



Politics of Maharashtra

Samuel English

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by Samuel English

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Chapter 1

Introduction

Maharashtra government and politics

Maharashtra is a state in the western region of India and is India's third-largest state by area. It has over 112 million inhabitants and its capital, Mumbai, has a population of approximately 18 million. Nagpur is Maharashtra's second, or winter, capital. Government in the state is organized on the parliamentary system. Power is devolved to large city councils, district councils (Zila Parishad), sub-district (Taluka) councils, and the village parish councils (Gram panchayat). The politics of the state are dominated by the numerically strong Maratha-Kunbi community. There are national and regional parties in the state, serving different demographics, such as those based on religion, caste, urban and rural residents.

Government structure

The government of Maharashtra is conducted within a framework of parliamentary government, with a bicameral legislature consisting of the Maharashtra Legislative Assembly and the Maharashtra Legislative Council. The Legislative Assembly (Vidhan Sabha) is the lower chamber and consists of

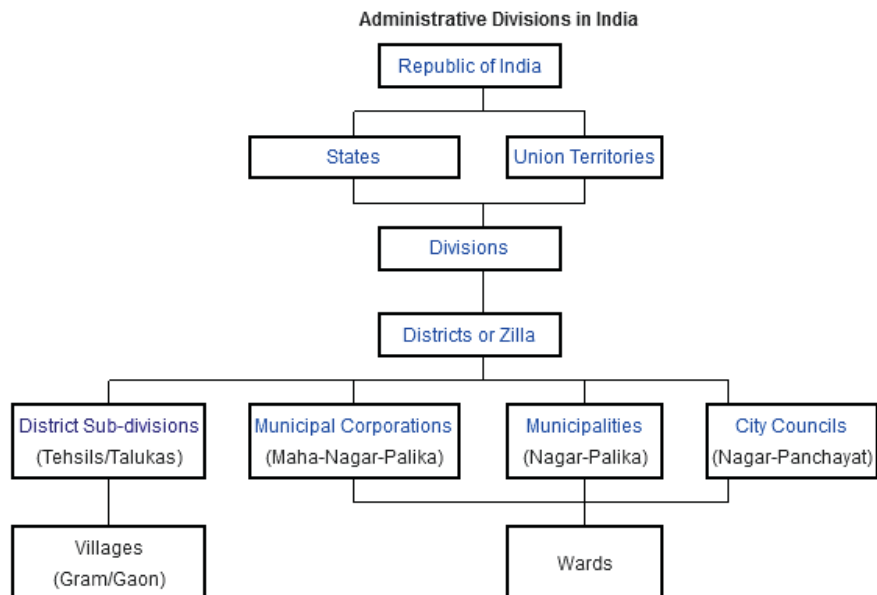
288 members, who are elected for five-year terms. There are 25 and 29 seats reserved for the Scheduled Castes and Scheduled Tribes and others, respectively. The Legislative Council (Vidhan Parishad) is the upper chamber and is a permanent body of 78 members. The government of Maharashtra is headed by the Chief Minister, who is chosen by the party or alliance with a majority of members in the Legislative Assembly. The Chief Minister, along with the council of ministers, drives the legislative agenda and exercises most of the executive powers. However, the constitutional and formal head of the state is the Governor, who is appointed for a five-year term by the President of India on the advice of the Union government.

Maharashtra elects members to both chambers of the Indian Parliament. Representatives to India's lower chamber, the Lok Sabha, are elected by adult universal suffrage, and a first-past-the-post system, to represent their respective constituencies. They hold their seats for five years or until the body is dissolved by the President on the advice of the council of ministers. Representatives to the upper chamber, the Rajya Sabha, are elected indirectly by the Vidhan Sabha members. Maharashtra elects 48 members out of 543 total elected members of the Lok Sabha and 19 out of 233 elected members of the Rajya Sabha.

The state has a long tradition of highly powerful planning bodies at district and local levels. Local self governance

institutions in rural areas include 34 zilla parishads (district councils), 355 Taluka Panchayat samitis (district Sub-division councils) and 27,993 Gram panchayats (village councils). Urban areas in the state are governed by 27 Municipal Corporations, 222 Municipal Councils, four Nagar Panchayats and seven Cantonment Boards. Although Maharashtra had Gram panchayat with elected members since 1961, the 73rd amendment to the Indian constitution of 1993 put in place a statutory requirement of 33% of seats on the panchayats reserved for women, the scheduled castes, and the scheduled tribes. In addition, 33% of the sarpanch (panchayat chief) positions were also reserved for women. Although the amendment boosted the number of women leaders at the village level, there have been cases of harassment by male members of the panchayat towards the female members of the organisations. The administration in each district is headed by a District Collector, who belongs to the Indian Administrative Service and is assisted by a number of officers belonging to Maharashtra state services. The Superintendent of Police, an officer belonging to the Indian Police Service and assisted by the officers of the Maharashtra Police Service, maintains law and order in addition to other related issues in each district. The Divisional Forest Officer, an officer belonging to the Indian Forest Service, manages the forests, environment, and wildlife of the district, assisted by the officers of Maharashtra Forest Service and Maharashtra Forest Subordinate Service. Sectoral development in the districts is looked after by the district head

of each development department, such as Public Works, Health, Education, Agriculture and Animal Husbandry.



Since its inception in 1960, and also of predecessor states such as Bombay, the politics of Maharashtra has been dominated by the Indian National Congress party. Maharashtra became a bastion of Congress party stalwarts such as Yashwantrao Chavan, Vasantdada Patil, Vasantrao Naik, and Shankarrao Chavan.

Sharad Pawar has been a significant personality in state and national politics for nearly forty years. During his career, he has split Congress twice, with significant consequences for state politics. After his second parting from the Congress party in 1999, Sharad Pawar formed the Nationalist Congress Party (NCP) but joined a Congress-led coalition to form the state government after the 1999 Assembly elections.

The Congress party enjoyed a nearly unchallenged dominance of the state political landscape, until 1995 when the coalition of Shiv Sena and the Bharatiya Janata Party (BJP) secured an overwhelming majority in the state, beginning a period of coalition governments. Shiv Sena was the larger party in the coalition. From 1999 until 2014, the NCP and INC formed one coalition while Shiv Sena and the BJP formed another for three successive elections, which the INC-NCP alliance won. Prithviraj Chavan of the Congress party was the last Chief Minister of Maharashtra under the Congress-NCP alliance that ruled until 2014.

For the 2014 assembly polling, the alliances between the NCP and Congress and between the BJP and Shiv Sena broke down over seat allocations. In the election, the largest number of seats went to the BJP, with 122 seats. The BJP initially formed a minority government under Devendra Fadnavis; but in December 2014, Shiv Sena entered the Government and provided a comfortable majority in the Maharashtra Vidhansabha to the Fadnavis-led government.

In the 2019 Lok Sabha elections, the BJP and Shivsena fought under the NDA banner, whereas the Congress and NCP were part of the UPA. The two alliances remained intact for the legislative assembly elections in October 2019. The BJP and Shivsena together gained the majority of seats in the assembly but could not form government due to squabbles between the

two parties. The BJP–Shivsena alliance came to an end in early November 2019, with Shivsena subsequently forming a new alliance with its longtime rivals, the NCP and Congress, to form the new state government on 28 November 2019.

Other parties in the state include the All India Forward Bloc, the Maharashtra Navnirman Sena, the Communist party of India, the Peasant and workers party, the All India Majlis-e Ittihad al-Muslimin, Bahujan Vikas Aghadi, the Samajwadi Party, various factions of the dalit-dominated Republican Party of India, the Bahujan Samaj Party, and the Socialist party.

Dominant groups in Maharashtra politics

After the state of Maharashtra was formed on 1 May 1960, the INC was long without a major challenger. The party also enjoyed overwhelming support from the state's influential sugar co-operatives, as well as thousands of other cooperatives, such as rural agricultural cooperatives involved in the marketing of dairy and vegetable produce, credit unions etc.

For the better part of the late-colonial and early post-independence periods in Bombay state and its successor, Maharashtra state, the politics of the state has been dominated by the mainly rural Maratha–Kunbi caste, which accounts for 31% of the population of Maharashtra. They dominated the cooperative institutions; and with the resultant economic

power, controlled politics from the village level to the state Assembly and the Lok Sabha.

In 2016, of the 366 MLAs (Legislative Assembly has 288 MLAs and Legislative Council has 78) combined, 169 (46%) were Marathas. Major past political figures of the Congress party from Maharashtra—such as Keshavrao Jedhe, Yashwantrao Chavan, Shankarrao Chavan, Vilasrao Deshmukh, and Sharad Pawar—have been from this group. Of the 19 Chief Ministers so far, as many as 10 (55%) have been Maratha. Since the 1980s, politicians from this group has also been active in setting up private educational institutions.

Following disputes between Sharad Pawar and the INC president Sonia Gandhi, the state's political status quo was disturbed when Pawar defected from the INC, which was perceived as the vehicle of the Nehru-Gandhi dynasty, to form the Nationalist Congress Party. This offshoot of the Congress party is nevertheless dominated by the Maratha community.

Shiv Sena was formed in the 1960s by Balashaheb Thackeray, a cartoonist and journalist, to advocate and agitate for the interests of Marathi people in Mumbai. Over the following decades, Shiv Sena slowly expanded, and took over the then Mumbai Municipal corporation in the 1980s. Although the original base of the party was among lower middle and working class Marathi people in Mumbai and the surrounding suburbs, the leadership of the party came from educated groups.

However, since 1990s there has been shift in leadership with many middle level leaders creating personal fiefdom for themselves and their families with the use of strong-arm tactics. Hansen has termed this as the "dada-ization" of the party. By the number of Marathas elected on the Shiv Sena ticket in the last few elections, the party is emerging as another Maratha party.

The BJP is closely related to the RSS and is part of the Sangh Parivar. The party originally derived its support from the urban upper castes, such as Brahmins and non-Maharashtrians. In recent years the party has been able to penetrate the Maratha community by fielding Maratha candidates in elections.

The Shiv Sena–BJP coalition came to power at the state level in 1995, which was a blow to the Congress party. In 2006, a split within Shiv Sena emerged when Bal Thackeray anointed his son Uddhav Thackeray as his successor over his nephew Raj Thackeray. Raj Thackeray then left the party and formed a new party called Maharashtra Navnirman Sena (MNS). Raj Thackeray, like his uncle, has also tried to win support from the Marathi community by embracing anti-immigrant sentiment in Maharashtra, for instance against Biharis.

After the Maratha–Kunbi, the Mahars are numerically the second largest community. Most of the Mahars are followers of Buddhism and fall under the scheduled caste (SC) group. Since the time of B. R. Ambedkar, the Mahar community has

supported various factions of the Republican Party of India (RPI). There are 25 seats reserved for the SC. Parties such as NCP, BJP, and the Congress field candidates from other Hindu SC groups like Mang and Chambhar for the reserved seats, to thwart the candidates of the RPI.

2014 Assembly Election

The 2014 assembly election followed a landslide national victory of the BJP in the 2014 Lok Sabha election, which brought the Narendra Modi to power as prime minister. All major parties in the state (BJP, Shivsena, INC, and NCP) contested the elections on their own, leading to a complex and much-contested election. The BJP put together an alliance of upper castes, the Other Backward Class (OBC), and to some extent the Dalit to fight the Maratha-led Congress and NCP. The results were significant in that the BJP received the highest number of seats, despite being historically smaller than Shiv Sena in the state. Although the BJP still required Shiv Sena's support to form a majority, it progressed from being a minor party in state politics to the party of the chief minister, Devendra Fadnavis, who held that position until November 2019.

In April 2019, voting for the 48 Lok Sabha seats from Maharashtra was held in four phases.

Despite their differences, the BJP and Shiv Sena once again contested the elections together under the National Democratic Alliance (NDA) banner. Similarly, the Congress and NCP had their own seat-sharing arrangement. The breakaway party of Raj Thakeray, Maharashtra Navnirman Sena, did not contest any seats, and instead urged their supporters to vote for the NCP–Congress alliance, Thakre campaigning for candidates belonging to these parties.

The results of the election on 23 May 2019 was another landslide victory for the NDA, with the BJP and Shiv Sena winning 23 and 18 seats, respectively, out of the total of the state's 48 Lok Sabha seats. The Congress party won only one seat in the state whereas the NCP won five seats from its stronghold of western Maharashtra.

The BJP–Shiv-Sena and NCP–Congress alliances remained intact for the Vidhansabha elections in October 2019. The BJP and Shiv Sena together gained the majority of seats in the assembly but could not form government due to squabbles between the two parties. The BJP, with 105 seats, was far short of the 145 seats required to form majority and declined to form a minority government. At the same time, Shiv Sena started talks with the NCP and Congress to form government.

On 23 November 2019, BJP formed a government with support from NCP, with Ajit Pawar as Deputy Chief Minister. This government collapsed three days later with Chief Minister

Devendra Fadnavis and Ajit Pawar resigning their respective positions. On 28 November 2019, the governor swore in Uddhav Thackeray, the Shiv Sena chief, as the new chief minister of Maharashtra. Thackeray's governing coalition includes Shiv Sena, NCP, INC, and a number of independent members of legislative assembly .

2014 Maharashtra Legislative Assembly election

The Indian state of Maharashtra has a bicameral legislature, comprising two houses. The lower house, known as the Legislative Assembly ("Vidhan Sabha" in Marathi), is directly elected by the people and is the more powerful of the two houses. The upper house, known as the Legislative Council ("Vidhan Parishad" in Marathi) is elected indirectly by several specially designated electorates.

The Legislative Assembly has a tenure of five years, at most, and it may be dissolved before time in case the government falls for lack of majority, and nobody else can cobble up a majority. The Assembly has a strength of 288 seats, each seat being a geographical constituency. This page is devoted to the assembly elections which were held in 2014.

The term of the Legislative Assembly of Maharashtra was due to expire on 8 November 2014. By virtue of its powers, duties and functions under Article 324 read with Article 172(1) of the Constitution of India and Section 15 of Representation of the

People Act, 1951, the Election Commission of India is required to hold elections to constitute the new Legislative Assembly in the State of Maharashtra during a window of time which is: between six months before and six months after the date of expiry. Elections are almost invariably held before the expiry of the term, rather than afterwards.

The Model Code of Conduct comes into effect the day that the election commission announces the schedule of elections. This happened on 12 September 2014. The required Gazette Notification was issued on 20 September 2014. The legislative assembly election was held on 15 October 2014, in a single phase, to select the 288 members of the Maharashtra Legislative Assembly in India. The result was announced on 19 October, with the BJP getting a plurality. The term of the current 13th Legislative Assembly is to end on November 9, 2019 as the first meeting of the new house was held on November 10, 2014.

Following the NCP-INC alliance's performance in the 2014 Indian general election, the NCP demanded 144 seats to contest and a rotation of the Chief Minister's post between parties. Both parties held negotiations but failed to reach a conclusion. The INC declared its list of candidates for 118 seats on 25 September without consulting the NCP. Thus, the NCP unilaterally severed its 15-year-old alliance with the INC.

The INC later reached out to the Samajwadi Party (SP) to form an alliance.

The Shiv Sena and Bharatiya Janta Party (BJP) were alliance partners for 25-years - including several smaller parties, such as Republican Party of India (Athavale), Swabhimani Shetkari Sanghatna, Rashtriya Samaj Paksha, were also a part. After the general election, the BJP demanded additional seats to contest; initially they requested 144 seats but later reduced their demand to 130 seats. The Shiv Sena offered 119 seats to the BJP and 18 seats to four other allies, keeping 151 to contest itself. After several rounds of negotiations, the parties did not reach a conclusion. Thus the Shiv Sena - BJP alliance ended on the 25 September as well.

2019 Maharashtra political crisis

A political crisis in the Indian state of Maharashtra occurred after the 2019 legislative assembly election over the formation of a new state government. With no political party able to prove their majority in the legislative assembly, president's rule was imposed in the state following a recommendation by the Governor of Maharashtra Bhagat Singh Koshyari.

The President's rule was later revoked and the Bharatiya Janata Party, led by former Chief Minister Devendra Fadnavis, formed a government with the help of a small faction of the

Nationalist Congress Party, led by Ajit Pawar. After three days, Fadnavis and Pawar resigned. A new government was formed by the Maha Vikas Aghadi, a new alliance of Shiv Sena, the Indian National Congress, and the Nationalist Congress Party, under Uddhav Thackeray.

