any territorial unit to remain in an Indian union against their declared and established will.

However, the pattern of authority structure in Congress organisation had a considerable impact on federal functioning of India. The Congress working Committee in its capacity as the chief executive of the party has the power to superintend, direct and control all the subordinate Congress committees. The central parliamentary board is set up by the Working Committee for the purpose of regulating and co-ordinating parliamentary activities of the Congress legislative parties. It is also an instrument of control and
decides the selection of Chief Ministers of state and the composition of state cabinets. Similarly, the central election committee, a sub-committee of the Working Committee, has the final authority in the selection of candidates. It may not only over-rule the recommendations of lower committee, but may also nominate a candidate who has not even applied for a ticket. The authority structure of the Congress as spelt out in the constitution is highly centralised and oligarchical.

The Congress Working Committee, played an important role in co-ordinating Centre-state relations. During the Nehru era, conflict between the Union and the States were dealt with at the party level rather than through formally established agencies. As, pointed out by the 'Administrative Reform Commission' (ARC) report, "Where a single party has control over affairs at the centre as well as in the states, an alternative and extra constitutional channel becomes available for the operation of Centre-state relations. In practice, this channel has been very active during Congress Party rule and has governed the tenor of Centre-state relations. The political net-work connecting Centre-state leadership was used amply to resolve conflict and ease tension or even to postpone consideration of inconvenient
issues. In the process, the constitution was not, violated, at least not deliberately or demonstrably, but was often by passed. Stanley Kochanck has noted, "a purely quantitative analysis of working committee agenda item discloses important information about the functions of the working committee that it is deeply involved in the problems of Centre State relations."

The Congress, functioning as a centralised party in a federal system formulated all India policies for the guidance of state Congress ministeries. The working Committee has a strong ministerial element representing both the central cabinet ministers and Chief Ministers in the states. Stanley 'Kochanck observed, "after independence, the Congress considered it convenient for the Working Committee, as the chief decision making body for the party, to attempt to establish national policy which could be used as a model by the states. Moreover, since the working committee was also the chief executive of the party, Congress discipline could be invoked when necessary in an attempt to persuade the State Congress ministry to take action generally in accord with the all India policy agreed upon by the central government and the Chief Ministers in the working committee. On critical and sensitive issues like land reforms and language policy, co-ordination would have
been impossible or more difficult, if it had not been for the Working Committee10

The working committee has also been charged with the responsibility of co-ordinating party government relations in the state through the instrumentality of sub-committee called the Parliamentary board. The Parliamentary board in the post independence period performed the role of co-ordination of party government relations. After the initial tussle just after independence, party government co-ordination was successfully maintained at the centre during the Nehru era. The mediatory role, the influence of Congress Parliamentary board or central leadership in states dependent on whether the party was united, or divided into factions and groups. In states, where the party unity prevailed, the legislature party was granted the freedom to elect its own leader and the leader enjoyed the freedom to select his own cabinet. In states where the party units were divided into factions and groups, a different strategy was adopted. The parliamentary board formulated guidelines for the election of Chief Minister depending on the relative strength of factional groups. Being the party in power at centre, it provided additional source of powers for resolution of party conflicts at the state level.
The Congress Party however, faced no serious electoral threat to its dominant position in the states during the Nehru era since Nehru believed in working through the consensus politics. The Congress continued to be the dominant force in Indian politics due to some factors.

First there was no organised opposition from outside, and the Congress permitted open competition within. 'Second, the Congress maintained flexible boundaries on the left and right making it the party of consensus in the country with other parties performing corrective and opinion crystallising roles.' Thirdly it gave order and direction to a wide open system of competition and authority to central government under a united team. The authority was so well established under Nehru's command that even within the Congress Party it was the so called government wing that enjoyed the preponderance at least at the centre. The combined result of open competition and accommodation of rival groups in the Congress Party on the one hand and the authority of the central government on the other was a consensus system of which Congress under Nehru, was the principal spokesman.

