

THE INDIAN FEDERATION

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Being one of the younger federations, India has benefited from the experience of the older federations. The Constitution of 1950 gives clear indications of the earnestness of its framers to profit from the lessons provided by other federations. Such provisions in the Constitutions of other federations as were in harmony with Indian political thought and administrative needs of the time were introduced in our Constitution.¹ Thus, we borrowed the principle of fundamental rights from the United States Constitution, and the directive principles of State policy from the Constitution of Eire. The section of the Constitution dealing with federation shows the influence of the Canadian pattern. The concept of responsible government and the accountability of the executive to the legislature are based on "the unwritten conventions established in the United Kingdom."² By the time the Indian federation was formed "the importance of giving the Union government overriding power in certain matters had come to be clearly established."³ The Constituent Assembly rightly adopted the Government of India Act, 1935 as the framework of the Constitution. Following tendencies elsewhere it further strengthened the authority and jurisdiction of the Centre. Indeed, in the Indian Constitution "the rival claims of centralisation and decentralisation in federal finance which would baffle even the most ingenious administrator have been solved in a most satisfactory manner. This is perhaps the most important feature of the Constitution."⁴ In the Indian Constitution, functions and resources are divided between the Centre and the States and all the essential features of a federal form of government have been incorporated. It must, however, be emphasised that the intention of the Constituent Assembly was not merely to set

¹ Cf. *India — A Historical Survey*, by K. A. Nilkanta Sastri and G. Srinivasachari, 1966, p. 117. Also see A Chanda : *Federalism in India*, 1965, pp. 68-9.

² Chanda, A., *ibid.*, p. 69.

³ Chanda, A., *ibid.*, p. 76.

⁴ Misra, B. R., *Indian Federal Finance*, 1954, p. 120.