The Maharashtra Legislative Assembly has 288 seats. In the 2019 election, the Bharatiya Janata Party (BJP) won 105 seats, Shiv Sena won 56, the Nationalist Congress Party (NCP) won 54, and the Indian National Congress (INC) won 44. All India Majlis-e-Ittehadul Muslimeen (AIMIM) and Samajwadi Party (SP) won two seats each while Maharashtra Navnirman Sena (MNS) and the Communist Party of India (Marxist) (CPI (M)) won one seat each. 23 seats were won by other parties and independents. 145 seats are required for a majority to form government.

Two alliances contested the election: the National Democratic Alliance (NDA) or Maha Yuti, a BJP-Shiv Sena alliance, and the United Progressive Alliance (UPA) or Maha-aghadi between the NCP and INC.

Crisis

After the declaration of election results on 24 October, Shiv Sena declined to support the BJP to form the government, on demand an equal share in power which was promised by BJP. Shiv Sena also demanded the post of Chief Minister for 2.5

years according to 50-50 promise. But BJP declined such promise and eventually ended breaking ties with one of their oldest ally Shiv Sena.

On 8 November 2019, the Governor of Maharashtra Bhagat Singh Koshiyari invited the BJP to form a government as the single largest party. However, the BJP declined to form the government on 10 November because it was unable to attain a majority. The invitation passed to the second largest party, Shiv Sena, to form government. On 11 November, the Governor invited the NCP to form government. The next day, after the NCP also failed to gain majority support, the governor recommended president's rule to the Council of Ministers of India and the President. This was accepted, and president's rule was imposed. The discussions between Shiv Sena, NCP and INC ended with the formation of a new alliance, Maha Vikas Aghadi. A consensus was finally achieved with Shiv Sena's Uddhav Thackeray appointed Chief Minister after protracted negotiations.

In the early hours of 23 November, the president's rule was revoked and BJP's Devendra Fadnavis was sworn in as Chief Minister for a second consecutive term, while NCP leader Ajit Pawar was sworn in as Deputy Chief Minister. On the other side, NCP chief Sharad Pawar announced that Ajit Pawar's decision to support the BJP was his own and not endorsed by the party. The NCP split into two factions: one led by Sharad

Pawar and the other led by his nephew Ajit Pawar. Later in the day, Ajit Pawar was removed as the parliamentary party leader of the NCP. He clarified that, despite joining hands with BJP, he is an NCP worker and will remain so. The next day Shiv Sena, the NCP, and the INC petitioned the Supreme Court regarding the discretion of the state governor to invite BJP to form government. Shiv Sena also requested the Supreme Court order the new government to prove majority in the legislative assembly. On 26 November, the Supreme Court ordered the new government to prove the majority in the legislative assembly by the evening of the next day. The same day, Ajit Pawar and Fadnavis resigned as Deputy Chief Minister and Chief Minister.

Shiv Sena, the NCP, and the INC rounded up their MLAs after Fadnavis' oath and kept them sequestered in various hotels and buses to prevent horse-trading.

The Maha Vikas Aghadi (MVA); a post-election alliance of Shiv Sena, NCP and INC with other small parties such as the Samajwadi Party and Peasants and Workers Party of India staked the claim to form a new government under the chief ministership of Uddhav Thackeray. The MVA leaders met the governor and submitted a letter of support of MLAs of MVA. Thackeray was sworn-in as the 19th Chief Minister of Maharashtra on 28 November 2019 at Shivaji Park in Mumbai.

2009 Maharashtra Legislative Assembly election

The 13th Assembly elections were held in Maharashtra, India on October 13, 2009. The ruling Democratic Front (Congress and Nationalist Congress Party (NCP)) contested the elections against the alliance of Shiv Sena and Bharatiya Janata Party (BJP) and Against the Third Front Known as Republican Left Democratic Front popularly known as RIDALOS.

Voters elected the 288 members of the Maharashtra Legislative Assembly in newly organized assembly constituencies after the delimitation approved in 2008. The results were declared on October 22, 2009.

In view of the General Assembly Elections in Maharashtra, the Government of Maharashtra via its notification dated September 29, 2009 declared the day of Polling i.e. Tuesday, October 13, 2009 a Public Holiday in the State under section 25 of the Negotiable Instruments Act, 1881.

2004 Maharashtra Legislative Assembly election

Assembly elections was held in Maharashtra, India on October 13, 2004. The major alliances were the Democratic Front and the Bharatiya Janata Party - Shiv Sena alliance. Other political parties contested were the Bahujan Samaj Party, the Samajwadi Party, the Rashtriya Janata Dal, and the LJP.

66,000 electronic voting machines were used to elect the 288 members of the Maharashtra legislative assembly.

The result was announced on October 17, 2004 in which Congress and its alliance got majority votes. BJP lost elections that leads to resignation of Venkaiah Naidu and followed by leading command of party to Lal Krishna Advani. List of chief ministers of Maharashtra

The Chief Minister of Maharashtra is the head of the Government of the Indian state of Maharashtra. Following elections to the Legislative Assembly, the Governor invites the party (or coalition) with a majority of seats to form the government and appoints the Chief Minister (CM). If the appointee is not a member of either the Legislative Assembly or the Legislative Council of Maharashtra, then the Constitution stipulates that they need to be elected within six months of being sworn in. The office of the CM is coterminous with the concurrent Assembly provided the CM commands confidence in the house and hence does not exceed five years. However, it is subject to no term limits.

Maharashtra was formed by dissolution of Bombay State on 1 May 1960. Yashwantrao Chavan, who was serving as the third CM of Bombay State since 1956, became the first CM of Maharashtra. He belonged to the Indian National Congress and held the office until the 1962 Assembly elections. Marotrao Kannanwar succeeded him and was the only CM to die while in



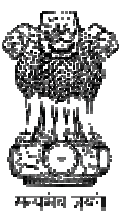
office. Vasant Rao Naik, who was in office from December 1963 to February 1975 for more than 11 years, has by far been the longest serving CM. He also was the first and only CM to complete his full term of five years (1967-1972) till Devendra Fadnavis matched it (2014-2019). With the exceptions of Manohar Joshi (SS), Narayan Rane (SS), Devendra Fadnavis (BJP) and Uddhav Thackeray (SS), all other CMs have been from the Congress or its breakaway parties.


So far, President's rule has been imposed thrice in the state: first from February to June 1980 and again from September to October 2014. It was again imposed on 12 November 2019

The current incumbent is Uddhav Thackeray of the Shiv Sena since 28 November 2019.

Prime Ministers of Bombay (1937-47)



No.	Name (birth-death)	Portrait	Term of Office			Party	Assembly	Appointed by (Gove
			Took office	Left office	Tenu re			

1	Dhanji shah Boman jee Coope r		1 April 1937	19 July 1937	140 days	Indepe ndent	1st Provi ncial Asse mbly (1937 Electi	The Lord Brabo urne
2	B. G. Kher (1888- 1957)		19 July 1937	2 Nove mber 1939	2 yea rs, 106 days	Indian Nation al Congre ss	ons)	Rober t Dunc an Bell
-	Vacan t (Gover nor's Rule)		2 Nove mber 1939	30 Marc h 1946	6 yea rs, 148 days	N/A	Disso lved	-

(2)	B. G. Kher (1888-1957)		30 March 1946	15 August 1947	1 year, 138 days	Indian National Congress	2nd Provincial Assembly (1946 Elections)	Sir John Colville
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Chief Ministers of Bombay (1947-60)

Chief Ministers of Bombay State (1947-56)									
No.	Name (birth-death)	Portrait	Constituency	Term of Office			Party	Assembly	Appointed by (Governor)
				Took office	Left office	Tenure			

1	B. G. Kher (1888-1957)		Did not contest	15 Aug 1947	21 April 1952	4 years, 250 days	Indian National Congress	Provincial Assembly (1946 Elections)	Sir John Colville
2	Morarji Desai (1896-1995)		Chikhli, Gujarat	21 April 1952	31 October 1956	4 years, 193 days		1st Assembly (1952 elections)	Raja Sir Maharaj Singh

Chief Ministers of Bombay State (1956–60)

(States Reorganisation Act, 1956)

3	Yashwantrao Balwantrao Chavan (1913-1984)		Karnad North	1 November 1956	5 April 1957	3 years, 181 days	Indian National Congress	1st Assembly (1952 elections)	Harekrishna Mahatab
				5 April 1957	30 April 1960			2nd Assembly (1957 elections)	Sri Prakasa

Chapter 2

Basic Structure of Indian Politics

Administrative functions of state government

The politics of India takes place within the framework of a federal constitutional republic, in which the President of India is head of state and the Prime Minister of India is the head of government. Executive power is exercised by the President and is independent of the legislature. Legislative power is vested in both the government and the two chambers of the Parliament of India, the Lok Sabha and the Rajya Sabha. Federal and state elections generally take place within a multiparty system, although this is not enshrined in law. The judiciary is independent of the executive and the legislature, the highest national court being the Supreme Court of India. India is a nation that is characterized as a “sovereign socialist secular democratic republic”. Like the United States, India has had a federal form of government since it adopted its constitution. However, the central government in India has greater power in relation to its states, and its central government is patterned after the British parliamentary system.

The national government has the power to dismiss state governments under specific constitutional clauses or if no

majority party or coalition is able to form a government. The central government can also impose direct federal rule known as president's rule. Locally, the Panchayati Raj system has several administrative functions.

For most of the years since independence, the federal government has been guided by the Indian National Congress (INC). The two largest political parties have been the INC and the Bharatiya Janata Party (BJP). Although the two parties have dominated Indian politics, regional parties also exist. From 1950 to 1990, barring two brief periods, the INC enjoyed a parliamentary majority.

The INC was out of power between 1977 and 1980, when the Janata Party won the election due to public discontent with the corruption of Prime Minister Indira Gandhi. In 1989, a Janata Dal-led National Front coalition, in alliance with the Left Front coalition, won the elections but managed to stay in power for only two years.

As the 1991 elections gave no political party a majority, the INC formed a minority government under Prime Minister P.V. Narasimha Rao and was able to complete its five-year term. The years 1996–1998 were a period of turmoil in the federal government with several short-lived alliances holding sway. The BJP formed a government briefly in 1996, followed by the United Front coalition that excluded both the BJP and the INC.

In 1998, the BJP formed the National Democratic Alliance (NDA) with several other parties and became the first non-Congress government to complete a full five-year term. In the 2004 elections, the INC won the largest number of Lok Sabha seats and formed a government with a coalition called the United Progressive Alliance (UPA), supported by various parties. In the 2009 Lok Sabha elections, the INC more than 200 seats, a majority.

Indian democracy has been suspended once. Nevertheless, Indian politics is often described as chaotic. More than a fifth of parliament members face criminal charges.

Central and State Governments

The central government exercises its broad administrative powers in the name of the President, whose duties are largely ceremonial. The president and vice president are elected indirectly for 5-year terms by a special electoral college. The vice president assumes the office of president in case of the death or resignation of the incumbent president.

The constitution designates the governance of India under two branches, namely: the executive branch and the legislative branch. Real national executive power is centered in the Council of Ministers, led by the Prime Minister of India. The President appoints the Prime Minister, who is designated by

legislators of the political party or coalition commanding a parliamentary majority.

The President then appoints subordinate ministers on the advice of the Prime Minister. In reality, the President has no discretion on the question of whom to appoint as Prime Minister except when no political party or coalition of parties gains a majority in the Lok Sabha.

Once the Prime Minister has been appointed, the President has no discretion on any other matter whatsoever, including the appointment of ministers. But all Central Government decisions are nominally taken in his/her name.

Legislative Branch

The constitution designates the Parliament of India as the legislative branch to oversee the operation of the government. India's bicameral parliament consists of the Rajya Sabha (Council of States) and the Lok Sabha (House of the People or Council of Ministers).

State Government

States in India have their own elected governments, whereas Union Territories are governed by an administrator appointed by the president. Some of the state legislatures are bicameral, patterned after the two houses of the national parliament. The

states' chief ministers are responsible to the legislatures in the same way the prime minister is responsible to parliament.

Each state also has a presidentially appointed governor who may assume certain broad powers when directed by the central government. The central government exerts greater control over the union territories than over the States, although some territories have gained more power to administer their own affairs. Local state governments in India have less autonomy compared to their counterparts in the United States, Africa and Australia. ,

Judicial Branch

India's independent judicial system began under the British, and its concepts and procedures resemble those of Common Law countries. The constitution designates the Supreme Court, the High Courts and the lower courts as the authority to resolve disputes among the people as well as the disputes related to the people and the government.

The constitution through its articles relating to the judicial system provides a way to question the laws of the government, if the common man finds the laws as unsuitable for any community in India.

Local governance

On April 24, 1993, the Constitutional (73rd Amendment) Act, 1992 came into force to provide constitutional status to the Panchayati Raj institutions. This Act was extended to Panchayats in the tribal areas of eight States, namely Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan from 24 December 1996.

The Act aims to provide 3-tier system of Panchayati Raj for all States having population of over 2 million, to hold Panchayat elections regularly every 5 years, to provide reservation of seats for Scheduled Castes, Scheduled Tribes and Women, to appoint State Finance Commission to make recommendations as regards the financial powers of the Panchayats and to constitute District Planning Committee to prepare draft development plan for the district.

Role of political parties

As any other democracy, political parties represent different sections among the Indian society and regions, and their core values play a major role in the politics of India. Both the executive branch and the legislative branch of the government are run by the representatives of the political parties who have been elected through the elections. Through the electoral process, the people of India choose which majority in the lower

house, a government can be formed by that party or the coalition.

India has a multi-party system, where there are a number of national as well as regional parties. A regional party may gain a majority and rule a particular state. If a party represents more than 4 states then such parties are considered as national parties. In the 63 years since India's independence, India has been ruled by the Indian National Congress (INC) for 51 of those years.

The party enjoyed a parliamentary majority barring two brief periods during the 1970s and late 1980s. This rule was interrupted between 1977 to 1980, when the Janata Party coalition won the election owing to public discontent with the controversial state of emergency declared by the then Prime Minister Indira Gandhi. The Janata Dal won elections in 1989, but its government managed to hold on to power for only two years.

Between 1996 and 1998, there was a period of political flux with the government being formed first by the right-wing nationalist Bharatiya Janata Party (BJP) followed by a left-leaning United Front coalition.

In 1998, the BJP formed the National Democratic Alliance with smaller regional parties, and became the first non-INC and coalition government to complete a full five-year term. The

2004 Indian elections saw the INC winning the largest number of seats to form a government leading the United Progressive Alliance, and supported by left-parties and those opposed to the BJP.

On 22 May 2004, Manmohan Singh was appointed the Prime Minister of India following the victory of the INC and the left front in the 2004 Lok Sabha election. The UPA now rules India without the support of the left front. Previously, Atal Bihari Vajpayee had taken office in October 1999 after a general election in which a BJP-led coalition of 13 parties called the National Democratic Alliance emerged with a majority.

Formation of coalition governments reflects the transition in Indian politics away from the national parties towards smaller, more narrowly-based regional parties. Some regional parties, especially in South India, are deeply aligned to the ideologies of the region unlike the national parties and thus the relationship between the central government and the state government in various states has not always been free of rancor. Disparity between the ideologies of the political parties ruling the centre and the state leads to severely skewed allocation of resources between the states.

Political issues

The lack of homogeneity in the Indian population causes division between different sections of the people based on

religion, region, language, caste and race. This has led to the rise of political parties with agendas catering to one or a mix of these groups.

Some parties openly profess their focus on a particular group; for example, the Dravida Munnetra Kazhagam's and the All India Anna Dravida Munnetra Kazhagam's focus on the Dravidian population, and the Shiv Sena's pro-Marathi agenda. Some other parties claim to be universal in nature, but tend to draw support from particular sections of the population. For example, the Rashtriya Janata Dal (translated as National People's Party) has a vote bank among the Yadav and Muslim population of Bihar and the All India Trinamool Congress does not have any significant support outside West Bengal.

The Bharatiya Janata Party, the party with the second largest number of MPs in the 15th Lok Sabha, has an image of being pro-Hindu. Such support from particular sections of the population affects the agenda and policies of such parties, and call into question their claims of being universal representatives. The Congress may be viewed as the most secular party with a national agenda; however, it also practices votebank politics to gain the support of minorities, especially Muslims, through appeasement and pseudo-secularist strategies. Many political parties are involved in caste-, religion-or language-based politics, which effects India's growth and progress.

The narrow focus and votebank politics of most parties, even in the central government and central legislature, sidelines national issues such as economic welfare and national security. Moreover, internal security is also threatened as incidences of political parties instigating and leading violence between two opposing groups of people is a frequent occurrence.

Economic Issues

Economic issues like poverty, unemployment, development are main issues that influence politics. Garibi hatao (eradicate poverty) has been a slogan of the Indian National Congress for long. The well known Bharatiya Janata Party is looked upon with grace as a political party that is indeed encouraging to free market economy, businesses and others.