The approach of Nehru towards Centre State relations in the 1950's was one of co-operation and accommodation. The essence of Nehruvian approach was reflected in his address to the National Development Council (NDC) meeting held in
1952. He said "There is a feeling among some states that they have not been fairly treated in the scheme of financial integration. In the usual course, this matter can be revised after five years. But where a case is proved, there is no reason why the matter should not be looked into and, were possible, some variations made in the previous settlements as they produce a feeling of uncertainty and it might affect even our planning. But our whole approach is a co-operative one between the centre and the state governments and it is always our desire to remove any feeling of unfair treatment to any state."^{11}

However, there is no doubt that the Nehruvian framework of consensus was a very broad one and allowed for a liberal accommodation of political dissent, but there were definite boundaries fixed to it by Nehru. He accepted opposition as long as it was diffused and articulated within the orbit of the Congress system. Thus, the inherited composite character of the Congress was preserved by what Rajni Kothari described as "promiscuous accommodation of divergent social and political elements and through a continuous search for dynamic equilibrium in the midst of internal competition among shifting political coalitions within the party".^{12}

Under Nehru's leadership 'Lucian-w.pye' wrote:—
"Congress leaders had little trouble in thinking of themselves as a administration and government of India, and they apparently convinced themselves that the future unity and progress of India as a nation was dependent upon Congress remaining in power."

However, the Nehru era of 'consensus politics' also witnessed the dismissal of some state governments signifying the monopolistic character of the Congress Party. Although Nehru didn't get personally involved in inter-party politics, he invariably succumbed to pressure from the Congress high command and to use the federal machinery particularly the instrument of President rule, if it could help the Congress party to recover its political territories.

Between 1952-64, the Congress ruled centre used Presidential rule five times and the pattern suggested rather clearly that it was used either to dismiss the non-congress State governments as in P.E.A.S.U in 1953, Kerala in 1959 or consequent upon the failure of Congress bosses to force the merger of their non-congress coalitions partner with Congress as happened in Andhra Pradesh in 1954, Kerala in 1956 and in Orissa in 1965. No President rule was imposed in those coalition states, where the party was successful in its congressization efforts (Madras 1954, Kerala 1962).

This evidence suggests that the Nehru regime used this
constitutional instrument to establish the hegemony of the Congress Party. Though, at time, Nehru was personally opposed to bend the rules of the game, he accepted the advice of the Congress bosses who were more inclined to capture political power than to care for the niceties of the constitution. For example, Prime Minister Nehru was very reluctant to dismiss the first Communist government of Kerala, but the then President of the Congress Party Indira Gandhi prevailed upon the governmental wing of Congress or rather Nehru and persuaded him to dismiss the Namboodripad led communist ministry on the pretext of deterioration of law and order in State.

In fact, the governors of the above States also didn't act independently of Congress interests. In all the cases of non-Congress ministeries in the states, they recommended President rule and the Centre accepted their reports confirming the wishes of the Congress bosses. The Governors also denied the claims of the opposition parties to form an alternative ministries (Kerala 1953, A.P. 1954, Kerala 1956) on one or other grounds.

However, inspite of these aberrations in the functioning of democratic and constitutional government, a kind of informal federalism could be maintained, because the background of both national and state elites were relatively
similar. An upper class urban elite provided the main political support for consensual decision making. The organisational as well as legislative leadership of the Congress was drawn largely from the urban professional classes. In 1956, for instance 56% of the members of the AICC (All India Congress Committee) belonged to the class of professional elite, mostly lawyers. The Congress working Committee (C.W.C) consisted of a much larger proportion of professional elites. The leadership of the Congress in the States was also dominated by professional urban elites although rural leaders were beginning to become influential.

The presence of professional elites in the legislative leadership of the Congress in the Centre and the States was also evident. In 1962, professionals alone constituted 42.3% of the total Congress membership in the third session of the Lok Sabha. The state legislative assemblies also had smaller number of professionals.

However, the beginning of 1960 saw some changes in functioning of the Congress Party which underwent a gradual but marked process of decentralisation. The authority of the national level bodies experienced a gradual erosion consequent upon the assertion of greater autonomy by the state and local units of the party. The process started
during the last years of the Nehru era. The war with China in 1962 had undermined the prestige and authority of Nehru. Centre's influence was dwindling leading to greater power towards states. This became evident with the succession of Lal Bahadur Shastri as Prime Minister in 1964 and later with Indira Gandhi's succession in 1966 for the Prime Minister of country.

After Nehru's death, two successive battles in choosing the leader of the Congress for Prime Ministership clearly demonstrated that the party lacked an acknowledged leader. It marked the clear ascendancy of states over national authority. The choice of Prime Minister demonstrated that the central leadership was becoming more and more dependent upon the Chief Ministers. The State leaders provided the principal forum for lobbying in favour of Lal Bahadur Shastri's candidature in the higher echelons of the party. The Chief Ministers could effectively play a role as they were either members or special invitee to the enlarged Congress Working Committee and had control of bloc votes in the Congress Parliamentary party. The manifest support of majority of Chief Ministers in favour of Shastri made the other contender Morarji Desai withdraw from the contest, thus leading to the unanimous choice of Shastri as Nehru's successor. The state leaders had thus, started playing an
important role on the national scene.

