

Q. Discuss the changes that will occur in the administrative machinery when the quasi-federal nature of Indian polity changes into a unitary structure without formally amending the Constitution.
18-12-2020

Answer:— Constitution of India is federal in nature in structure and unitary in spirit.
i.e. it is quasi-federal in nature, as stated by K C Wheare.

→ Some features of Indian Constitution that reflect an centralising tendency:

① No territorial integrity with states:

→ The Parliament can by unilateral action change the area, boundaries or name of any state.

② Appointment of Governor (head of the state) appointed by president. He act as an agent of the centre.

③ Integrated constitutional offices:
Constitution provides for an integrated audit machinery, election commission and states have no control over these offices.

④ Emergency provisions: During emergency the central govt. becomes all powerful and the states go into the total control of the Centre. It converts

federal structure into a unitary one without a formal amendment of the constitution.

→ How it changes administrative machinery without formal amendment in Constitution:

① In, 1975 the then President Fakhruddin Ali Ahmed relying on Article 352 of the constitution declared emergency (national). The 38th-42nd EAA constitutional amendment were passed during the emergency which led to tussle between the executive and the judiciary that would have a lasting impact on the parliament's power to amend the constitution.

② Union list contains more subjects than the State list & more important subjects have been included in Union list. Hence some times State can face taking some important decisions for the local Administration.

③ The Parliament is empowered to legislate on any subject of state list if Rajya Sabha passes a resolution, it means the legislative competence of parliament can be extended without amendment in constitution.

On Careful analysis, we find that every federation in world, there is ultimate centralising tilt. so as to maintenance of integrity & to serve the specific need of Country.