The Communist Party of India (Marxist) vehemently supports left-wing politics like land-for-all, right to work and has strongly opposed to neo-liberal policies such as globalization, capitalism and privatization. The economic policies of most other parties do not go much further than providing populist subsidies and reservations. As a noteworthy case, the manifesto of the Samajwadi Party, the third largest party in the 15th Lok Sabha, for the 2009 general elections promised to reduce the use of computers upon being elected.

Law and Order

Just to name a few, terrorism, Naxalism, religious violence and caste-related violence are important issues that affect the political environment of the Indian nation. Stringent anti-terror legislation such as TADA, POTA and MCOCA have received much political attention, both in favour and opposed.

Law and order issues such as action against organized crime are not issues that affect the outcomes of elections. On the other hand, there is a criminal-politician nexus. Many elected legislators have criminal cases against them. In July 2008, the Washington Times reported that nearly a fourth of the 540 Indian Parliament members faced criminal charges, “including human trafficking, immigration rackets, embezzlement, rape and even murder”.

Chapter 3

Election Commission of Maharashtra and Governing Political Parties

Indian Electoral System

India has a quasi federal government, with elected officials at the federal (national), state and local levels. On a national level, the head of government, the Prime Minister, is elected indirectly by the people, through a general election where the leader of the majority winning party is selected to be the Prime Minister. All members of the federal legislature, the Parliament, are directly elected. Elections in India take place every five years by universal adult suffrage.

In 2009, the elections involved an electorate of 714 million (larger than both EU and US elections combined). Declared expenditure has trebled since 1989 to almost \$300 million, using more than one million electronic voting machines.

The size of the huge electorate mandates that elections be conducted in a number of phases (there were four phases in 2004 General Elections and five phases in 2009). It involves a

number of step-by-step processes from announcement of election dates by the Election Commission of India, which brings into force the 'model code of conduct' for the political parties, to the announcement of results and submission of the list of successful candidates to the executive head of the state or the centre.

The submission of results marks the end of the election process, thereby paving way for the formation of the new government.

The Parliament of India comprises the head of state—the president of India—and the two Houses which are the legislature. The President of India is elected for a five-year term by an electoral college consisting of members of federal and state legislatures. Parliament of India has two chambers.

The House of the People (Lok Sabha) has 545 members, 543 members elected for a five-year term in single-seat constituencies and two members appointed to represent the Anglo-Indian community (as envisaged by the Constitution of India, as of now the members of Lok Sabha are 545, out of which 543 are elected for 5-year term and 2 members represent the Anglo-Indian community). The 550 members are elected under the plurality ('first past the post') electoral system.

Council of States (Rajya Sabha) has 245 members, 233 members elected for a six-year term, with one-third retiring

every two years. The members are indirectly elected, this being achieved by the votes of legislators in the state and union (federal) territories.

The elected members are chosen under the system of proportional representation by means of the Single Transferable Vote. The twelve nominated members are usually an eclectic mix of eminent artists (including actors), scientists, jurists, sportspersons, businessmen and journalists and common people.

History of Elections in India

Lok Sabha is composed of representatives of the people chosen by direct election on the basis of the adult suffrage. The maximum strength of the House envisaged by the Constitution is 552, which is made up by election of up to 530 members to represent the States, up to 20 members to represent the Union Territories and not more than two members of the Anglo-Indian Community to be nominated by the President, if, in his/her opinion, that community is not adequately represented in the House.

- 1st Lok Sabha (1952)
- 2nd Lok Sabha (1957)
- 3rd Lok Sabha (1962)
- 4th Lok Sabha (1967)
- 5th Lok Sabha (1971)
- 6th Lok Sabha (1977)

- 7th Lok Sabha (1980)
- 8th Lok Sabha (1984-85)
- 9th Lok Sabha (1989)
- 10th Lok Sabha (1991)
- 11th Lok Sabha (1996)
- 12th Lok Sabha (1998)
- 13th Lok Sabha (1999)
- 14th Lok Sabha (2004)
- 15th Lok Sabha (2009)

History of Political Parties

The dominance of the Indian National Congress was broken for the first time in 1977, with the defeat of the party led by Indira Gandhi, by an unlikely coalition of all the major other parties, which protested against the imposition of a controversial Emergency from 1975–1977. A similar coalition, led by VP Singh was swept to power in 1989 in the wake of major allegations of corruption by the incumbent Prime Minister, Rajiv Gandhi. It, too, lost its steam in 1990.

In 1992, the heretofore one-party-dominant politics in India gave way to a coalition system wherein no single party can expect to achieve a majority in the Parliament to form a government, but rather has to depend on a process of coalition building with other parties to form a block and claim a majority to be invited to form the government.

This has been a consequence of strong regional parties which ride on the back of regional aspirations. While parties like the TDP and the AIADMK had traditionally been strong regional contenders, the 1990s saw the emergence of other regional players such as the Lok Dal, Samajwadi Party, Bahujan Samaj Party and the Janata Dal. These parties are traditionally based on regional aspirations, e.g. Telangana Rashtra Samithi or are strongly influenced by caste considerations, e.g. Bahujan Samaj Party which claims to represent the Dalits.

Presently, the United Progressive Alliance led by the Congress Party is in power, while the National Democratic Alliance forms the opposition. Manmohan Singh was re-elected the Prime minister of India.

Election Commission

Elections in India are conducted by the Election Commission of India, the authority created under the Constitution. It is a well established convention that once the election process commences; no courts intervene until the results are declared by the election commission. During the elections, vast powers are assigned to the election commission to the extent that it can function as a civil court, if needed.

Electoral Process

Electoral Process in India takes at least a month for state assembly elections with the duration increasing further for the General Elections. Publishing of electoral rolls is a key process that happens before the elections and is vital for the conduct of elections in India.

The Indian Constitution sets the eligibility of an individual for voting. Any person who is a citizen of India and above 18 years of age is eligible to enroll as a voter in the electoral rolls. It is the responsibility of the eligible voters to enroll their names. Normally, voter registrations are allowed latest one week prior to the last date for nomination of candidates.

Pre Elections

At first before the elections the dates of nomination, polling and counting takes place. The model code of conduct comes in force from the day the dates are announced. No party is allowed to use the government resources for campaigning. The code of conduct stipulates that campaigning be stopped 48 hours prior to polling day.

Voting Day

Government schools and colleges are chosen as polling stations. The Collector of each district is in charge of polling. Government employees are employed to many of the polling

stations. Electronic Voting Machines (EVMs) are being increasingly used instead of ballot boxes to prevent election fraud via booth capturing, which is heavily prevalent in certain parts of India. An indelible ink is applied usually on the left index finger of the voter as an indicator that the voter has cast his vote. This practice has been followed since the 1962 general elections to prevent bogus voting.

“None of the above” Voting Option

“None of the above” is a proposed voting option in India that would allow voters who support none of the candidates available to them to register an official vote of “none of the above”, which is not currently allowed under India election regulation. The Election Commission of India told the Supreme Court in 2009 that it wished to offer the voter a None of the above button on voting machines; the government, however, has generally opposed this option.

Post Elections

After the election day, the EVMs are stored in a strong room under heavy security. After the different phases of the elections are complete, a day is set to count the votes. The votes are tallied typically, the verdict is known within hours. The candidate who has mustered the most votes is declared the winner of the constituency.

The party or coalition that has won the most seats is invited by the President to form the new government. The coalition or party must prove its majority in the floor of the house (Lok Sabha) in a vote of confidence by obtaining a simple majority (minimum 50%) of the votes in the house.

Voter Registration

For few cities in India, the voter registration forms can be generated online and submitted to the nearest electoral office.

Absentee Voting

As of now, India does not have an absentee ballot system. Section 19 of The Representation of the People Act (RPA)-1950 allows a person to register to vote if he or she is above 18 years of age and is an 'ordinary resident' of the residing constituency i.e. living at the current address for 6 months or longer. Section 20 of the above Act disqualifies a non-resident Indian (NRI) from getting his/her name registered in the electoral rolls. Consequently, it also prevents a NRI from casting his/her vote in elections to the Parliament and to the State Legislatures.

In August 2010, Representation of the People (Amendment) Bill-2010 which allows voting rights to NRI's was passed in both Lok Sabha with subsequent gazette notifications on Nov 24, 2010. With this NRI's will now be able to vote in Indian

elections but have to be physically present at the time of voting. Several civic society organizations have urged the government to amend the RPA act to allow NRI's and people on the move to cast their vote through absentee ballot system. People for Lok Satta has been actively pushing combination of internet and postal ballot as a viable means for NRI voting.

Election Commission of India

Elections enable every adult citizen of the country to participate in the process of government formation. You must have observed that elections are held in our country frequently. These include elections to elect members of the Lok Sabha, Rajya Sabha, State Legislative Assemblies (Vidhan Sabhas) Legislative Councils (Vidhan Parishad) and of, President and Vice-President of India. Elections are also held for local bodies such as municipalities, municipal corporations and Panchayati Raj justifications.

If you have attained the age of 18, you must have voted in some of these elections. If not, you will have the opportunity to vote in the next round of elections. These elections are held on the basis of universal adult franchise, which means all Indians of 18 years of age and above have the right to vote, irrespective of their caste, colour, religion, sex or place of birth.

Election is a complex exercise. It involves schedules rules and machinery. This chapter will give you a clear depiction of the

voting procedure, as also about filing of nominations, their scrutiny and the campaigns carried out by the parties and the candidates before actual polling. In this chapter you will read about the Election Commission, electoral system in India and also some suggestions for electoral reforms.

Election Commission of India

The architects of the Indian Constitution attached special significance to an independent electoral machinery for the conduct of elections. The Constitution of India provides for an Election Commission of India which is responsible for superintendence direction and control of all elections.

It is responsible for conducting elections to both the Houses of Parliament and State Legislatures and for the offices of President and Vice-President. Besides, it is also responsible for the preparation revision, updation and maintenance of lists of voters. It delimits constituencies for election to the Parliament and the State Legislatures, fixes the election programme and settles election disputes. It performs many other functions related to elections.

Composition

The Election Commission consists of the Chief Election Commissioner and such other Election Commissioners as may be decided by the President from time to time. Ever since the

first Chief Election Commissioner was appointed in 1950, there was no other Election Commissioner till 1989.

The Chief Election Commissioner was assisted by a larger number of officials. The Election Commission became a multi-member body on 16 October 1989 when the President appointed two more Election Commissioners. The senior of the two Election Commissioners is appointed as the Chief Election Commissioner.

Tenure and Removal

Chief Election Commissioner and other Election Commissioners are appointed for a term of six years, or till the age of 65 whichever is earlier. It is important that Chief Election Commissioner and other Election Commissioners should be free from all political interferences. Therefore, even if they are appointed by the President, they cannot be removed by him. And no changes can be brought in the conditions of service and the tenure of office after their appointment.

The Chief Election Commissioner cannot be removed from office, except on the grounds and in the manner on which the Supreme Court judges can be removed. However, since the other Election Commissioners and the Regional Election Commissioners work under the Chief Commissioner, they may be removed by the President on his recommendations.

Powers and Functions of the Election Commission

The primary function of the Election Commission is to conduct free and fair elections in India. For this purpose, the Election Commission has the following functions:

Delimitation of Constituencies

To facilitate the process of elections, a country has to be divided into several constituencies.

- **Constituency:** It is territorial area from where a candidate contests elections

The task of delimiting constituencies is generally performed by the Delimitation Commission consisting of five serving or retired judges of the Supreme Court and the Chief Election Commissioner who is its ex-officio member. All secretarial assistance (at all levels, national, state, district) is provided to the Delimitation Commission by the Election Commission. The Delimitation Commission is constituted by the Government from time to time.

Preparation of Electoral Rolls

Each constituency has a comprehensive list of voters. It is known as the Electoral Roll, or the Voters' List. The Commission prepares the Electoral Roll for Parliament as well as Legislative Assembly elections. The Electoral Roll of every

constituency contains the names of all the persons who have right to vote in that constituency. The electoral roll is also revised from time to time generally before every general election, by-election and mid-term election in the constituency.

By-Election: If at any time there is a mid-term vacancy due to the death or resignation of a member either in Lok Sabha or Legislative Assembly only one seat falls vacant. The election for that seat is known as by-election.

Mid-term Election: If the Lok Sabha or State Assembly is dissolved before completion of five years and the election is held to constitute new Lok Sabha or new State Assembly, etc. is called midterm election.

The revision is carried out from house to house by the enumerators appointed by Election Commission and all eligible voters are registered.

A person can be registered as a voter if he/she fulfils the following conditions:

- He/she is a citizen of India.
- He/she is 18 years of age.
- He/she is resident of the constituency.

Recognition of Political Parties

One of the important functions of the Election Commission is to recognise political parties as all India (National) or State (Regional) Political Parties. If in a general election, a particular party gets four per cent of the total valid votes polled in any four states it is recognised as an all India (National) Party. If a party gets four per cent of the total valid votes in a state, it is recognized as a State or regional party. The Indian National Congress, the Bharatiya Janata Party (BJP), the Communist Party of India (CPI), The Communist Party of India (Marxist) the Bahujan Samaj Party (BSP) and the Nationalist Congress Party are at present major recognised national parties.

Allotment of Symbol

Political Parties have symbols which are allotted by the Election Commission. For example, Hand is the symbol of the Indian National Congress, Lotus is the symbol of the Bharatiya Janata Party (BJP) and Elephant is the symbol of Bahujan Samaj Party.

These symbols are significant for the following reasons:

- They are a help for the illiterate voters who cannot read the names of the candidates.
- They help in differentiating between two candidates having the same name.

Officers on Election Duty Structure of Government

To ensure that elections are held in free and fair manner, the Election Commission appoints thousands of polling personnel to assist in the election work. These personnel are drawn among magistrates, police officers, civil servants, clerks, typists, school teachers, drivers, peons etc. Out of these there are three main officials who play very important role in the conduct of free and fair election. They are Returning Officer, Presiding Officer and Polling Officers.

Returning Officer

In every constituency, one Officer is designated as Returning Officer by the Commission in consultation with the concerned State government. However, an Officer can be nominated as Returning Officer for more than one constituency. All the nomination papers are submitted to the Returning Officer. Papers are scrutinised by him/her and if they are in order, accepted by him/her.

Election symbols are allotted by him/her in accordance with the directions issued by the Election Commission. He/she also accepts withdrawal of the candidates and announces the final list. He/she supervises all the polling booths, votes are counted under his/her supervision and finally result is announced by him/her. In fact, the Returning Officer is the

overall incharge of the efficient and fair conduct of elections in the concerned constituency.

Presiding Officers

Every constituency has a large number of polling booths. Each polling booth on an average caters to about a thousands votes. Every such booth is under the charge of an officer who is called the Presiding Officer.

He/she supervises the entire process polling in the polling booth and ensures that every voter gets an opportunity to cast vote freely. After the polling is over he/she seals all the ballot boxes and deliver them to the Returning Officer.

Polling Officers

Every Presiding Officer is assisted by three to four polling officers. They check the names of the voters in the electoral roll, put indelible ink on the finger of the voter, issue ballot papers and ensure that votes are secretly cast by each voter.

[Indelible Ink: This ink cannot be removed easily. It is put on the first finger of the right hand of the voter so that a person does not come again to cast vote for the second time. This is done to avoid impersonation.]

Electoral Process

Elections in India are conducted according to the procedure laid down by law. The following process is observed.

Notification for Election

The process of election officially begins when on the recommendation of Election Commission, the President in case of Lok Sabha and the Governor in case of State Assembly issue a notification for the election. Seven days are given to candidates to file nomination. The seventh day is the last date after the issue of notification excluding Sunday.

Scrutiny of nomination papers is done on the day normally after the last date of filing nominations. The candidate can withdraw his/her nomination on the second day after the scrutiny of papers. Election is held not earlier than twentieth day after the withdrawal.

Filing of Nomination

A person who intends to contest an election is required to file the nomination paper in a prescribed form indicating his name, age, postal address and serial number in the electoral rolls. The candidate is required to be duly proposed and seconded by at least two voters registered in the concerned constituency. Every candidate has to take an oath or make affirmation. These

papers are then submitted to the Returning Officer designated by the Election Commission.

Security Deposit

Every candidate has to make a security deposit at the time of filing nomination. For Lok Sabha every candidate has to make a security deposit of `10,000/- and for State Assembly `5,000. But candidates belonging to Scheduled Castes and Scheduled Tribes are required to deposit `5,000/- for if contesting the Lok Sabha elections and `2,500/- for contesting Vidhan Sabha elections. The security deposit is forfeited if the candidate fails to get at least 1/6 of the total valid votes polled.