However, this growing influence of Chief ministers indicated clearly that states had become increasingly aware of their importance in the decision making process of the Congress party. But, the comparative low status of Shastri and the dominance of the syndicate didn’t allow the Prime Minister to exercise as much power as Nehru had in his dealing with the States.16 The style of decision making underwent a change from imposition to compromise. Thus, the loss of central hegemony altered the structure of power within the ruling party and ushered in a new situation of interdependence between the Centre and the States.

The issue of succession to the office of Prime Minister following the death of Lal Bahadur Shastri in 1966 was solved again in a manner which confirmed the ascendancy of the states. In fact, it strengthened the position of the states. The Congress President Kamraj, with the massive support of state Chief Ministers, ensured the success of 'Indira Gandhi' in the first ever contest for the office of the Prime Minister. The initiative having been taken by the state Chief Ministers in asking Kamraj to sponsor Indira Gandhi, the result of the electoral contest was forgone conclusion. The overall effect of this major political event
on the party structure was a push towards decentralization. The focus of authority appeared to have shifted from national to the state level.\textsuperscript{17}

However, the selection of Prime Minister in 1967 after the fourth general election, in which the Congress Party had been badly mauled, was carried out in a different style. The contest once again was narrowed down to one between Indira Gandhi and Morarji Desai, but the manner of resolution was by consensus as in 1964 and not by contest as in 1966. Kamraj, who himself had suffered an electoral disaster, was again a key figure, not as a single manager of the whole operation but as a mediator. The members of the syndicate became less powerful. The Chief Ministers of those states, where Congress had emerged stronger, were well placed. Thus, there was wider participation and dispersal of the influence, which gave the appearance of market politics. Morris Jones points out,

"The enhanced market quality of the third succession was revealed in the intense and unprecedented degree to which it was bargaining that dominated the proceedings, through an extraordinary free and open inter-personal network."\textsuperscript{18}

Thus, three succession in 1964, 1966 and 1967 to the office of Prime Minister, demonstrated that the monolithic character of the party can't be sustained in the absence of an acknowledged and towering personality and therefore,
bound to be federalised in such circumstances.

Hence, in the new context of loss of Congress hegemony, the Congress Working Committee's role as co-ordinator of Centre-state relations just didn't undergo change but almost disappeared. According to Stanley Kochanek, "During the first two decades of independence, the Congress solved problems of Centre-state relations largely within the party. Differences were handled as a kind of family quarrel to be meditated by Congress leaders. With the loss of Congress hegemony, a whole new range of difficulties confronted the Congress government at the centre, for problems once dealt quietly as intra-party affairs, henceforth required more or less public negotiations through a process of Centre-state bargaining". 19

The Congress working Committee which had played a very significant role in the co-ordination of Centre-state relations and the establishment of national policies lost its importance, as the informal method of Centre-state co-ordination were being replaced by more formal official bodies like National Development Council and Planning Commission. In the past, when the Congress controlled the Centre and most of the state governments, the working committee resolutions were an enunciation of India's policy.
Maintenance of national uniformity in the area of federal policy was rendered impossible in the face of non-Congress governments in the states.

The fourth general election marked the end of Congress monopoly and the beginning of tension in Centre-state relations. The Congress Party, for the first time, lost elections in nearly half of the states and was returned with the decreased majority in Parliament after the 1967 election. In the sphere of Centre-state relations, many questions were raised by the non-Congress government such as role of Governor, article 356 of constitution and questions also arose along the more resources to states. Hence, in the post 1967 situation, politics became the act of crisis management for Indira Gandhi. Besides dealing with non-Congress state governments, she had to tide out the enormous powerful Congress leaders at the States and centre level for her own survival in office. In this process of intra-party (after Congress split the Congress (O) and Congress (R) ) as well as inter-party conflicts, Indira Gandhi used a variety of methods to defeat her opponents. She made the Congress a centralised and regimented party. Both the culture and institutions of informal federation that had existed within the Congress especially before 1967 elections virtually collapsed. The state units became increasingly weak and
dependent upon the party's political centre under the leadership of Indira Gandhi.

