

In addition, reforms that have been initiated such as the Memorandum of Procedure, E-courts Mission Mode Project, launching of National Service and Tracking of Electronic Processes app etc. need to be effectively utilized by the courts at all levels.

15. Asymmetry as an important characteristic of the Indian federalism has helped cater to the specific needs and requirements of some sub-units. Explain. (250 words) 15

Approach:

- Introduce by defining the term asymmetrical federalism.
- Highlight the asymmetric features in the Indian federalism that cater to specific needs.
- Conclude briefly.

Answer:

Asymmetric federalism is found in a federation when **different constituent units are accorded different powers and autonomy**. Asymmetric federalism in India is accorded through Constitutional provisions as well as differential treatment of the states by the Union government. The differential treatment is for specific units to cater to specific needs and requirements and may be ad-hoc or long term. **These include:**

Special provisions under the Indian Constitution:

- **Article 371** entrusts the Governor of Maharashtra with a special responsibility to establish **separate development boards** for Vidarbha, Marathwada, etc, while the Governor of Gujarat has a similar responsibility towards Saurashtra, Kutch etc.
- **Article 371A** provides for safeguards to **religious or social practices of the Nagas**, Naga customary law and procedures and restrictions on the ownership and transfer of land in Nagaland. Similar protection is accorded to the Mizos in Mizoram under **Article 371G**.
- **Article 371D** provides for a provision under which the President can pass an order to provide **equitable opportunities and facilities** to people belonging to **Andhra Pradesh in public employment and education**.
- **Article 371F** provides for special provisions for the state of Sikkim to enable the protection of existing laws of the state before its accession to India.
- **The Sixth Schedule** provides for special administrative provisions such as creation of Autonomous District Councils and Regional Councils for tribal areas in Assam, Meghalaya, Tripura and Mizoram.
- Parliament, by law, has created **Legislative Assemblies** for Delhi, Puducherry and Jammu and Kashmir to enable the people belonging to these Union Territories to have direct representation.
- **Special Category status:** The status has been given to various states such as Nagaland, Mizoram etc., which enables them to get additional financial support from the Centre. This status is accorded to states on account of low population density, difficult terrain, strategic location etc.
- **Centrally Sponsored Schemes (CSS):** There is scope for differentiation among states in the selection of CSS, their design and contribution ratios. For example, Mission for Integrated Development of Horticulture is a CSS wherein the Central government contributes 60% of the total outlay for developmental programmes in all the states except the North-Eastern and Himalayan states where it contributes 90%.

These arrangements have been devised to incorporate the complex differences and identities among federal units. However, while transparent asymmetric arrangements can be justified as they contribute to nation building, the discriminatory policies followed purely on short term political gains can be harmful to the long-term interests and stability of federalism in India.

16. How is structure and electoral process of Rajya Sabha different from Lok Sabha? Do you think Rajya Sabha has been able to perform its envisaged role in recent times? (250 words) 15

Approach:

- Introduce in brief about Rajya Sabha and Lok Sabha.
- Differentiate between the structure and electoral process of Rajya Sabha and Lok Sabha.