Scrutiny and Withdrawal

All nomination papers received by the Returning Officer are scrutinised on the day fixed by the Election Commission. This is done to ensure that all papers are filled according to the procedure laid down and accompanied by required security deposit.

The Returning Officer is empowered to reject a nomination paper on any one of the following ground:

- If the candidate is less than 25 years of age.
- If he/she has not made security deposit.
- If he/she is holding any office of profit.

- If he/she is not listed as a voter anywhere in the country

The second day after the scrutiny of nomination papers is the last date for the withdrawal of the candidates. In case that day happens to be a holiday or Sunday, the day immediately after that is fixed as the last day for the withdrawal.

Election Campaign

Campaigning is the process by which a candidate tries to persuade the voters to vote for him rather than others. During this period, the candidates try to travel through their constituency to influence as many voters as possible to vote in their favour. In the recent times, the Election Commission has granted all the recognised National and Regional Parties, free access to the State-owned electronic media, the All India Radio (AIR) and the Doordarshan to do their campaigning. The total free time is fixed by the Election Commission which is allotted to all the political parties. Campaigning stops 48 hours before the day of polling. A number of campaign techniques are involved in the election process.

Some of these are:

- Holding of public meetings
- Distribution of handbills, highlighting the main issues of their election manifesto (election manifesto is a document issued by political party. It is

declaration of policies and programmes of the party concerned.

- Door to door appeal by influential people in the party.
- Broadcasting and telecasting of speeches by various political leaders.

Model Code of Conduct

During the campaign period the political parties and the contesting candidates are expected to abide by a model code of conduct evolved by the Election Commission of India on the basis of the consensus among political parties. It comes into force the moment schedule of election is announced by the Election Commission.

The code of conduct is as follows:

- Political Parties and contesting candidates should not use religious places for election campaign.
- Such speeches should not be delivered in a way to create hatred among different communities belonging to different religions, castes and languages, etc.
- Official machinery should not be used for election work.
- No new grants can be sanctioned, no new schemes or projects can be started once the election dates are announced.
- One cannot misuse mass media for partisan coverage.

Scrutiny of Expenses

Though the Election Commission provides free access for a limited time to all the recognised National and State parties for their campaign, this does not mean that political parties do not spend anything on their elections campaign. The political parties and the candidates contesting election spend large sum of amount on their election campaign. However, the Election Commission has the power to scrutinise the election expenses to be incurred by the candidates.

There is a ceiling on expenses to be incurred in Parliamentary as well as State Assembly elections. Every candidate is required to file an account of his election expenses within 45 days of declaration of results. In case of default or if the candidate has incurred (expenses) more than the prescribed limit, the Election Commission can take appropriate action and the candidate elected may be disqualified and his election may be countermanded.

Polling, Counting and Declaration of Result

In order to conduct polling, large number of polling booths are set up in each constituency. Each booth is placed under the charge of a Presiding Officer with the Polling Officers to help the process. A voter casts his/her vote secretly in an

enclosure, so that no other person comes to know of the choice he/she has made.

It is known as secret ballot. After the polling is over, ballot boxes are sealed in the presence of agents of the candidates. Agents ensure that no voter is denied right to vote, provided the voter turns up comes within the prescribed time limit.

Electronic Voting Machines (EVMs)

The Election Commission has started using tamper proof electronic voting machines to ensure free and fair elections. Each machine has the names and symbols of the candidates Structure of Government in a constituency. One Electronic Voting Machine (EVM) can accommodate maximum of 16 candidates. But if the number exceeds 16, then more than one EVM may be used. If the number of candidates is very large, ballot papers may be used.

The voter has to press the appropriate button to vote for the candidate of his/her choice. As soon as the button is pressed, the machine is automatically switched off. Then comes the turn of the next voter. The machine is easy to operate, and with this the use of ballot paper and ballot boxes is done away with.

When the machine is used, the counting of votes becomes more convenient and faster. The EVMs were used in all the seven Lok Sabha constituencies in Delhi in 1999, and later in all the

State Assembly constituencies. In 2004 General Elections EVMs were used all over the country for Lok Sabha elections. The sealed ballot boxes or EVMs are shifted in tight security to the counting centre. Counting takes place under the supervision of the Returning Officer and in the presence of candidates and their agents. If there is any doubt about the validity or otherwise of a vote, decision of the Returning Officer is final. As soon as counting is over, the candidate securing the maximum number of votes is declared elected (or returned) by the Returning Officer.

Re-poll

If at the time of polling, a booth is captured by some anti-social elements, the Election Commission may order holding of re-poll in either the entire constituency or particular booths.

Countermanding of Election

If a duly nominated candidate belonging to a recognised party dies at any time after the last date of nomination and before the commencement of polling, the Election Commission orders countermanding the elections.

This is not just postponement of polling. The entire election process, beginning from nominations is initiated afresh in the concerned constituency.

Shortcomings of Indian Electoral System

There has been universal appreciation of the Indian electoral system. People have hailed the manner in which elections have been conducted in India. But there are its weaknesses. It has been seen that in spite of the efforts of Election Commission to ensure free and fair election, there are certain shortcomings of our Electoral system.

Money Power

The role of unaccounted money in elections has become a serious problem. The political parties collect funds from companies and business houses, and then use this money to influence the voter to vote in their favour. The business contributions are mostly in cash and are not unaccounted. Many other corrupt practices are also adopted during election such as bribing, rigging or voters intimidation, impersonation and providing transport and conveyance of voters to and from the polling stations. The reports of liquor being distributed in poor areas are frequent during election.

Muscle Power

Earlier the criminals used to support the candidates by intimidating the voter at a gunpoint to vote according to their direction. Now they themselves have come out openly by

contesting the elections leading to criminalisation of politics. As a result violence during elections has also increased.

Generally the candidates are given tickets by the political parties on the consideration whether the candidate can muster the support of numerically larger castes and communities and possesses enough resources. Even the electorates vote on the caste and communal lines. Communal loyalties of the voters are used at the time of propaganda campaign. All the political parties do not have equal opportunity in respect of access to resources. The party in power is always in advantageous position than the opposition parties. There is widespread allegation that the party in power accomplishes misuse of government machinery. All these features lead to violence, booth capturing, rigging bogus voting, forcible removal of ballot papers, ballot boxes burning of vehicles, etc. which result into loss of public faith in elections. In order to restore the confidence of the public in the democratic electoral system, many electoral reforms have been recommended from time to time by Tarkunde Committee and Goswami Committee which were particularly appointed to study and report on the scheme for Electoral Reforms in the year 1974 and 1990 respectively. Out of these recommendations some have been implemented. In fact, it was under the chairmanship of the then Chief Election Commissioner, T.N. Seshan, that Election Commission initiated many more measures to ensure free and fair elections.

Some of the reforms which have been implemented so far are as follows:

- The voting age has been lowered from 21 years to 18 years. This has helped increase the number of voters and response confidence in the youth of the country.
- Another landmark change has been the increase in the amount of security deposit by the candidate to prevent many nonserious candidates from contesting elections with a ulterior motive.
- The photo identity cards have been introduced to eradicate bogus voting or impersonation.
- With the introduction of Electronic Voting Machine (EVM) the voting capturing, rigging, and bogus voting may not be possible. The use of EVM will in the long run result in reducing the cost of holding elections and also the incidence of tampering during counting of votes.
- If a discrepancy is found between the number of votes polled and number of total votes counted, the Returning officer may report the matter forthwith to Election Commission. Election Commission on such report may either declare the poll at the particular polling station as void and give a date for fresh poll or countermand election in that constituency.

There is no doubt that India needs drastic poll reforms but still the fact remains that Indian elections have been largely free and fair and successfully conducted. It gives the country the proud distinction of being the largest democracy in the world. The Chief Election Commissioner heads the Election

Commission of India, a body constitutionally empowered to conduct free and fair elections to the national and state legislatures. Chief Election Commissioner of India is usually a member of the Indian Civil Service and mostly from the Indian Administrative Service or the Indian Revenue Service.

The President of India appoints the Chief Election Commissioner and two Election Commissioners. They have tenure of six years, or up to the age of 65 years, whichever is earlier. They enjoy the same official status and receive salary and perks as available to Judges of the Supreme Court of India. The Chief Election Commissioner can be removed from office only through impeachment by Parliament.

Despite the recent changes in the hierarchy, the system always had powers to impose unambiguous rules and guidelines that applied across the entire nation e.g. as to how the ballots will be cast and counted, what will be regarded as 'unqualified' vote (something whose importance became very evident during US presidential election in 2000).

India was probably one of the first countries in the World to go for a completely electronic ballot in the last elections. What made this remarkable was the fact that the Office of the Chief Election Commissioner had successfully implemented this across the entire diverse Indian population that also consisted of the rural illiterate people.

While the office has always been an important one in the machinery of the Indian political process, it gained significant public attention during the tenure of T.N. Seshan, from 1990-1996. Mr. Seshan is widely credited with undertaking a zealous effort to end corruption and manipulation in Indian elections.

Though he made significant progress, several politicians attempted to derail these efforts. In particular, the expansion of the Election Commission to include the two Election Commissioners (in addition to the Chief Commissioner) was seen as a move to curtail the commission's ability to act aggressively.

Chapter 4

Legislature structure of Maharashtra

[Mh]Role Of Parliament in legislature of maharashtra

The Parliament has two Houses—Rajya Sabha and Lok Sabha. Rajya Sabha is upper House and represents the States of India while the Lok Sabha is lower House. It is also called popular House because it represents the people of India. The President is an integral part of the Parliament though he is not a member of the either House. As an integral part of the Parliament, the President has been assigned certain powers and functions. Rajya Sabha or the Upper House of the Parliament is a permanent body as it cannot be dissolved. The membership of the Rajya Sabha cannot exceed 250. Out of these, the President nominates 12 members on the basis of their excellence in literature, science, art and social service and the rest are elected. At present its total membership is 245.

Rajya Sabha is the body representing States in Indian Union. The elected members of the States' Legislative Assemblies elect the members of the Rajya Sabha on the basis of proportional representation through the single transferable vote system. But all the States do not send equal number of members to the Rajya Sabha.

Their representation is decided on the basis of population of respective States. Thus the bigger State gets bigger representation and the smaller ones have lesser representation. While the big State like UP has been assigned 31 seats, the smaller states like Sikkim and Tripura send only one member each. Delhi Assembly elects three members of Rajya Sabha and Pondichery sends one member. Other Union Territories are not represented in the Rajya Sabha.

Qualifications

The qualifications for becoming a Rajya Sabha member are as follows:

- He/she should be a citizen of India and at least 30 years of age.
- He/she should make an oath or affirmation stating that he will bear true faith and allegiance to the Constitu-tion of India.
- Thus according to the Representation of People Act 1951, he/she should be registered as a voter in the State from which he is seeking election to the Rajya Sabha. But in 2003, two provisions have been made regarding the elections to Rajya Sabha:
 - Any Indian citizen can contest the Rajya Sabha elections irrespective of the State in which he resides;
 - Elections are to be conducted through open voting system.

Tenure

Every member of Rajya Sabha enjoys a safe tenure of six years. One-third of its members retire after every two years. They are entitled to contest again for the membership. But a member elected against a mid-term vacancy serves the remaining period only. This system of election ensures continuity in the working of Rajya Sabha.

Officials of Rajya Sabha

The Vice-President of India is the ex-officio Chairman of the Rajya Sabha. He/she presides over the meetings of Rajya Sabha. In his absence the Deputy Chairman, who is elected by its members from amongst themselves, presides over the meeting of the House.

The Deputy Chairman can be removed by a majority of all the then members of Rajya Sabha. But the Chairman (Vice-President) can only be removed from his office by a resolution passed by a majority of all the then members of Rajya Sabha and agreed to by the Lok Sabha. As the Vice-President is an ex-officio Chairman and not a member of Rajya Sabha, he/she is normally not entitled to vote. He/she can vote only in case of a tie.

Membership and Election of the Lok Sabha

Unlike Rajya Sabha, Lok Sabha is not a permanent body. It is elected directly by the people on the basis of universal adult franchise. It is also called the popular House or lower House. The maximum permissible membership of Lok Sabha is 550 out of which 530 are directly elected from the States while 20 members are elected from the Union Territories. Besides, the President may nominate two members from the Anglo-Indian community if he/she feels that the said community is not adequately represented in the House.

Certain number of seats have been reserved for Scheduled Castes and Scheduled Tribes in the Lok Sabha. Initially this provision was made for ten years from the commencement of the Constitution, which has been extended time and again for further ten years by various constitutional amendments. The 79th Amendment has extended it for sixty years from the commencement of the Constitution.

Reservation of seats for the Scheduled Castes or Scheduled Tribes means the persons belonging to SC/ST will represent such reserved seats. That implies that only persons belonging to SC/ST can contest from the reserved constituencies. But we have joint electorate and all the voters of the reserved constituency vote irrespective of their caste/tribe. There is no separation of voters in terms of caste or tribe.

The representation to the Lok Sabha is based on population. Therefore UP which is the most heavily populated State in India sends as many as 80 members while smaller States like Mizoram, Nagaland and Sikkim send just one representative each to the Lok Sabha. Seven members represent Delhi. For the purpose of elections to the Lok Sabha, the States are divided into single member constituencies on the basis of population.

Qualifications

All the citizens of 18 years of age and above are entitled to vote in the elections to Lok Sabha subject to the laws made by the Parliament.

Any Indian citizen can become a member of Lok Sabha provided he/she fulfils the following qualifications:

- He/she should be not less than 25 years of age.
- He/she should declare through an oath or affirmation that he has true faith and allegiance in the Constitution and that he will uphold the sovereignty and integrity of India.
- He/she must possess such other qualifications as may be laid down by the Parliament by law. He must be registered as a voter in any constituency in India.
- Person contesting from the reserved seat should belong to the Scheduled Caste or Scheduled Tribe as the case may be.

The normal term of Lok Sabha is five years. But the President, on the advice of Council of Ministers, may dissolve it before the expiry of five years. In the case of national emergency, its term can be extended for one year at a time. But it will not exceed six months after the emergency is over. On several occasions Lok Sabha was dissolved prior to the end of its term. For example the 12th Lok Sabha elected in 1998 was dissolved in 1999.

Officials of the Lok Sabha

The presiding officer of Lok Sabha is known as Speaker. The members of the House elect him. He/she remains the Speaker even after Lok Sabha is dissolved till the next House elects a new Speaker in his place. In his absence, a Deputy Speaker who is also elected by the House presides over the meetings. Both the Speaker as well as the Deputy Speaker can be removed from office by a resolution of Lok Sabha passed by a majority of all the then members of the House.

Some of the powers and functions of the speaker are given below:

- The basic function of the Speaker is to preside over the house and conduct the meetings of the House in orderly manner. No member can speak in the House without his permission. He/she may ask a member to finish his speech and

in case the member does not obey he/she may order that the speech should not be recorded.

- All the Bills, reports, motions and resolutions are introduced with Speaker's permission. He/she puts the motion or bill to vote. He/she does not participate in the voting but when there is a tie, i.e., equal number of votes on both sides, he/she can use his casting vote. But he/she is expected to cast her vote in a manner so that her impartiality and independence is retained.
- His/her decisions in all parliamentary matters are final. She also rules on points of order raised by the members and her decision is final.
- He/she is the custodian of rights and privileges of the members.
- He/she disqualifies a member of his/her membership in case of defection. He/she also accepts the resignation of members and decides about the genuineness of the resignation.
- In case of joint sitting of Lok Sabha and Rajya Sabha, the Speaker presides over the meeting.

Functions of Parliament

The functions and powers of the Indian Parliament can be divided into legislative, executive, financial and other categories.

Legislative Functions

Basically the Parliament is a law-making body. In an earlier chapter you have seen that there is a division of power between the Centre (Union) and the States. There are three lists—Union List, State List and the Concurrent List. Only Parliament can make laws on the subjects mentioned in the Union List. You know that the Union List has 97 subjects. Along with the State Legislatures, the Parliament is empowered to make laws on the Concurrent List.

In case, both the Centre as well as the States make a law on the subject mentioned in the Concurrent List then the central law prevails upon the state law if there is a clash between the two. Any subject not mentioned in any list i.e. residuary powers are vested with the Parliament. Thus the law making power of the Parliament is very wide. It covers the Union List and Concurrent List and in certain circumstances even the State List also.

The Executive Functions

In a parliamentary system of government there is a close relationship between the legislature and the executive. And the executive is responsible to the legislature for all its acts. The Prime Minister and his Council of Ministers are responsible to the Parliament individually as well as collectively.