These developments occurred mainly in response to two situations: one was the rise of a new class of elites in which leaders representing rural and agricultural interests increasingly replaced lawyers as the one dominant group in the Congress party. In the fourth Lok-sabha, the representation of members having agricultural background increased to 30.6% from 22.5% of first Lok-Sabha, whereas the representation of members from lawyers profession background declined sharply to 17.5% compared to 35.6% in the first Lok-Sabha. The overall result of this situation was a sharpening of problems of communication, negotiation and accommodation. New demands were mobilised and it surely strained the party's consensual decision process.

The second situation was Indira Gandhi's encounter with the party's state bosses who tried to outmaneuver and then challenge the coalition led by her. Indira Gandhi's struggle with senior party leaders in the states signified the strategic tension between the conservative and reformist elements on the issue of the Congress role in effecting social change. The Congress split in 1969 didn't radicalise the Congress, yet its political strategy in the aftermath of
split signified far reaching changes in the federal scheme of politics. Central to the Congress strategy was the attempt to marginalise the party bosses by mobilising countervailing support through an invocation of ideological rhetoric. This transformed the internal conflict into a struggle against state leaders and their control over the levers of electoral support. Furthermore, the mediating structure in mobilisation was dispensed with and there was far greater reliance on Indira Gandhi's charismatic authority in order to engender support. "This led to the weakening of the party structure and decline of state based leaders, who were reduced to the status of being clients of the centre and an enlargement and accumulation of the powers of the centre".21

In this situation, a political situation emerged "where the old state leaders became disassociated from the dynamics of local politics, the growth of new state leadership was stifled and state units were increasingly subordinated to the needs of Congress party's organisational centre".22

In short, "there occurred a centripetal convergence of federalizing forces within the Congress, thus destroying a fundamental political restraint on centralization in the federal system".23 The political communication was subsumed under this regime and national leaders of the Congress no
longer felt the need for participation from below.

In the post 1967 situation, however, an altogether new Congress emerged. In its role, perception and organisational design, the Congress Party shifted from being a dominant party to a hegemonic party. By relying increasingly on populist techniques of mass manipulation and upon the manipulative abilities of a few charismatic individuals, the new coalition became intolerant of old institutional restraints. The overall consequence of this was growing substitution of personal for institutional channels of communication and decision making. In the process, there occurred a certain decline in the legitimate authority of the party system, and in response to developments in the Congress, opposition parties adopted similar techniques and pattern of organization. "This led to a certain degree of popular disenchantment with the party system, and from 1971 onwards there was a noticeable decline in citizens support for the institutions of parties". 24

However, changes in the role and organisational culture of the congress were reflected in inter party relations and in the operation of federal institutions. Generally, the first generation leaders such as Nehru, Azad, and Lal Bahadur Shastri had manifested a commitment to India's
democratic federal institution and thus, adopted a liberal view of the place of opposition parties in the political system. The following exchanges between Jawahar Lal Nehru and the reporter for The Hindu at a time when there was a loud demand from many Congress members to remove the first Communist ministry to come into power in Kerala is illustrative.

"Reporter: Are you going to fight the Communist or throw them out?
Nehru: Throw them out? How? what do you mean? They have also been elected. (Indira Gandhi, who was then the Congress President, intervened and said): Papu, what are you telling them? You are talking as Prime Minister but as Congress President I intend to fight them and throw them out". 25

Hence, in the new Congress fashioned by Indira Gandhi, there occurred a vast erosion of liberal values and of willingness of new leaders to work within old institutional restraints. Once these restraints were removed, there grew an intolerant view of opposition parties and of dissent within the Congress. Systemic efforts were made to destabilise duly elected non-Congress governments. Although Indira Gandhi used different types of federal resources at different points of time to advance the fortunes of her party. "Her critical decision in the area of inter - state
boundary disputes, location of capital projects and allotment of discretionary financial grants in 1970 were aimed at bending the Congress (O) states into supporting the party. 26 She relied quite heavily on Presidential dismissal and suspensions to remove the non-Congress state governments. However, at times, there were cogent reasons to impose Presidential rule but the propensity of the Congress centre to use the instrument against the non congress State governments was almost twice than in the case of Congress ruled state governments as becomes evident from table I.

Table I

Party complexion of state governments under Presidential rule during Indira Gandhi's regime.

