

PREFACE

The Indian Constitution is basically federal in form and is marked by the traditional characteristics of federal system, namely, supremacy of the Constitution, division of power between Union and State Governments, existence of independent judiciary and a rigid procedure for the amendment of the Constitution.

The Constitution of India envisages two types of government, one at the level of the union and other at the level of the States. From the functional standpoint such a Constitution is not a static format, but a dynamic process. Within this process, the interplay of centrifugal and centripetal forces influenced by a changing social, economic and political environment, constantly strives to find a new adjustment of balance between unity and diversity.

The very dynamism of the system with all its checks and balances brings in its wake problems and conflicts in the working of the Union-State relations. Stresses, strains and irritants generated by such problems may stifle the working of the system and endanger unity and integrity of the country. It is, therefore, necessary to review from time to time, in the light of past experience, the evolution of Union-State arrangements not only for the purpose of identifying persistent problems and seeking their solutions, but to attune the system to the changing times so that propelled by a spirit of common endeavour and co-operative effort it takes the country ever forward towards the social welfare goals set out in the Constitution.

Indian Constitution is based on federal principle as its form of government in which power is divided between centre and the states in a way that each state is independent of the other within its own sphere. Iver Jennings calls it a federation with a strong centralized tendency found in fathers of the Constitution had provided for a strong centre to serve as a pivotal point in governance of India.

The rising trend of regionalism has created a demand by states for greater autonomy. Since 1967, when one party rule came to an end and some non-Congress

governments come into power in some states, states like Tamil Nadu, Assam, Punjab & J&K have raised their voices for more autonomy.

The present work is a study of the concept of doctrine of Separation of Powers and its applicability in India. This concepts evolves around the various spheres and the detailed study has been done about the various aspects of this doctrine at international level also.

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