The Parliament can dislodge a ministry by passing a vote of noconfidence or by refusing to endorse a confidence motion. In India this has happened several times. This happened in 1999 when the Atal Bihari Vajpayee Government lost the confidence motion in the Lok Sabha by just one vote and resigned.

But the no-confidence motion or the confidence motions are the extreme ways of maintaining the accountability of the Parliament over the executive. They are employed in exceptional cases. Parliament also maintains its control over executive in a routine manner through several ways.

Some of them are as follows:

- The members of Parliament can ask questions and supplementary questions regarding any matters connected with the affairs of the Central Government. The first hour of every working day of Parliament relates to the Question Hour in which the Ministers have to answer the questions raised by the members.
- If the members are not satisfied with the Government's answer then they may demand separate discussion on the subject.
- The Parliament also exercises control over the executive through several motions. For example calling attention notice or adjournment motion are such ways by which some recent matters of urgent public importance are raised. The government always takes these motions very seriously because the

government's policies are criticized severely and their likely impact on the electorate whom the government would have to face ultimately. If the motion is passed then it means that the government is censured.

- The Lok Sabha can express its lack of confidence in the executive by disapproving budget or money bill or even an ordinary bill.

The Financial Functions

The Parliament performs important financial functions. It is the custodian of the public money. It controls the entire purse of the Central Government. No money can be spent without its approval. This approval may be taken before the actual spending or in rare cases after the spending. The budget is approved by the Parliament every year.

The Electoral Functions

The elected member of Parliament one members of the Electoral College for Presidential election. As such, they participate in the election of the President of India. They elect the Vice-President. The Lok Sabha elects its Speaker and Deputy Speaker and the Rajya Sabha elects its Deputy Chairman.

Power of Removal

Certain high functionaries may be removed from office on the initiative of the Parliament. The President of India may be removed through the process of impeachment. The judges of Supreme Court and of High Courts can be removed by an order of the President, which may be issued only if a resolution of their removal is passed by both Houses of Parliament by special majority.

Functions Regarding the Amendment of the Constitution

Most of the parts of the Constitution can be amended by the Parliament by special majority. But certain provisions only be amended by the Parliament with the approval of States. However India being a federal State, the amending power of the Parliament is highly limited. The Supreme Court has ruled that the Parliament cannot change the basic structure of the Constitution.

Miscellaneous Functions

The Parliaments also performs a variety of other functions. Some of them are as follows:

- While it is the power of the President to declare Emergency, the Parliament approves all such Proclamations of Emergency. Both the Lok Sabha and Rajya Sabha have to approve the Proclamation.

- Parliament may form a new State by separating the territory from any State or by uniting two or more States. It may also change the boundaries and the name of any State. In the recent years, new states of Chhattisgarh, Jharkhand and Uttarakhand were created.
- Parliament may admit or establish new States in the Indian Union.
- The Parliament can abolish or create Legislative Councils in the States. This is done only on the request of concerned States Assemblies.

Thus the Indian Parliament, though limited by the federal nature of the political system, has wide functions to perform. In performing its functions, it has to mirror the aspirations and needs of the people of India. It also has to function as an agency for resolving socioeconomic or political conflicts in the country. It also helps in building consensus on specific issues, which are crucial to the nation like foreign policy formulation.

Law-making Procedure in the Parliament

As pointed out earlier basically the Parliament is a law making body. Any proposed law is introduced in the Parliament as a bill. After being passed by the Parliament and getting the President's assent it becomes a law. Now you will study how the law is made by the Parliament.

There are two kinds of bills, which come up before the Parliament:

- Ordinary bill and
- Money bill.

Here we shall discuss the legislative procedure in each of these kinds of bills.

Ordinary Bills

Every member of the Parliament has a right to introduce an ordinary bill and from this point of view, we have two types of bills—government bills and private member's bills. A Minister moves a government bill and any bill not moved by a Minister is a Private Member's Bill, which means that the bill has been moved by a member of parliament but not a minister in the Government. The Government bills consume most of the time of the Parliament.

The bills pass through several stages.:

- With the introduction of the bill, the First Reading of the bill starts. This stage is simple. The Minister wanting to introduce a bill, informs the presiding officer. He/she puts the question of introduction to the House. When approved, normally by voicevote, the Minister is called upon to introduce the bill.
- Second Reading: This stage is the most vital stage. After general discussion the House has four options:
 - It may straightaway take the bill into detailed (clauseby-clause) consideration
 - Refer it to a select committee of the House

- Refers it to the Joint Committee of both the Houses
- Circulate it among the people to elicit public opinion. If the bill is referred to a select committee of the House or the joint select committee of both the Houses, the concerned committee examines the bill very minutely. Each and every clause is examined. The committee may also take the opinion of professionals and legal experts. After due deliberations, the committee submits its report to the House.
- Third Reading: After the completion of the second reading, the Minister may move that the bill be passed. At this stage normally no discussion takes place. The members may oppose or support the adoption of the bill, by a simple majority of members present and voting.

Bill in the other House

After the bill has been passed by one House, it goes to the other House. Here also the same procedure of three readings is followed.

The following consequences may follow:

- It may pass it; then the bill is sent to the President for his assent.
- It may pass the bill with amendments. The bill will be sent back to the first House. In such a case, the first House will consider the amendments and if it accepts the amendments then the bill will be sent to

President for his assent. In case the first House refuses to accept the amendments, then it means there is a deadlock.

- It may reject it. It means there is a deadlock. In order to remove the deadlock between the two Houses, the President may call for a joint sitting of the two Houses. Such joint sittings are very rare in India and till now only three times such meetings have taken place. They were convened on the occasion of passage of Dowry Prohibition Bill 1959, Banking Service Commission (Repeal) Bill, 1978, and Prevention of Terrorism Bill, 2002.
- President's assent to the Bill: After being passed by both the Houses or the Joint Sitting of both Houses, the bill is referred to the President for his assent. The President also has some options in this regard:
 - He may give his assent and with his assent, the bill becomes a law.
 - He may withhold his assent, but may suggest some changes. In such a case the bill is sent back to the House from where it had originated. But if both the Houses pass the bill again with or without accepting the recommendations of the President, the President has no option but to give his assent.
 - In 1986, the President Giani Zail Singh invented a new option. He neither gave his assent nor he returned it to the Parliament for reconsideration of the Postal Bill. He sought some clarifications, which were never provided. The bill thus, lapsed.

Money Bills

The money bills are such bills which deal with money matters like imposition of taxes, governmental expenditure and borrowings etc. In case there is a dispute as to whether a bill is a money bill or not, the Speaker's decision is final. The money bill has to undergo three readings like an ordinary bill but few considerations are also added here.

They are:

- Money bill can be introduced only in Lok Sabha and not in Rajya Sabha and that too with the prior approval of and on behalf of the President.
- After being passed by the Lok Sabha, the bill goes to the Rajya Sabha. Rajya Sabha has 14 days at its disposal for consideration and report.
- The Rajya Sabha cannot reject the money bill. It may either accept it or make recommendations.
- In case Rajya Sabha chooses to make recommendations, the bill will return to Lok Sabha. The Lok Sabha may accept these recommendations or reject them. In any case the bill will not go back to Rajya Sabha. Instead it will be sent directly to the President for his assent.
- If the Rajya Sabha does not return the bill within 14 days, it will be deemed to have been passed by both the Houses of the Parliament and sent to the President for his assent.

The Budget

The Budget is an annual financial statement showing expected revenue and expenditure of public money. It is not a bill. Every year the budget is presented by the Finance Minister in the Lok Sabha. The budget-making is a big exercise. The Finance Ministry prepares the budget but it involves the entire government. The budget in India is presented in two parts- Railway Budget and the General Budget.

- **Presentation of the Budget:** The railway budget is generally presented by the Railway minister in the third week of February, while the general budget is presented normally on the last working day of February. The general budget is presented along with the speech of the Finance Minister. The budget remains a closely guarded secret till its presentation. After the speech, the Finance Minister introduces the Finance Bill, which contains the taxation proposals of the government. The House rises thereafter and there is no discussion on the day of the presentation of the Budget.

A new system of departmental select committees has been introduced in India since 1993-94. The Lok Sabha sets up committees for all major Ministries and Departments of Union Government. The select committees consider demand for grants in details and submit their recommendations to the Lok Sabha. After general discussion on the budget, the Houses are adjourned for about three weeks.

During this period select committees of Departments of Ministry scrutinise budget demands and may make recommendations. This saves time of the full House. The full Lok Sabha now does not discuss demands for grants, one by one, in details.

Quorum means the minimum number of members required to be present to enable the House to meet. This is one-tenth of the total membership of the House. This means the meeting of the Lok Sabha or Rajya Sabha can take place only if one tenth of the total membership of the House is present.

Rajya Sabha and Lok Sabha: A Comparative Study

You have seen earlier that the two Houses of Parliament differ in their composition. From the federal point of view the Rajya Sabha represents the States in the Indian Union while the Lok Sabha is the representative of the Indian people. This is also the reason why the method of election differs. The members of Legislative Assemblies of the States elect the members of Rajya Sabha while the people directly participate in the elections to the Lok Sabha. Rajya Sabha is a permanent House while the Lok Sabha is constituted for a specified term of five years.

From the constitutional point of view, the relationship between the two Houses can best be studied from three angles which are as follows:

- There are certain powers and functions in which Lok Sabha is superior to the Rajya Sabha. Introduction and adoption of money bills and removal of a cabinet by passing no confidence motion are two examples relevant here.
- In certain areas Rajya Sabha has been vested with exclusive powers. It does not share these powers with the Lok Sabha. For example, it can declare a subject in state as a matter of national importance and facilitate a central legislation.
- In several areas, both the Houses enjoy equal powers. The examples are adoption of bills other than money bills, approval of proclamation of emergency, moving of adjournment and other types of motions.

Members of both houses of Parliament get ₹2 Crore per annum from the Members of Parliament Local Development Fund. This fund is not directly allotted to the MP but to the respective district headquarters and the MP can use it for development projects in his area.

Chapter 5

Government of Maharashtra

Council of Ministers

The Government of Maharashtra is the government for the state of Maharashtra, India. It is a democratically elected government with 288 MLAs elected to the legislative assembly for a 5-year term.


Maharashtra has a Maharashtra Legislature which consists of two Houses, the Vidhan Sabha (Legislative Assembly) and the Vidhan Parishad (Legislative Council). As is the case in a parliamentary system, the government is formed by the party, alliance or group of assembly members who command the majority in the lower House. Lower House majority leader becomes the Chief Minister and selects the cabinet members from both Houses. In case an unelected person becomes the Chief Minister, they must be elected to either House within the following 6 months.

On 12 November 2019, the state of Maharashtra had been put under President's Rule. On 23 November 2019 President of India Ram Nath Kovind signed the revocation of the central rule. On 26 November, Devendra Fadnavis resigned as chief minister due to lack of a majority in the legislative assembly.



Two days later, on 28 November 2019, Maha Vikas Aghadi (MVA) alliance leader Uddhav Thackeray was sworn in as chief minister of the state.


Cabinet Ministers

Sr. No.	Name	Const ituen cy	Portfolio	Par ty	Term of office		
					Took office	Left office	Dura tion
1.	Uddhav Thackeray Chief Minister	MLC	General Administration Law and Judiciary Informati on and Public Relations Informati on Technolog	S S	28 Nove mber 2019		(1 ye ar, 269 days)

			<p>y</p> <p>Other departments not allocated to any Minister.</p> <p>Forests Department</p> <p>Disaster Management</p> <p>Relief and Rehabilitation</p>				
2.	 <p>Ajit Pawar Deputy</p>	Bara mati	<p>Finance Planning State Excise</p>	N C P	<p>30 Dece mber 2019</p>		<p>(1 ye ar, 237 days)</p>

	Chief Minister		(Acting)				
3.	 Balasahab Thorat	Sangamner	Revenue	INC	28 November 2019		(1 year, 269 days)
4.	 Jayant Patil	Islam pur	Water Resources and Command Area Development	NCP	28 November 2019		(1 year, 269 days)
5.	Dhananjay Munde	Parli	Social Justice Special Assistance	NCP	30 December 2019		(1 year, 237 days)

6.	 Chhagan Bhujbal	Yeola	Food & Civil Supply Consumer Affairs	N C P	28 Nove mber 2019		(1 ye ar, 269 days)
7.	Aaditya Thacker ay	Worli	Environm ent and Climate Change Tourism Protocol	S H S	30 Dece mber 2019		(1 ye ar, 237 days)
8.	 Nawab Malik	Anus hakti Nagar	Minority Developm ent and Aukaf Skill Developm ent and	N C P	30 Dece mber 2019		(1 ye ar, 237 days)

			Entrepren eurship				
9.	 Ashok Chavan	Bhok ar	Public Works (Excludin g Public Undertaki ngs)	IN C	30 Dece mber 2019		(1 ye ar, 237 days)
10	Rajendr a Shingn e	Sindk hed Raja	Food and Drug Administr ation	N C P	30 Dece mber 2019		(1 ye ar, 237 days)
11	Rajesh Tope	Ghan sawa ngi	Public Health and Family Welfare	N C P	30 Dece mber 2019		(1 ye ar, 237 days)
12	Hasan Mushrif	Kagal	Rural Developm ent.	N C P	30 Dece mber		(1 ye ar, 237


			Labour (Acting)		2019		days)
13	 Nitin Raut	Nagpur North	Energy	IN C	28 November 2019		(1 year, 269 days)
14	Varsha Gaikwad	Dhara vi	School Education	IN C	30 December 2019		(1 year, 237 days)
15	Jitendra Awhad	Mumbai - Kalwa	Housing	N C P	30 December 2019		(1 year, 237 days)
16	 Eknath Pachpakhad	Kopri - Pachpakhad	Urban Development. Public	S H S	28 November 2019		(1 year, 269 days)


	Shinde	i	Works (including Public Undertaki ngs)				
17		Savner	Animal Husbandr y. Dairy Developm ent Sports and Youth Welfare	IN C	30 Dece mber 2019		(1 ye ar, 237 days)
18	Vijay Namdev rao Wadetti war	Bram hapur i	Other Backward Classes Socially and Education	IN C	30 Dece mber 2019		(1 ye ar, 237 days)

			ally Backward Classes Vimukta Jati Nomadic Tribes and Special Backward Classes Welfare Khar Land Developm ent Earthqua ke Rehabilita tion				
19	Amit	Latur	Medical	IN	30 Dece		(1 ye ar,

.	Deshmukh	City	Education Cultural Affairs	C	mber 2019		237 days)
20.	Uday Samant	Ratnagiri	Higher Education and Technical Education	S H S	30 Dece mber 2019		(1 year, 237 days)
21.	Dadaji Bhuse	Malegaon Outer	Agriculture Ex. Servicemen Welfare	S H S	30 Dece mber 2019		(1 year, 237 days)
22.	Sanjay Rathod	Digras	Forest Disaster Management Relief and Rehabilitation	S H S	30 Dece mber 2019	28 Februar y 2021(Resigned)	

			tion				
23	Gulabrao Patil	Jalgaon Rural	Water Supply Sanitation	SHS	30 December 2019		(1 year, 237 days)
24	K.C.Padvi	Akkalkuwa	Tribal development	INC	30 December 2019		(1 year, 237 days)
25	Sandipanrao Bhumre	Paithan	Employment Guarantee Horticulture	SHS	30 December 2019		(1 year, 237 days)
26	Shamrao Pandur	Karad North	Co-operation Marketing	NCOP	30 December 2019		(1 year, 237 days)

	ang Patil						
27	Anil Parab	MLC	Transport Parliamentary Affairs	S H S	30 Dece mber 2019		(1 ye ar, 237 days)
28	Aslam Shaikh	Malad West	Textiles Fisheries Port Developm ent	IN C	30 Dece mber 2019		(1 ye ar, 237 days)
29	 Yashom ati Chandr akant Thakur	Teosa	Women and Child Developm ent.	IN C	30 Dece mber 2019		(1 ye ar, 237 days)

30	Shankarrao Gadakh	Nevasa	Soil and Water conservation	S H S	30 Dece mber 2019		
31	 Subhas Desai	MLC	Industries Mining Marathi Language.	S H S	28 Nove mber 2019		(1 year, 269 days)
32	Dilip Walse-Patil	Ambe gaon	Home Affairs	N C P	30 Dece mber 2019		(1 year, 237 days)

Constitution of India [ch]

The Constitution of India lays down the framework on which Indian polity is run. The Constitution declares India to be a sovereign socialist democratic republic, assuring its citizens of justice, equality, and liberty. It was passed by the Constituent Assembly of India on November 26, 1949, and came into effect on January 26, 1950. India celebrates January 26 each year as

Republic Day. It is the longest written constitution of any independent nation in the world, containing 395 articles and 12 schedules, as well as numerous amendments, for a total of 117,369 words in the English language version. Besides the English version, there is an official Hindi translation.