<table>
<thead>
<tr>
<th>Party complexion of State Govts</th>
<th>Presidential Suspension</th>
<th>Presidential dissolutions</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congress and Congress coalitions</td>
<td>11</td>
<td>7</td>
<td>18(13.6%)</td>
</tr>
<tr>
<td>Govts supported by Congress</td>
<td>1</td>
<td>7</td>
<td>8(13.6%)</td>
</tr>
<tr>
<td>Opposition party parties</td>
<td>9</td>
<td>24</td>
<td>33(55.9%)</td>
</tr>
<tr>
<td>Total</td>
<td>21</td>
<td>38</td>
<td>59(100.0%)</td>
</tr>
</tbody>
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However, unlike her predecessors, Indira Gandhi used the novel device of suspending rather than dissolving state legislatures, where there was some hope for her own party to reconstitute the governments. The table II shows that while nine of the eleven Congress state assemblies under

Table II

<table>
<thead>
<tr>
<th>Party Complexion of State Governments</th>
<th>Suspension revoked</th>
<th>Action taken by the Centre &amp; Assembly revived</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congress</td>
<td></td>
<td></td>
<td>11(b)</td>
</tr>
<tr>
<td>Congress coalitions</td>
<td>9</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Minority govts supported by the Congress</td>
<td>1(c)</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Opposition party parties</td>
<td>2</td>
<td>7</td>
<td>9 (d)</td>
</tr>
</tbody>
</table>

(a) Includes Union territories


(c) The U.P. assembly suspended in 1970 was revived under media pressure.
Among the nine State assemblies under suspension Gao (1966), U.P (1968), Bihar (1969), W.Bengal (1970), Orissa (1971), Mysore (1971), Nagaland (1975), Gujarat (1976), Kerala (1981). Only the State assemblies of Bihar & Kerala were revived. However after the suspensions were revoked, the Congress Party formed coalition governments in both the states. Suspension were revived, only two of the nine non Congress assemblies were given similar opportunities. The partisan use of the suspension becomes all the more clear, when we look at the fact that the two non Congress assemblies that were revived were the ones that reconstituted Congress coalition governments and not the United Front governments. However, suspensions were turned into dissolutions invariably in case where the Congress had failed in its bid to form the government.

At times, Indira Gandhi's use of Presidential rule was blatantly vindictive. After the B.K.D. members of the Rajya Sabha voted against the privy purse bill, she rushed a special messenger to the President of India while he was on a tour there in the U.S.S.R. to get his signature on a Presidential proclamation dismissing B.K. D's Congress (R) ministry in U.P. in 1970. In 1980 after coming back to power, with the brief gap of Janata period, she dismissed nine non Congress governments in the same way as the Janata dismissed Congress governments in 1977. The Janata party action of
dismissing the Congress governments in States after the defeat of Congress party in 1977 election was a wrong trend and a repeat of this by Indira Gandhi made it more difficult for Centre-state relations.

In using President’s rule some governors helped Indira Gandhi and therefore they earned the name, "Saviors of the Congress Party". Thus, Dr. Sampurnanand miscounted the heads in the Rajasthan assembly (1967), B.N. Chakravorty dismissed the United Front in Haryana (1967) in an apparent bid to please Centre, N. Kanungo set a new precedent in nominations of B.P. Mandal to the upper house of the Bihar legislature in order to install the B.P. Mandal ministry (1968) through the back-door and Dharamvira allegedly converted his mansion into a venue for Congressmen, army, police and bureaucracy chiefs to get rid of the leftist West Bengal government. The Parliament had a marathon debate on the role of the governors, but Raj Bhavans continued to be indifferent to constitutional conventions throughout Indira Gandhi’s tenure. In 1982, governor C.D. Rapall of Haryana did not establish whether Congress had a majority and went and asked Bhajan Lal to form the Congress government. In contrast, governor Ram Lal dismissed the N.T.R. ministry in A.P. in 1984 inspite of his majority in legislative assembly at the behest of Indira Gandhi’s government at the Centre.
Indira Gandhi was not only intolerant of opposition parties government in states, but she was even suspicious of her own party's Chief Ministers in the states and replaced many times, state ministers with ministers of her own choice. This style of Indira Gandhi's functioning severely undermined the important federal character of India's constitution. She may have been inconsistent on some fronts, but she was steadfast in her tendency to centralize power, not just at the apex of the political system, but in her own hands. "Her penchant for promoting something akin to personal rule appears to arrived from a marked insecurity on her part, most evident in her chronic inability to trust any lieutenants outside her immediate family." Indira Gandhi affirmed her personal dominance by keeping a number of cabinet portfolios with her. She demanded subservience from the Chief Ministers in the states where the Cong (I) was having its government. "They were expected to serve as mere post boxes for the government in New Delhi. As one of her Chief Minister put it "we belong to the drama troupe of Indira Gandhi, offering her blind obedience." 

