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UPSC MAINS ANSWER WRITING

8. While introducing laws, Union government needs to have the consent of the State government to uphold the spirit of federalism. Analyse.

Ans. In recent time, various State governments raised concerns about Central unilateralism in the enactment of laws on subjects in the Concurrent list.

Important points regarding spirit of federalism is as follows:-

- (i) All we know that, the Centre - State relation is all about the distribution of powers between Centre and States.
- (ii) The distribution of powers is the basic feature of federalism and federal constitution.
- (iii) Article - 245 vests legislative power in the parliament to make laws for the country and states legislatures to make laws for their respective states.
- (iv) Article - 261 provides full faith and credit to public acts, records and judicial proceedings of the Union and the States.

(v) Article 253 empowers the parliament to enact laws to give effect to international agreements, the centre does not consult or represent the states while entering such agreements.

(vi) The distribution of powers are defined by the constitution and the legislative powers are divided into three list - Union list, State list, and concurrent list.

(vii) In recently government of India passed a farm-laws bill, the laws are related to entry in agricultural clause belonging to the state list.

(viii) Parliament passed the farm laws without consulting the states, caused led to massive protests against the laws and centre.

Therefore in federal country there is need of to enact any laws with the consulting the states also. It create a healthy bond between the centre and states and maintain country united.