The Constitution lays down the basic structure of government under which the people chose themselves to be governed. It establishes the main organs of government - the executive, the legislature and the judiciary. The Constitution not only defines the powers of each organ, but also demarcates their responsibilities. It regulates the relationship between the different organs and between the government and the people.

The Constitution is superior to all other laws of the country. Every law enacted by the government has to be in conformity with the Constitution. The Constitution lays down the national goals of India - Democracy, Socialism and National Integration. It also spells out the Fundamental Rights, Directive Principles and Duties of citizens.

The Cabinet Mission

World War II in Europe came to an end on May 9, 1945. In July, a new government came to power in the United Kingdom. The new British government announced its Indian Policy and decided to convene a constitution drafting body. Three British cabinet ministers were sent to find a solution to the question

of India's independence. This team of ministers was called the Cabinet Mission.

The Cabinet Mission discussed the framework of the constitution and laid down in some detail the procedure to be followed by the constitution drafting body. Elections for the 296 seats assigned to the British Indian provinces were completed by July-August 1946. With the independence of India on August 15, 1947, the Constituent Assembly became a fully sovereign body. The Assembly began work on 9 December 1947.

The Constituent Assembly

The Constituent Assembly of India was the body that framed the constitution of India. The people of India elected the members of the provincial assemblies, who in turn elected the constituent assembly. Jawaharlal Nehru, Rajendra Prasad, Sardar Vallabhbhai Patel, Maulana Abul Kalam Azad and Shyama Prasad Mukherjee were some important figures in the Assembly. There were more than 30 members of the scheduled classes. Frank Anthony represented the Anglo-Indian community, and the Parsis were represented by H. P. Modi and R. K. Sidhwa. The Chairman of the Minorities Committee was Harendra Coomar Mookerjee, a distinguished Christian who represented all Christians other than Anglo-Indians. Constitutional experts like Alladi Krishnaswamy Iyer, B. R. Ambedkar, B. N. Rau and K. M. Munshi were also members of

the Assembly. Sarojini Naidu, Hansa Mehta, Durgabai Deshmukh and Rajkumari Amrit Kaur were important women members.

The first president of the Constituent Assembly was Sachidanand Sinha but later, Rajendra Prasad was elected president of the Constituent Assembly while B. R. Ambedkar was appointed the Chairman of the Drafting Committee. The Constituent Assembly met for 166 days, spread over a period of 2 years, 11 months and 18 days. Its sessions were open to the press and the public.

Features

The Constitution of India draws extensively from Western legal traditions in its enunciation of the principles of liberal democracy. It is distinguished from many Western constitutions, however, in its elaboration of principles reflecting aspirations to end the inequities of traditional social relations and enhance the social welfare of the population. According to constitutional scholar Granville Austin, probably no other nation's constitution "has provided so much impetus toward changing and rebuilding society for the common good." Since its enactment, the constitution has fostered a steady concentration of power in the hands of the central government - especially the Office of the Prime Minister.

This centralization has occurred in the face of the increasing assertiveness of an array of ethnic and caste groups across Indian society. Increasingly, the government has responded to the resulting tensions by resorting to the formidable array of authoritarian powers provided by the Constitution. However, a new assertiveness shown by the Supreme Court and the Election Commission suggests that the remaining checks and balances among the country's political institutions are resilient and capable of supporting Indian democracy. Furthermore regional parties are gaining popularity at the expense of national parties which has led to coalition governments at the centre. As a consequence, power is becoming more decentralised.

The Constitution in its final form owes much to a number of different principles from various other Constitutions. The general structure of the Constitution's democratic framework was largely the work of B. N. Rau, a constitutional scholar of international standing. Supporters of independent India's founding father, Mohandas K. Gandhi, backed measures that would form a decentralized polity with strong local government — known as panchayat — in a system known as Panchayati Raj, i.e. rule by Panchayats. However, the view of more modernist leaders such as Jawaharlal Nehru, ultimately prevailed leading to the establishment of a parliamentary system of government and a federal system with a strong central government.

Features of the Indian Constitution

The preamble is not a part of the Constitution of India as it is not enforceable in a court of law. However, the Supreme Court has, in the case of *Kesavananda Bharati vs.*

The State of Kerala, recognized that the Preamble is a part of the Constitution and may be used to interpret ambiguous areas of the Constitution where differing interpretations present themselves. However, the Preamble is useful as an interpretive tool only if there is an ambiguity in the article itself and should not be treated as a rights bestowing part of the Constitution.

An interesting side note concerns the words "SOCIALIST" and SECULAR in the preamble. The original drafting used the words "SOVEREIGN DEMOCRATIC REPUBLIC". The two additional words "SOCIALIST" and SECULAR were introduced by the controversial 42nd amendment.

The amendment was pushed through by Indira Gandhi in 1976, when she had dictatorial powers. A committee under the chairmanship of Sardar Swaran Singh recommended that this amendment be enacted after being constituted to study the question of amending the constitution in the light of past experience.

The importance of the Preamble

The wording of the Preamble highlights some of the fundamental values and guiding principles on which the Constitution of India is based. The Preamble serves as a guiding light for the Constitution and judges interpret the Constitution in its light. In a majority of decisions, the Supreme Court of India has held that the Preamble is not a part of the Constitution and its content is not legally enforceable.

The first words of the Preamble - "We, the people" - signifies that power is ultimately vested in the hands of the people of India. The Preamble lays down the most important national goals which every citizen and the government must try to achieve, such as socialism, secularism and national integration. Lastly, it lays down the date for the adoption of the Constitution - 26 November 1949.

The important words in the Preamble

The word sovereign means supreme or independent. India is internally and externally sovereign - externally free from the control of any foreign power and internally, it has a free government which is directly elected by the people and makes laws that govern the people.

Socialist

The word socialist was added to the Preamble by the 42 amendment act of 1976. It implies social and economic equality. Social equality in this context means the absence of discrimination on the grounds only of caste, colour, creed, sex, religion, or language. Under social equality, everyone has equal status and opportunities.

Economic equality in this context means that the government will endeavor to make the distribution of wealth more equal and provide a decent standard of living for all. This is in effect emphasizing a commitment towards the formation of a welfare state. India has adopted a mixed economy and the government has framed many laws to achieve the aim and the Child Labour Prohibition Act.

Secular

The word secular was inserted into the Preamble by the 42 amendment act of 1976. It implies equality of all religions and religious tolerance. India, therefore does not have an official state religion. Every person has the right to preach, practice and propagate any religion they choose. The government must not favour or discriminate against any religion. It must treat all religions with equal respect.

All citizens, irrespective of their religious beliefs are equal in the eyes of law. No religious instruction is imparted in government or government-aided schools. Nevertheless, general information about all established world religions is imparted as part of the course in Sociology, without giving any importance to any one religion or the others. The content presents the basic/fundamental information with regards to the fundamental beliefs, social values and main practices and festivals of each established world religions. The Supreme Court in S.R Bommai v. Union of India held that secularism was an integral part of the basic structure of the constitution.

Democratic

India is a democracy. The people of India elect their governments at all levels (Union, State and local) by a system of universal adult franchise; popularly known as 'One man one vote'. Every citizen of India, who is 18 years of age and above and not otherwise debarred by law, is entitled to vote. Every citizen enjoys this right without any discrimination on the basis of caste, creed, colour, sex, religion or education.

Republic

As opposed to a monarchy, in which the head of state is appointed on hereditary basis for a lifetime or until he abdicates from the throne, a democratic republic is an entity in which the head of state is elected, directly or indirectly, for a

fixed tenure. The President of India is elected by an electoral college for a term of five years. The Post of the President Of India is not hereditary. Every citizen of India is eligible to become the President of the country.

Schedules

Schedules can be added to the constitution by amendment. The twelve schedules in force cover the designations of the

States and Union Territories;

Emoluments for High-Level Officials;

Forms of Oaths;

Allocation of the number of seats in the Rajya Sabha (Council of States - the upper house of Parliament) per State or Union Territory;

Provisions for the administration and control of Scheduled Areas and Scheduled Tribes (areas and tribes needing special protection due to disadvantageous conditions);

Provisions for the administration of tribal areas in Assam;

The Union (central government), State, and Concurrent (dual) lists of responsibilities;

The Official Languages;

Article 31B-Validity excluded from Court's Review (land and tenure reforms; the association of Sikkim with India);

Anti-Defection provisions for Members of Parliament and Members of the State Legislatures;

Panchayat Raj (Rural Development);

Municipality (Urban Planning).

Amendments

Methods of Amendment

By simple majority of the Parliament: Amendments in this category can be made by a simple majority of members present and voting, before sending them for the President's assent.

By special majority of the Parliament: Amendments can be made in this category by a two-thirds majority of the total number of members present and voting, which should not be less than half of the total membership of the house.

By special majority of the Parliament and ratification of at least half of the state legislatures by special majority. After this, it is sent to the President for his assent.

On paper, an amendment to the Constitution is an extremely difficult affair, and normally needs at least two-thirds of the

Lok Sabha and Rajya Sabha to pass it. However, the Constitution is one of the most frequently amended governing documents in the world; amendments average about two a year. The document outlines governmental powers in considerable detail, meaning that amendments are required to deal with matters addressed by ordinary statute in most other democracies.

In 1974, the Supreme Court of India in the landmark case of *Kesavananda Bharati vs. The State of Kerala* enunciated the Basic Structure Doctrine, which expanded the scope of judicial review to include the power to review Constitutional Amendments passed by the Legislature. Using this doctrine, the Supreme Court has struck down the 39th Amendment and parts of the 42nd Amendment as being violative of the Basic Structure of the Constitution.

Some noted authors of Constitutional law, such as HM Seervai, have argued that this is an usurpation of amending power by the judiciary, which was never intended by the framers of the Constitution. However, it can be argued that this doctrine is necessary to protect basic human rights from being legislated away. There have been a total of 94 amendments to the constitution of India, as of 2006.

Executives system [Government]

In political science and constitutional law, the executive is the branch of government responsible for the day-to-day management of the state. In many countries, it is referred to simply as the government, but this usage can be confusing in an international context. The executive branch contains the head of government, who is the head of this branch. Under the doctrine of the separation of powers, the executive is not supposed to make laws (role of the legislature), nor to interpret them (role of the judiciary): in practice, this separation is rarely absolute.

The executive is identified by the Head of Government. In a presidential system, this person (the President) may also be the Head of State, whereas in a parliamentary system he or she is usually the leader of the largest party in the legislature and is most commonly termed the Prime Minister (Taoiseach in the Republic of Ireland, (Federal) Chancellor in Germany and Austria). In France, executive power is shared between the President and the Prime Minister and this system has been reproduced in a number of former French colonies, while Switzerland and Bosnia and Herzegovina likewise have collegiate systems for the role of Head of State and Government. The Head of Government is assisted by a number of ministers, who usually have responsibilities for particular

areas (e.g. health, education, foreign affairs), and by a large number of government employees or civil servants.

Head of government

The head of government is the chief officer of the executive branch of a government. In parliamentary systems, the head of government is generally the Prime Minister, who usually heads a cabinet which must rely on the direct or indirect support of parliament. In essence, the Prime Minister is the leader of the largest elected party in a parliament. In Westminster Systems, like the United Kingdom, Canada or Australia, executive authority is nominally and theoretically vested in the Sovereign. However the Sovereign does not actively exercise executive powers, since this is performed by a Prime Minister and a Cabinet on her behalf.

Other countries have presidential systems, such in the United States of America. In Article II, Section 1, of the United States Constitution it is stated that, "The executive power shall be vested in a president of the United States of America." This makes the president the head of the executive branch of the federal government. To become president, a person must be at least thirty-five years old, a natural born American citizen, and a resident of the United States for at least fourteen years.

Semi-presidential systems may exist in some countries, and often have both a President and a Prime Minister. Such

systems can be seen in countries such as France. However, the balance of power between the two heads of government may vary, and it is dependent on the country in question. Sri Lanka has witnessed a bitter power struggle between its President and Prime Minister, particularly due to a difference in political parties.

Role of the executive

The exact role of the executive depends on the constitution of the country. Not all of the following functions need be exercised by the central executive, particularly in federal countries: they may instead be exercised by local government. A good analogy is the owner - architect - contractor relationship. The Legislative branch acts as the architect to draw up the plans and specifications according to the wishes of the people who elected them (the owners), and exercises oversight to make sure the Executive Branch acts by its authority with its advice and consent. The Executive branch executes the instructions given it by the Legislature, but has no power to act on its own without instructions, because that would put it in the position of acting legislatively.

The Laws issued by the Legislature must be complied with exactly. It is the Presidents job to Preserve, protect and defend them while executing them faithfully and it's the Judiciary's job to act as competent administrators to see that all parties are in compliance with the Constitution.

The main function of the Executive Branch is to do what it is instructed to do by Legislation produced by the Legislative Branch: the Executive Branch collects taxes and customs duties as instructed by the Legislative Branch and uses the money appropriated by the Legislative Branch to pay the salaries of government employees and for other government expenditure. As instructed by the Legislative Branch, it assures the internal and external security of the state by maintaining a police force and armed forces when instructed to do so by the Legislative Branch according to its rules.

The Executive Branch acting by and with the advice and consent of the Legislative Branch is also responsible for executing the regulating legislation drafted by the Legislative Branch to guide the many sectors of the economy, notably the Military the labour force (e.g. by enforcing labour laws) agriculture transportation energy provision housing and construction (e.g. by issuing building permits) commerce in general (e.g. by enforcing minimum standards, and notably by issuing a currency) The Executive Branch may provide health and education services: regulating these areas as instructed by the Legislative Branch and operate nationalized industries, and promote research and culture.

Relation to the legislature

While the legislature is responsible for approving the laws of a state, it does not usually, on its own, have the capacity to

enforce them, notably in terms of employees and other infrastructure. The necessity to enforce a law if it is to be effective imposes a degree of cooperation between the legislature and the executive: the legislature may vote "free beer for all", but the executive would be in its role to ask "who pays the brewer?" In many countries the executive has the power to veto some or all types of legislation, or at least to delay their approval by insisting on a longer debate of the consequences.

Under the Westminster system, the Prime Minister and other ministers are members of the legislature, and in other parliamentary systems the executive is usually headed by the party or parties which control a majority in the legislature. This gives the executive some control over the legislation which is passed, but this control is rarely absolute in a democracy. In presidential systems, the executive and the legislature may be controlled by different political parties, a situation known as cohabitation: both sides must arrive at a compromise to allow the government to continue to function, although complete blockage is rare.

In general, the legislature has a supervisory role over the actions of the executive, and may replace the Head of Government and/or individual ministers by a vote of (no) confidence or a procedure of impeachment. On the other hand, a legislature which refuses to cooperate with the executive, for

example by refusing to vote a budget or otherwise starving the executive of funds, may be dissolved by the Head of State, leading to new elections.

The legislature usually delegates some legislative power to the executive, notably to issue regulations or executive orders which complete a piece of legislation with technical details or points which might change frequently (e.g. fees for government services). The executive may also have powers to issue legislation during a state of emergency.

Relation to the judiciary

The Executive Branch acts by and with the advice and consent of the Legislature made by the Legislature and thus is subject to the Legislative Branch. (except in a dictatorship). The judiciary acts as a competent administrator to ensure compliance with the laws crafted by the Legislative Branch.

The laws which apply specifically to the executive are known as administrative law, although this should not be taken to imply that the executive is exempt from other laws such as human rights or the rules of war. The Executive Branch may be challenged in court for failure to comply with the decisions of the Legislative Branch. The idea of judicial review: is that the competent administrators in the judiciary have the responsibility to review compliance with Legislation wherever there is a party claiming injury. The Legislature Branch has

the responsibility to supervise the execution of its laws and the compliance of the judiciary and the Executive branch with them.

The Legislature makes decisions and the Judiciary and the Executive Branch enforce its decisions with the help of the forces funded by the Legislature to enforce its laws (e.g. police force, prison service). The Legislative Branch is responsible for providing funding for courthouses, establishing and paying the salaries of judges: The Executive Branch is responsible for getting them built and staffed as instructed. The competent administration of the judicial system is the responsibility of the justice minister, also referred to as the attorney general.

The Legislative Branch makes laws and the Executive branch executes them as instructed. In the Department of Justice the Attorney General oversees the staff responsible for taking legal action in the public interest, for example enforcing Civil Rights, Public Safety, policing corporations, prosecuting them as any other criminal and protecting the interests of those who cannot defend themselves (e.g. children or the mentally handicapped). The authority to perform these functions is delegated by the legislature to be both the executive Branch and the judiciary as required. The executive is responsible for the day-to-day management after the Legislature decides to provide the necessary infrastructure and pay the necessary salaries.