The distinctive features of Emergency declared by Indira Gandhi in June 1975, derived fundamentally from a crisis of political system and the crisis of leadership. The crisis of political system was nothing but crisis of the
Congress system. The emergency was the culmination of a long and deep erosion of this system, a process which had started in the second half of the sixties. The concentration of power in the hands of Prime-Minister reflected the authoritarian trends of leadership. The Congress system became more and more dependent on the Prime-minister and any attack on the Prime-Minister was seen as a blow to the system.31

Indira Gandhi believed that if she centralized power in her own hands, her influence would penetrate more effectively into regional and sub-regional arenas. But, on the contrary, attempts to centralize power at the national level increased rather than reduced the disparities between the national, state and local levels. Such an attempt deprived the national level of reliable information from below. "She thought by drawing power into her hands during the Emergency, she was regimenting and homogenizing politics in the various states. But an examination of several state later showed that different states had radically different experiences during this period. Indeed the natural heterogeneity of the various state increased considerably during emergency & after that."32 The emergency, thus brought about the collapse of Congress rule at the centre
and in many states. All this was reflected in 1977 election.

Centre-state relations, during the 1969-77 period were practically reduced to a state of near nonexistence in the federal politics of India. Unitarism triumphed under a strong state whose power was controlled by a ruling party, which had lost its democratic mainspring. "Centre-state relations were at independence, orchestrated in accordance with an equilibrium model in which politically homogenous states on the one hand and the Centre on the other acted as countervailing forces in the evaluation of a powerful post colonial state. At the end of emergency and on the eve of the 1977 general election, however they had undergone a change. 33

Indira Gandhi's re-emergence in 1980 with another split of Congress after the brief gap of Janata period saw a further emasculation of power in her hand. By this time, centralization had become inevitable for the survival of her and Congress (I). Indian political process, thus, became the victim of crude centralization. This led to the open political conflict between the Centre and the opposition parties espousing the demand for more power to states. However, within the Congress, Indira Gandhi forged patrimonial relationship with the Congress leaders. This patrimonial relationship was different from feudal client
system based on personal sentiments obligations and ritual attachments. This was a different kind of patrimonial relationship in which "the rulers virtually buys the loyalty of his clients in return for appointments to public offices. Here one doesn't necessarily nourish, cultivate or even cherish personal relationship with them. On the contrary one tries to monopolise scarce resources by undermining the development of market condition, so that once client always remain one's captive". 34

Therefore, at the outset, such politics within the Congress eroded the district and state level Congress organisations. The absence of strong leadership at the state level made state governments vulnerable to central manipulation. The factionalism maintained within the state Congress party organisation, often on caste and personality line, frustrated the stability of the state governments. Due to factional fight, the Congress governments at the State were not able to provide their own a consensus candidate, thus allowing the Centre to impose its own candidates. The base of nominated Chief Ministers remained fragile and they heavily depended for their legitimacy on Central government rather on their constituency or the state legislature. In such a relationship, even major policy concern of Congress
government at the states used to be directed by the Central government.

However, the frequent nomination and removal of chief ministers proved counterproductive for Congress and it aroused sentiments based on subnational and regional character. The most important example of this has been Andhra Pradesh. The removal of four chief ministers during 1980-83, led to a simmering frustration among Andhra people, who considered this an attack on their self-respect. This, eventually, led to a formidable victory of Telegu-Desam, a newly born regional party in 1983. Similarly mounting discontent became evident in other states like Kerala, Karnataka, Tripura, West Bengal, Sikkim, where Congress (I) was defeated by the opposition including national and regional parties.

The whole attitude of the Congress party under the leadership of Indira Gandhi was of no change in the sphere of Centre State relations. Since the time she assumed power in 1967 till her assassination in 1984, she remained the symbol of centralization and authoritarianism. The recommendations of various commissions beginning from A.R.C, Rajmunnar Committee to Sarkaria Commission didn't change her attitude. The loud demands for change in federal relations by the opposition parties had no impact on her attitude.

