

4th International Conference on Federalism – Keynote Address by Shri Shivraj V. Patil, Home Minister, Government of India

I am grateful to the Hon'ble Prime Minister, Dr. Manmohan Singh for having very graciously agreed to inaugurate this 4th International Conference on Federalism and to address this global gathering. I am thankful to Hon'ble Heads of States, Heads of Governments, Ministers, experts and others for attending and participating in these deliberations. I am thankful to the forum for holding this Conference in India.

2. Federalism is practiced in 26 countries of the world. It is practiced by the countries which are big in size and have large number of citizens living on their territories, having different kinds of culture, different kinds of geographical and historical backgrounds, and speaking different languages.

3. Units which go to form the federal structure are not similar in things they practice and hold as their own. This variety can make the federal structure rich and vibrant. If it is used in a wise and imaginative manner, it can add to the strength of the federal structure.

4. Things and human beings may look different in their apparent lives. However, from inside, at the core, they may not be very different. The knowledge that human beings have acquired, by observing the human needs, their aspirations and their inner selves and through the laboratories of science, go to show that the charges in the atoms and the spirit in the human beings are not of different nature, but are of same character. That is what the expression Unity in Diversity suggests. The deeper knowledge ultimately leads to Unity, while respecting the outer variety. This is the principle which is applicable to individuals, groups of individuals and units forming the federal structure and federalism.

5. However, while using this principle in actual lives, many difficulties are encountered. The machinery used for this purpose has to be suited to achieve the ultimate objective and overcome the difficulties occurring in the route to the goal.

6. The resources available with the units have to be used in a manner that the units separately and the federal structure in an united form benefit. New situations are developing in the world, because of the developments of new concepts, new sciences and new technologies. The federal system has to adjust with new demands and new situations.

7. In the present day world, individuals and nongovernmental organizations have become quite capable of doing many things for themselves and for others and on a huge scale. They have to be recognized and allowed to work with the units and federal structure to be able to utilize all the capabilities available in the society and the country and the world.

8. India is a democracy and has adopted a federal form of governance. Its federal structure is federal in times of peace and unitary in times of emergencies. It has governments at district, taluka and local levels. The Constitution of India provides for its federalism. The Seventh Schedule of the Constitution has three lists. One list is recognized as the Union list, in which subjects are mentioned over which the Union has exclusive legislative and executive powers. The second list is recognized as the state list, over which, the States have exclusive legislative and executive authority. The third list is recognized as the concurrent list, and has subjects over which the Union and the States have concurrent jurisdiction. The Union has legislative and executive authority over the subjects which are not mentioned in any of the three lists.

9. At the apex, there is the Supreme Court, which has a jurisdiction which covers the entire country. There are High Courts, which have jurisdictions which are limited to the States. The courts at the lower level have jurisdiction which cover districts and talukas.

10. The revenue collected by the Union is shared between the Union and the States. Every five years, as per the provisions of the Constitution, a Finance Commission is constituted, to decide on the formulae which can be used to distribute the revenue between the Union and the States.

11. The Union has created a forum called the National Development Council, which can be used to bring the members of the Union and the State Executive and other experts to discuss and decide upon issues which have impact on the entire country.

12. In order to bring about national integration by adopting policies which are helpful for this purpose, the National Integration Council is created. The National Integration Council can allow the representatives of the Union and all the States and other wise persons to come together and evolve methods and principles to resolve problems of disruptive nature and help in bringing about national integration.

13. The provisions of the Constitution which have relevance to the Union and the States are amended by the Parliament and the amendments are then ratified by one half of the State Legislatures, before they are treated as passed by the legislatures. In these arrangements, legislative federalism becomes visible.

14. The federal structure allows the country to deal with other countries and international organizations through the Union.

15. It allows individuals and private enterprises to play their role in bringing about understanding and cooperation at global level, in all kinds of human, productive and creative activities.

16. The concept of federalism is based on liberal and democratic and all inclusive attitudes of human beings. It takes into consideration the importance that should be attached to the variety as well as to the unity. If it is used as per its true spirit, it can help to strengthen federal structures, regional groups and the international organizations. It can evolve into a stage from where help to develop inter planetary activities by bringing all countries of the world together can be rendered.

17. Let us hope that it would achieve all that can be achieved for the betterment, progress and happiness of all human beings in all countries and all parts of the world.

18. Thank you for your attention.