Most countries have safeguards to protect the independence of the judiciary from the executive, such as the impossibility of the executive to dismiss a judge. Similar safeguards may apply to other categories of government employees, in order to allow them to conduct their functions without undue political pressure. In return, judges and government employees may be expected not to take part in active politics themselves. In the United States the Congress has all the power and the sole responsibility of removal by means of impeachment.

Local government

Individual states or provinces in a federal system have their own executives, legislatures and judiciaries in addition to the corresponding bodies at federal level. Even in non-federal systems, all but the smallest of countries have some form of local government, although legislative and (especially) judicial powers are often very limited. The distribution of executive powers between central and local government varies widely between different countries: for example, policing and education are local responsibilities in the United Kingdom but central responsibilities in France. An extreme example is Switzerland, where nationality, a central government responsibility in almost all other countries, is a matter for individual municipalities (albeit with federal minimum standards).

Local government may be funded through local taxes (often property taxes), through a grant from the central government or through a combination of the two. The head of the local executive of a municipality is usually known as the mayor; various terms exist for the head of the executive at other levels of local government. The local executive is usually supervised by an elected council, which is responsible for setting the rates of local taxes (where these exist, and often only to a limited extent) and for approving the budget of the local executive. The central government may also have a supervisory role, which may go as far as the power to dissolve the local government completely in exceptional cases.

As mentioned above, it is essential to consider the different roles of local (or State) government when comparing the roles of the executives in different countries: the provision of public education is an executive function whether it is provided by the central government (France), state governments (Germany), local education authorities (England and Wales) or school boards (United States).

Government of India

The Government of India, officially referred to as the Union Government, and commonly as Central Government, was established by the Constitution of India, and is the governing authority of a federal union of 28 states and 7 union territories, collectively called the Republic of India. The basic

civil and criminal laws governing the citizens of India are set down in major parliamentary legislation, such as the Indian Penal Code, Criminal Procedure Code, etc. The federal (union) and individual state governments consist of executive, legislative and judicial branches. The legal system as applicable to the federal and individual state governments is based on the English Common and Statutory Law. India accepts International Court of Justice jurisdiction with several reservations. At the local level, the Panchayati Raj system has several decentralised administrative functions.

Legislative branch

India's bicameral parliament (also known as the Sansad) consists of the Rajya Sabha (Council of States) and the Lok Sabha (House of the People). The Union Council of Ministers is responsible to the Lok Sabha. In India's parliamentary system, the executive is nominally subordinate to the legislature. There are 542 members in the Lok Sabha that are elected from the various states on the basis of proportional representation. The Indian Government uses two official languages, Hindi and English.

Executive branch

The Executive arm consists of the President, Vice-President, the Prime Minister and the Council of Ministers. Any minister holding a portfolio must be a member of either house of

parliament. A non-member can also be appointed as minister but he has to get elected as member of either house within six months of taking oath.

President of India

The government exercises its broad administrative powers in the name of the President of India, who is the Head of State, the Supreme Commander of the Armed Forces, and the chief guardian of the Constitution of the Republic.

The President's actual role is mostly ceremonial. He or she is the Supreme Commander of the nation's armed forces, has the authority to dissolve Parliament and call fresh elections, declare a state of emergency, and dismiss governments in the states, but all upon the counsel of the Prime Minister and the elected government.

Historically, the President of the Republic has been revered by the people for his position above ordinary politics. The President and Vice President are elected indirectly for 5-year terms by a special electoral college, composed of delegates from the federal Parliament and state legislatures.

Chapter 6

Economic and Political

Background of Maharashtra

Economic Background

Though inspired by the Russian Revolution, communism in India did not develop as a result of exogenous factors only. On the contrary, internal economic and political situation since the outbreak of the First World War slowly but steadily created the ground congenial for the emergence of communist ideas on the Indian soil. Unfortunately, however, in their over-enthusiasm for internationalism the Indian communists could not always remain true to their own selves as the sons of the soil. This often resulted in the confusion between national and international tasks. But in order to comprehend the root cause of this confusion we should first know about the politico-economic situation prevailing in the country at the time of the inception of communism in India.

Growth of national capitalism provided the economic background of the emergence of Marxist groups in India. However, it was not until the First World War that conditions were ripe for the growth of capitalism in India. Before 1914 the industrial sector was dominated by the cotton and jute industries. During the war there was, on the one hand, a sharp

fall in the volume of raw jute exports and, on the other, a fall in the imports of cotton piece goods. As a result there was substantial growth in both the industries. Cotton textiles, which were dominated by the Indian capitalists, experienced a growth in investment from a pre-war figure of Rs. 395 crores to Rs. 726 crores in 1922. Jute industry, which was mainly controlled by the British manufacturers, also experienced similar growth. Not only that, the total number of registered companies also increased from a pre-war figure of 356 to 1039 in 1920-21. Besides, the European businessmen increasingly found it hard to maintain their grip on the Indian economy so much so that many Indian manufacturers entered into such fields as engineering, iron and steel, paper, cement etc. Thus by the Twenties new Indian industrial groups had begun to emerge.

The setting up of the Industrial Commission in 1916 or the policy of differential protection advocated by the Fiscal Commission in 1922 no doubt paved the way for Indian Industrialization. But, in fact, the colonial government had no general policy of industrialization at that time. This is evident from the hardening of attitude of the imperialist government immediately after the contingency of the war was over. Hence the growth in demand of certain goods and a change in India's commercial relations with the external world were the real stimulants for India's industrial growth.

Political Background

Growth in Indian capitalism also manifested itself in greater political mobilization both on the part of the national bourgeoisie and the working class. Hence most of the strikes during this period were defensive in character launched to fight wage cuts and retrenchment. Yet the working class was also getting more and more class conscious. The All-India Trade Union Congress was formed in 1920. Though the AITUC and its affiliated unions mainly fought economic battles, there was a distinct tendency for localized disputes to spread rapidly to other sections of industry. The working class also took active part in the non-cooperation movement as well as the Simon Commission boycott. This proved increasing political awareness among the nascent Indian proletariat.

The national bourgeoisie, too, got restive during this period. Refusal of the imperialist government to grant self-government after the war, the continuance of the anti-people Rowlatt Act, the Jallianwala Bagh atrocities, and the insufficiency of the Montague Chelmsford Reforms all these, accompanied by the imperialist stranglehold on the economy, inspired the national bourgeoisie to launch mass movements in support of its demands. It was during this period that the Indian National Congress, the chief spokesman of the Indian capitalist class, for the first time changed its political character from a small liberal constitutional body to a mass political party, Led by an

active petty bourgeoisie cadre and involving sections of the peasantry. the Congress, under the supreme leadership of Gandhi, began to consolidate the political and economic position of the Indian bourgeoisie by forcing a series of concessions from the colonial state through the periodic mobilization of mass pressure. Despite the presence of left Congressites like Nehru and Bose, Gandhi Was the linchpin of the national movement. Gandhi, with the help of his creed of non-violence, not only put pressure on the colonial government but also effectively checked the emergence of national revolutionary movements for social revolution. Thus the Congress combined in itself the narrow class demands of the national bourgeoisie with the broad demands of the masses.

Communists and the Indian National Movement 1925-47

In politics, left-wing describes an outlook or specific location that accepts or supports social equality, often in opposition to social hierarchy and social inequality. It usually involves a concern for those in civilization who are disadvantaged relative to others and an assumption that there are unjustified inequalities (which right-wing politics views as natural or traditional) that need to be reduced or abolished.

The political conditions Left and Right were coined throughout the French Revolution (1789–1799), referring to the seating arrangement in the Estates Common: those who sat on the left usually opposed the monarchy and supported the revolution,

including the making of a republic and secularization, while those on the right were supportive of the traditional organizations of the Old Regime. Use of the term "Left" became more prominent after the restoration of the French monarchy in 1815 when it was applied to the "Independents".

The term was later applied to a number of movements, especially republicanism throughout the French Revolution, socialism, communism, and anarchism. Beginning in the last half of the Twentieth Century, the phrase left-wing has been used to describe an ever widening family of movements, including the civil rights movement, anti-war movements, and environmental movements, and finally being extended to whole parties, including the Democratic Party in the United States and the Labour Party in the United Kingdom. In two party systems, the conditions "left" and "right" are now sometimes used as labels for the two parties, with one party designated as the "left" and the other "right", even when neither party is "left-wing" in the original sense of being opposed to the ruling class.

In politics, the term left wing derives from the French Revolution, as radical Montagnard and Jacobin deputies from the Third Estate usually sat to the left of the president's chair in parliament, a habit which began in the Estates Common of 1789. During the 19th century in France, the main row dividing left and right was flanked by supporters of the French Republic and those of the Monarchy. The June Days Uprising

throughout the Second Republic was an effort by the left to assert itself after the 1848 Revolution, but only a small portion of the population supported this.

In the mid-19th century, nationalism, socialism, democracy, and anti-clericalism became characteristics of the French Left. After Napoleon III's 1851 coup and the subsequent establishment of the Second Empire, Marxism began to rival radical republicanism and utopian socialism as a force within left-wing politics. The influential Communist Manifesto by Karl Marx and Friedrich Engels, published in 1848, asserted that all human history is the history of class struggle. They predicted that a proletarian revolution would eventually overthrow bourgeois capitalism and create a classless, stateless, post-monetary civilization.

In the United States, several leftists, social liberals, progressives and labor unionists were influenced by the works of Thomas Paine, who introduced the concept of asset-based egalitarianism, which theorizes that social equality is possible by a redistribution of possessions.

The International Workingmen's Association (1864–76), sometimes described as the First International, brought jointly delegates from several dissimilar countries, with several dissimilar views in relation to the how to reach a classless and stateless civilization. Following a split flanked by supporters of Marx and Mikhail Bakunin, anarchists shaped the

International Workers' Association. The Second International (1888–1916) became divided in excess of the issue of World War I. Those who opposed the war, such as Vladimir Lenin and Rosa Luxemburg, saw themselves as further to the left.

In the United States after Reconstruction, the phrase "the Left" was used to describe those who supported deal unions, the civil rights movement and the anti-war movement. More recently in the United States, left-wing and right-wing have often been used as synonyms for Democratic and Republican, or as synonyms for liberalism and conservatism respectively. The following positions are typically associated with left-wing politics.

Economics

Leftist economic beliefs range from Keynesian economics and the welfare state by industrial democracy and the social market to nationalization of the economy and central scheduling. Throughout the industrial revolution, left-wingers supported deal unions. In the early twentieth century, the Left was associated with policies advocating extensive government intervention in the economy. Leftists continue to criticize what they perceive as the exploitative nature of globalization, the race to the bottom and unjust place-offs. In the last quarter of the Twentieth Century the belief that government (ruling in accordance with the interests of the people) ought to directly involve itself in the day to day workings of an economy

declined in popularity amongst the center left, especially social-democrats who became influenced by 'third method' ideology.

Other leftists consider in Marxian economics, which are based on the economic theories of Karl Marx. Some distinguish Marx's economic theories from his political philosophy, arguing that Marx's approach to understanding the economy is self-governing of his advocacy of revolutionary socialism or his belief in the inevitability of proletarian revolution. Marxian economics does not exclusively rely upon Marx, it draws from a range of Marxist and non-Marxist sources. The dictatorship of the proletariat or workers' state is conditions used by Marxists to describe what they see as a temporary state flanked by the capitalist and communist civilization. Marx defined the proletariat as salaried workers, in contrast to the proletariat, who he defined as outcasts of civilization, such as beggars, tricksters, entertainers, buskers, criminals and prostitutes. The political relevance of farmers has divided the left. In *Das Kapital*, Marx scarcely mentioned the subject. Mao Zedong whispered that it would be rural peasant's not urban workers who would bring in relation to the proletariat revolution.

Left-libertarians, Libertarian socialists and left-wing anarchists consider in a decentralized economy run by deal unions, workers' councils, cooperatives, municipalities and communes, and oppose both government and private manage of

the economy, preferring regional manage, in which a nation of decentralized areas are united in a confederation.

Just as to Barry Clark:

Leftists... claim that human development flourishes when individuals engage in cooperative, mutually respectful dealings that can thrive only when excessive differences in status, power, and wealth are eliminated. Just as to leftists, a civilization without substantial equality will distort the development of not only deprived persons, but also those whose privileges undermine their motivation and sense of social responsibility. This suppression of human development, jointly with the resentment and disagreement engendered by sharp class distinctions, will ultimately reduce the efficiency of the economy.

The global justice movement, also recognized as the anti-globalization movement or alter-globalization movement, protests against corporate economic globalization, due to its alleged negative consequences for the poor, workers, the environment and small businesses.

The Environment

Both Karl Marx and the early socialist William Morris arguably had a deep concern for environmental matters. Just as to Marx, “Even an whole civilization, a nation, or all

simultaneously existing civilizations taken jointly... are not owners of the earth. They are basically its possessors, its beneficiaries, and have to bequeath it in an improved state to succeeding generations." Following the Russian Revolution, environmental scientists such as revolutionary Aleksandr Bogdanov and the Proletkul't organisation made efforts to incorporate environmentalism into Bolshevism, and "integrate manufacture with natural laws and limits" in the first decade of Soviet rule, before Joseph Stalin attacked ecologists and the science of ecology, purged environmentalists and promoted the pseudo-science of Trofim Lysenko. Likewise, Mao Zedong rejected environmentalism and whispered that, based on the laws of historical materialism, all of nature necessity be put into the service of revolution.

From the 1970s onwards, environmentalism became an rising concern of the left, with social movements and some unions campaigning in excess of environmental issues. For instance, the left-wing Builders Labourers Federation in Australia, led by the communist Jack Mundy, united with environmentalists to lay Green Bans on environmentally destructive development projects. Some segments of the socialist and Marxist left consciously merged environmentalism and anti-capitalism into an eco-socialist ideology. Barry Commoner articulated a left-wing response to The Limits to Growth model that predicted catastrophic resource depletion and spurred environmentalism, postulating that capitalist technologies were chiefly

responsible for environmental degradation, as opposed to population pressures. Environmental degradation can be seen as a class or equity issue, as environmental destruction disproportionately affects poorer societies and countries.

Many left-wing or socialist groupings have an overt environmental concern, whereas many green parties contain a strong socialist attendance. For instance, the Green Party of England and Wales characteristics an eco-socialist group, Green Left, that was founded in June 2005 and whose members held a number of influential positions within the party, including both the former Principal Speakers Siân Berry and Dr. Derek Wall, himself an eco-socialist and Marxist academic. In Europe, some 'Green-Left' political parties combine traditional social-democratic values such as a desire for greater economic equality and workers rights with demands for environmental protection, such as the Nordic Green Left.

Well-recognized socialist Bolivian President Evo Morales has traced environmental degradation to consumerism. He has said "The Earth does not have enough for the North to live better and better, but it does have enough for all of us to live well." James Hansen, Noam Chomsky, Raj Patel, Naomi Klein, The Yes Men, and Dennis Kucinich have had alike views.

In the 21st Century, questions in relation to the environment have become increasingly politicized, with the Left usually accepting the findings of environmental scientists in relation to

the global warming, and several on the Right disputing or rejecting those findings. The left is though divided in excess of how to effectively and equitably reduce carbon emissions- the center-left often advocates a reliance on market events such as emissions trading or a carbon tax, whilst those further to the left tend to support direct government regulation and intervention either alongside or instead of market mechanisms.

Nationalism and Anti-nationalism

The question of nationality and nationalism has been a central characteristic of political debates on the Left. Throughout the French Revolution, nationalism was a policy of the Republican Left. The Republican Left advocated civic nationalism, and argued that the nation is a "daily plebiscite" shaped by the subjective "will to live jointly." Related to "revanchism", the belligerent will to take revenge against Germany and retake manage of Alsace-Lorraine, nationalism was sometimes opposed to imperialism. In the 1880s, there was a debate flanked by those, such as Georges Clemenceau (Radical), Jean Jaurès (Socialist) and Maurice Barrès (nationalist), who argued that colonialism diverted France from the "blue row of the Vosges" (referring to Alsace-Lorraine), and the "colonial lobby", such as Jules Ferry (moderate republican), Léon Gambetta (republican) and Eugène Etienne, the president of the parliamentary colonial group. After the Dreyfus Affair though nationalism became increasingly associated with the distant

right. The Marxist social class theory of proletarian internationalism asserts that members of the working class should act in solidarity with working people in other countries in pursuit of a general class interest, rather than focusing on their own countries. Proletarian internationalism is summed up in the slogan, "Workers of all countries, unite!", the last row of *The Communist Manifesto*. Union members had learned that more members meant more bargaining power. Taken to an international stage, leftists argued that workers ought to act in solidarity to further augment the power of the working class.