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As a matter of fact, the attitude of Indira Gandhi was one of apathy and indifference towards the recommendations of A.R.C. and Rajmunnar report. She evolved her own way to deal with the issue of Centre-state relations rather than to implement the ARC recommendations. Indira Gandhi ruled out any change in the existing Centre State relations in the lines suggested by Rajmunnar Committee. \(^{35}\) In the eighties, when there started a fresh demand for restructuring the Centre State relations with the victory of non Congress (I) parties in many states, she still didn't favoured any change in Centre State relations. She rejected the suggestions made at the Srinagar opposition conclave on Centre- state relations, to confine Centre to only Defence, Communication, Currency and Foreign affairs. She ruled out any such consideration by the Centre. She said "even these four subjects are linked to other subjects and were not separated themselves. For example, the Foreign affairs is linked to the domestic situation of country." How can Centre be in position to help the weaker states or even stronger states in times of specific difficulties in the absence of sufficient power at its disposal." \(^{36}\) Indira Gandhi maintained that the question of Centre State relations had been debated at great length when the constitution was being
framed and the issues raised now were then gone through. She said "earlier also there were different political parties and coalition governments in office at several states in the north, but they had no complaint against the Centre and there was no confrontation. It was only after the opposition has adopted an attitude of total confrontation for the sake of confrontation that such complaints are arising".\footnote{37}

In fact, for the Congress party under the leadership of Indira Gandhi, Centre-state relation was never an important issue. The study of Congress Party manifestoes between 1967-84 shows that the party didn't project this for voter's attention. In the 1967 election manifesto, the Congress party only talked of the "relatively underdeveloped areas in the country".\footnote{38} However, in the subsequent elections of 1971, 1977, 1980 and 1984, the Congress Party didn't treat Centre-state relations as a serious issue in its election manifestoes.\footnote{39}

However, the announcement by the Prime Minister Indira Gandhi to set-up the Sarkaria Commission to look into Centre-state relations came in the wake of Punjab problem and the sudden emergence of regional parties and their demands to restructure the Centre-state relations. In the last phase of her regime, she did realise the seriousness of
issue and responded favorably by appointing three man commission, comprising Dr. S.R. Sen, B Sivaraman, retired justice R.S. Sarkaria (chairman) to probe the federal relations. The commission was intended to set up study teams examining persons and papers. Justice Sarkaria stated that "he has an open mind on the subject and anything emerges after full deliberations with all parties and wise persons will be given due consideration." 40

The Congress party, for the first time, expressed its formal position on Centre-state relations replying to the questionnaire of Sarkaria Commission. The party in its reply, expressed its satisfaction with the present framework of Centre-state relations and asked the commission to maintain the status-quo. However, this position of Congress (I) was not supported by one of its senior most M.P. and former Union Minister Vasant Sathe. In an interview conducted for this thesis, he argued for the need to change the existing framework of Centre-state relations. He advocated fresh state reorganisation where there can be smaller states which would be economically and administratively viable. 41

In its reply to the Sarkaria Commission, the Congress (I) argued for the strong centre in the light of the past
experiences of state administration failing to curb anti-national and secessionist activities in several regions: The party feels that the very attitude of looking at the questions in terms of Centre vs State is untenable. The right approach would be to look upon the Centre and the State as partners and division of powers as the modes to get the multifaceted functions of government performed by appropriate constitutional agency.

However, with specific regard to the question on necessity of any change in the distribution of power in the seventh schedule or the content there of, the party asked that Centre may be armed with more powers for protecting the unity and integrity of the nation to prevent tendencies of secession and terrorism. The party doesn't want any change in legislative relations between the Centre and the States. But on this question, Bhagwat Jha Azad, former M.P, Union Minister and Chief Minister of Bihar, had a different view. He wanted that the centre should not encroach in the matter of state subjects and those powers which the Centre has taken away from the state (forest, industry etc.) should be returned to the states.

The Congress (I) preferred administrative relations between the Centre and states to be maintained. The party favoured the retention of article 356 and justified its use
by Congress government at the Centre. It also felt the necessity for arming the union with the powers to utilise the para military forces to resolve law and order in the states, where the state forces are not able to do so. However, Vasant Sathe was of the opinion that article 356 of Indian constitution has been misused by the party ruling at the centre whether it is Congress or Janata party. He said that article 356 should not be used loosely and cheaply and there should be a system of self restrain by political parties ruling at the Centre. This view was supported by Bhagwat Jha Azad.

The Congress (I) on financial relations believes that it is not possible to transfer any of the taxation powers of the Union to the States. The party is of the opinion that most equitable stand, that can be taken in respect of financial matters is to continue the policy of existing system, which should remain undisturbed. However, Vasant Sathe, M.P, expressed the view that states should try to mobilise its own resources than to rely on the Centre for its deficit and financial needs. He felt that states have failed to generate their own resources or even to make an optimum utilisation of its installed capacity in the vital industrial and economic sector. Bhagwat Jha Azad wanted
that royalty on the minerals of states and share in the divisible pool of taxes should be raised to help the states financially. The states, however, should also generate their own resources to meet their financial needs.47

As for governors, concerned, the Congress (I) believes that the office of governors is indispensable in the present set up. The party believes that the governor is an agent of the Centre under certain circumstances in which he is either asked or compelled to play a role. The governor, as Congress (I) feels, has, generally acted impartially and according to the provisions of the constitutions and in terms of healthy convention that have developed in discharging the multifarious responsibilities of the institution. If there had been disputable decisions by governors at any time, it can be attributed only to human error of judgments and never to political or any other ulterior motives.48

Congress (I) M.P., Vasant Sathe, however, expressed his dissatisfaction on the manner of appointment of governors. Though he agreed that the governor is a defacto representative of Union government but he accepts that Congress didn't set the healthy precedent by appointing disgruntled and rejected politicians as governors. He agreed that all political parties such as Congress, Janata
and National front are to be blamed for this bad trend and all efforts should be in the direction to stop this trend. "He feels that governor should maintain the dignity and sanctity of the institution." 49

On the question of economic and social planning, the Congress (I) is of the opinion that planning for the country of the size of a sub continent like India can't be left to small regions. The plan of each state has necessarily to be an integral part of the national plan because the aim is not the development of one state alone but the development of nation as a whole. Therefore, "there is no justification for any change in the present pattern adopted for economic and social planning and development." 50

However, both Vasant Sathe and Bhagwat Jha Azad, were of the opinion the State should be engaged more actively in the planning process of the country. They held the view that planning process should start from local or district level and there should be co-ordination between local level and Central planning. Therefore the right kind of priorities can be set up and an effective implementation of plan proposal can take place. The states should have much wider say in the whole planning process and particularly in implementing it vigourously, so that the fruits of planed development go
to states in proportion to their involvement in the implementation of planning process.51

On the overall recommendations of Sarkaria Commission, both Vasant Sathe & Bhagwat Jha Azad said that commissions recommendations are good within the limitations of the constitution. But they were of the opinion that all the recommendations can't be accepted because of practical problems of implementing them. Vasant Sathe, however, held the view that if some institutional or structural changes are brought in terms of changing the present parliamentary form of government to a Presidential (directly elected executive) government, the problem of Centre-state relations could be solved to the larger extent.52

Overall, the Congress party has evolved a unitary party structure and supported a strong & powerful centre. Congress as an organisation of the national movement and as a political party which operated in the belief that "what is good for the Congress is good for the country and any challenge to its dominance is against the national interest. The Congress used the federal instruments of President rule in partisan manner to destabilise the non-Congress governments in various states to restore the hegemony of Congress party. In this process institution like Governor, Planning Commission, N.D.C. (National Development Council)
were undermined and degraded. During the Nehru era, there was an attempt to build consensus on many issues related to Centre-state relations. However, Indira Gandhi failed to appreciate the need for a wide consensus and resorted to a centralized approach towards Centre-state relations. Indira Gandhi's efforts to restore the balance of influence between the Centre-state conflicts in favour of the Centre failed because she was not willing to change her political style of functioning of early seventies in the changed socio-economic circumstances of 80's. This led to the narrowing of support base of the Congress party in electoral politics and reduced it from being a dominant party to any other national political party. The Congress party's organisation and its functioning gave a unitary shape to Indian federalism and developed a political system where initially Nehru and later Indira Gandhi and Rajiv Gandhi became the centre of power and authority thus diluting the federal structure of Indian constitution in letter and spirit.


3. Ibid. p.275


10. Ibid pp. 188-89.


17. Ray Amal, op cit, p.22.


34. Dua Bhagwan D, "Federalism or Patrimonialism The making & unmaking of Chief Ministers in India" - Asian Survey, vol. 25, no8, August 1985 p.796.


41. *Interview with Vasant Sathe, M.P. Congress (I), New Delhi*, 22nd October 1990.


45. *Interview with Vasant Sathe*.


47. *Interview with Vasant Sathe & Bhagwat Jha Azad. 22nd October -1990 New Delhi*.


49. *Interview with Vasant Sathe*.


51. *Interview with Vasant Sathe & Bhagwat Jha Azad*.

52. *Interview with Vasant Sathe & Bhagwat Jha Azad*.