Proletarian internationalism saw itself as a deterrent against war, because people with a general interest are less likely to take up arms against one another, instead focusing on fighting the ruling class. Just as to Marxist theory, the antonym of proletarian internationalism is bourgeois nationalism. Some Marxists, jointly with others on the left, view nationalism, racism, and religion, as divide and conquer strategies used by the ruling classes to prevent the working class from uniting against them. Left-wing movements so have often taken up anti-imperialist positions. Anarchism has urbanized a critique of nationalism that focuses on nationalism's role in justifying and consolidating state power and power. By its unifying goal, nationalism strives for centralization, both in specific territories and in a ruling elite of individuals, while it prepares a population for capitalist use. Within anarchism, this subject has been treated extensively by Rudolf Rocker in *Nationalism*

and Civilization and by the works of Fredy Perlman, such as *Against His-Story, Against Leviathan* and "The Continuing Appeal of Nationalism".

The failure of revolutions in Germany and Hungary ended Bolshevik hopes for an imminent world revolution and led to promotion of "Socialism in One Country" by Joseph Stalin. In the first edition of the book *Osnovy Leninizma*, Stalin argued that revolution in one country is insufficient. But by the end of that year, in the second edition of the book, he argued that the "proletariat can and necessity build the socialist civilization in one country". In April 1925 Nikolai Bukharin elaborated the issue in his brochure *Can We Build Socialism in One Country in the Absence of the Victory of the West-European Proletariat?* The location was adopted as State policy after Stalin's January 1926 article *On the Issues of Leninism*. This thought was opposed by Leon Trotsky and his followers who declared the need for an international "permanent revolution". Several Fourth Internationalist groups approximately the world who describe themselves as Trotskyist see themselves as standing in this custom, while Maoist China supported Socialism in One Country.

Some link left-wing nationalism to the pressure generated by economic integration with other countries encouraged by free-deal agreements. This view is sometimes used to justify hostility towards supranational organizations such as the

European Union. Left-wing nationalism can also refer to any nationalism which emphasizes a working-class populist agenda which seeks to overcome perceived use or oppression by other nations. Several Third World anti-colonial movements adopted left-wing and socialist thoughts.

Third-Worldism is a tendency within leftist thought that regards the division flanked by First World urbanized countries and Third World developing countries as being of high political importance. This tendency supports national liberation movements against what it considers imperialism by capitalists. Third-Worldism is closely linked with African socialism, Latin American socialism, Maoism, Pan-Africanism and Pan-Arabism. Some left-wing groups in the developing world — such as the Zapatista Army of National Liberation in Mexico, the Abahlali base Mjondolo in South Africa and the Naxalites in India — argue that the First World Left takes a racist and paternalistic attitude towards liberation movements in the Third World.

Religion

The original French left-wing was anti-clerical, opposing the power of the Roman Catholic Church and supporting the separation of church and state. Karl Marx asserted that "Religion is the sigh of the oppressed creature, the heart of a heartless world, and the soul of soulless circumstances. It is the opium of the people." In Soviet Russia the Bolsheviks

originally embraced "an ideological creed which professed that all religion would atrophy" and "resolved to eradicate Christianity as such." In 1918 "ten Orthodox hierarchs were summarily shot" and "children were deprived of any religious education outside the house." Today in the Western world, those on the Left usually support secularization and the separation of church and state.

Religious beliefs, though, have also been associated with some left-wing movements, such as the American abolitionist movement and the anti-capital punishment movement. Early socialist thinkers such as Robert Owen, Charles Fourier, and the Comte de Saint-Simon based their theories of socialism upon Christian principles. From St. Augustine of Hippo's *Municipality of God* by St. Thomas More's *Utopia* major Christian writers defended thoughts that socialists establish agreeable. Other general leftist concerns such as pacifism, social justice, racial equality, human rights, and the rejection of excessive wealth can be establish in the Bible. In the late 19th century, the Social Gospel movement arose which attempted to integrate progressive and socialist thought with Christianity in faith-based social activism, promoted by movements such as Christian Socialism. In the 20th century, the theology of liberation and Making Spirituality was championed by such writers as Gustavo Gutierrez and Matthew Fox.

There are also left-wing movements such as Islamic socialism and Buddhist socialism. There have been alliances flanked by the Left and anti-war Muslims, such as the Respect Party and the Stop the War Coalition in Britain. In France, the Left has been divided in excess of moves to ban the hijab from schools, with some supporting a ban based on separation of church and state, and others opposing the ban based on personal freedom.

Social Progressivism and Counterculture

Social progressivism is another general characteristic of the contemporary Left, particularly in the United States, where social progressives played an significant role in the abolition of slavery, women's suffrage, civil rights, and multiculturalism. Progressives have both advocated prohibition legislation and worked towards its repeal. Current positions associated with social progressivism in the West contain opposition to the death penalty, and support for legal recognition of similar-sex marriage, sharing of contraceptives, public funding of embryonic stem-cell research, and the right of women to choose abortion. Public education was a subject of great interest to groundbreaking social progressives such as Lester Frank Ward and John Dewey who whispered that a democratic system of government was impossible without a universal and comprehensive system of education.

Several counterculture movements in the 1960s and 1970s were associated with the "New Left". Unlike the earlier leftist

focus on union activism, the "New Left" instead adopted a broader definition of political activism commonly described social activism. U.S. "New Left" is associated with the Hippie movement, college campus mass protest movements and a broadening of focus from protesting class-based oppression to contain issues such as gender, race, and sexual orientation. The British "New Left" was an intellectually driven movement which attempted to correct the perceived errors of "Old Left".

The New Left opposed prevailing power structures in civilization, which it termed "The Establishment", and became recognized as "anti-Establishment." The New Left did not seek to recruit industrial workers, but rather concentrated on a social activist approach to organization, influenced that they could be the source for a better type of social revolution. This view has been criticised by some Marxists (especially Trotskyists) who characterized this approach as 'substitutionism'- or what they saw as the misguided and apparently non-Marxist belief that other groups in civilization could 'substitute' for the revolutionary agency of the working class.

Several early feminists and advocates of women's rights were measured left-wing by their contemporaries. Feminist pioneer Mary Wollstonecraft was influenced by the radical thinker Thomas Paine. Several notable leftists have been strong supporters of gender equality, such as: the Marxists Rosa

Luxemburg, Clara Zetkin and Alexandra Kollontai, the anarchist Emma Goldman, and the socialists Helen Keller and Annie Besant. Marxists such as Clara Zetkin and Alexandra Kollontai though, however supporters of radical social equality for women, opposed feminism on the grounds that it was a bourgeois ideology. Marxists were responsible for organizing the first International Women's Day measures.

In more recent times the women's liberation movement is closely linked to the New Left and other new social movements that challenged the orthodoxies of the Old Left. Socialist feminism and Marxist feminism saw themselves as a section of the left that challenged what they perceive to be male-dominated and sexist structures within the left. Liberal feminism is closely linked with left-liberalism, and the left-wing of mainstream American politics.

Diversities

The spectrum of left-wing politics ranges from centre-left to distant left. The term centre left describes a location within the political mainstream. The conditions distant left and ultra-left refer to positions that are more radical. The centre-left comprises social democrats, social liberals, progressives and also some democratic socialists and greens. Centre-left supporters accept market allocation of possessions in a mixed economy with a important public sector and a thriving private

sector. Centre-left policies tend to favor limited state intervention in matters pertaining to the public interest.

In many countries, the conditions distant left and radical left have been associated with diversities of communism, Autonomist and anarchism. They have been used to describe groups that advocate anti-capitalist, identity politics or eco-terrorism. In France, a distinction is made flanked by the left and the distant left. The US Department of Homeland Security defines left-wing extremism as groups who want "to bring in relation to the change by violent revolution rather than by recognized political procedures."

In China, the term Chinese New Left denotes those who oppose the current economic reforms and favor the restoration of more socialist policies. In the Western world, the term New Left refers to cultural politics. In the United Kingdom in the 1980s, the term hard left was applied to supporters of Tony Benn, such as the Campaign Group and Labour Briefing, as well as Trotskyist groups such as the Militant Tendency and Socialist Organizer. In the similar era, the term soft left was applied to supporters of the British Labour Party who were perceived to be more moderate. Under the leadership of Tony Blair and Gordon Brown the British Labour Party re-branded itself as New Labour in order to promote the notion that it was less left-wing than it had been in the past. One of the first actions

though of the Labour Party leader who succeeded them, Ed Miliband, was the rejection of the "New Labour" label.

Left-wing post-modernism opposes attempts to supply universal explanatory theories, including Marxism, deriding them as grand narratives. It views civilization as a contested legroom, and via deconstruction seeks to undermine all pretensions to absolute truth. Left-wing critics of post-modernism assert that cultural studies inflate the importance of civilization by denying the subsistence of an self-governing reality.

In 1996, physicist Alan Sokal wrote a nonsensical article entitled "Transgressing the Boundaries: Toward a Transformative Hermeneutics of Quantum Gravity". The journal *Social Text* published the paper in its Spring/Summer 1996 issue, whereupon Sokal publicly revealed his hoax. While this action was interpreted as an attack upon leftism, Sokal, who was a committed supporter of the Sandinista movement in Nicaragua throughout the 1980s, planned it as a critique from within the Left. He said he was concerned in relation to the what he saw as the rising prevalence on the left of "a scrupulous type of nonsense and sloppy thinking... that denies the subsistence of objective realities". He described into question the usefulness of such theories to the wider left movement saying he "never understood how deconstruction was meant to help the working class."

Workers and Peasants Party

The Workers and Peasants Party (WPP) was a political party in India, which worked inside the Indian National Congress 1925-1929. It became an significant front organisation for the Communist Party of India and an influential force in the Bombay labour movement. The party was able to muster some success in creation alliances with other left units inside the Congress Party, amongst them Jawaharlal Nehru. Though, as the Communist International entered its 'Third Era' stage, the communists deserted the WPP project. The WPP was wound up, as its leadership was arrested by the British authorities in March 1929.

Founding of the Party

The party was founded in Bengal on November 1, 1925, as the Labour Swaraj Party of the Indian National Congress. The founding leaders of the party were Kazi Nazrul Islam, Hemanta Kumar Sarkar, Qutubuddin Ahmad and Shamsuddin Hussain. The founding manifesto was signed by Kazi Nazrul Islam. Throughout the first three month of subsistence, the party organisation was very provisional.

At the All Bengal Praja Conference, held at Krishnagar on February 6, 1926, a resolution was moved by Faizuddin Hussain Sahib of Mymensingh for the making of a workers-peasants party. The move was seconded by Braja Nath Das of

Bogra. The resolution was passed by the conference, and in accordance with this decision the name of the party was changed to 'Workers and Peasants Party of Bengal'. Dr. Naresh Chandra Sengupta was elected party president and Hemanta Kumar Sarkar and Qutubuddin Ahmad were elected as joint secretaries.

Build-up of the WPPs of Bengal and Bombay

As of 1926, the WPP of Bengal had only 40 members, and its growth in membership was very slow. A two-room party office was set up at 37, Harrison Road, Calcutta. British intelligence perceived that the Bengal Jute Workers Association, the Mymensingh Workers and Peasants Party (with branch in Atia), the Dhakeswari Mill Workers Union, the Bengal Glass Workers Union, the Scavengers' Union of Bengal and the Workers Protection League were led by the party.

Soon after the 1926 conference of the WPP of Bengal, the underground Communist Party of India directed its members to join the provincial Workers and Peasants Parties. All open communist behaviors were accepted out by Workers and Peasants Parties. The Comintern organizer M.N. Roy took section in the build-up of the WPP.

A WPP was shaped in Bombay in January 1927. D.R. Thengdi was elected president and S.S. Mirajkar common secretary. The WPPs gained power within the Bombay and Bengal Pradesh

Congress Committees. From the WPP of Bombay, K.N. Joglekar, R.S. Nimbkar and D.R. Tengdi were elected to the All India Congress Committee. From the WPP of Bengal, two party representatives were elected to the AICC. The WPP representatives jointly with Nehru were able to convince the AICC to create the Indian National Congress an associate member of the League against Imperialism.

Madras Congress

At the 1927 annual Congress session in Madras a leader of the WPP of Bombay, K.N. Joglekar presented a proposal for a resolution in the Subjects Committee, that the Indian National Congress should demand full independence for India. The proposal was seconded by Jawaharlal Nehru. At the open session of the Madras Congress, Nehru moved the resolution and Joglekar seconded it. The resolution was passed unanimously. This was the first time in history that the Indian National Congress officially demanded full independence from British rule. Throughout the Madras session, the WPP functioned as a fraction. Directly after the Madras Congress, the WPP took section in a 'Republican Congress' meeting jointly with other left units of the Congress Party and radical deal unionists. Nehru chaired the meeting.

Deal Union Struggles

Particularly the WPP of Bombay was successful in mobilizing deal union job. It built unions amongst printing press, municipal and dock workers. It gained power amongst the workers of the Great Indian Peninsular Railway. Throughout 1928 the WPP led a common strike in Bombay, which lasted for months. At the time of the strike, the Girni Kamgar Union was founded.

Anti-Simon thrash about

Throughout the protests against the Simon Commission, the WPP played a major role in organising manifestations in Calcutta and Bombay. In Bombay it also mobilized 'hartal' (common strike) in protest against the Simon Commission.

1928 Bengal Party Conference

The WPP of Bengal held its third conference in Bhatpara, in March 1928. After the conference the executive of the party published the conference documents in a book titled A Call for Action. In the book an argument is presented that national independence was not possible as extensive as capitalists dominated the freedom thrash about. British intelligence sources claimed that Philip Spratt had been the author of the book.

Formation of WPPs in Punjab and UP

At a conference in Lyallpur in September 1928 the Punjab Kirti Kisan Party (Workers and Peasants Party of Punjab) was shaped by the Kirti group. Chabil Das, a Lahore propagandist of the Naujawan Bharat Sabha, was elected president of the party. In October 1928 two WPPs were shaped in the United Provinces. One of them was the Bundelkhand Workers and Peasants Party, with N.L. Kadam as its secretary and headquartered in Jhansi. The party held its founding conference in Jhansi on October 28-October 29, 1928. Jhavwala from Bombay presided in excess of the conference. The other was the U.P. Peasants and Workers Party which was founded at a conference in Meerut. P.C. Joshi was elected president and Dharamvir Singh was elected common secretary. The Meerut conference was attended by Philip Spratt, Muzaffar Ahmed and Kedar Nath Sahgol.

All India WPP Conference

In late November 1928 the WPP of Bengal executive committee met with Philip Spratt and Muzaffar Ahmed. They decided to appoint Sohan Singh Josh of the Punjab Kirti Kisan Party to chair the All India Workers and Peasants Conference, to be held in Calcutta in December. The provincial WPPs attended All India Workers and Peasants Conference in Calcutta on December 22-December 24, 1928, at which the All India Workers and Peasants Party was shaped. A 16-member

national executive was elected. The Bengal, Bombay, Punjab and United Provinces were allocated four seats each in the national executive. Out of these 16, ten were either recognized as CPI members or as 'communists'. R.S. Nimbkar was the common secretary of the party. The conference discussed an affiliation of the party with the League against Imperialism. Spratt and Ahmed urged the conference to approve the affiliation of the party to the League. The conference decision to postpone a decision on the issue to a later occasion.

The political fortunes of the WPP were to be terminated by changes in policy of the Communist International. The July 1928 sixth congress of the Communist International declared that 'The Union of all communist groups and individuals scattered during the country into a single, illegal, self-governing and centralized party symbolize the first task for Indian communists.' This was a statement made in opposition to the structure of the 'multi-class' WPP. The new row was promoted at the congress by the Finnish communist Otto Kuusinen. In his statement, he stated that it was 'necessary to reject the formation of any type of bloc flanked by the Communist Party and the national-reformist opposition' in the colonies. Moreover, he claimed that parties like WPP could develop into petty bourgeois parties. Leon Trotsky concurred with this view. In June 1928, he had submitted a document which described WPP an invention of Joseph Stalin and that the party was a 'thoroughly anti-Marxist formation'. Abani

Mukherji, a founding member of CPI, had described WPP as a 'Kuomintang Party' and that WPP 'is accumulating by itself the units of future Indian Fascism.'. S.N. Tagore and the delegates of the Communist Party of Great Britain argued for retaining the WPP. This declaration created confusion amongst the communist ranks in India. On December 2, 1928, the Executive Committee of the Communist International had drafted a letter to the WPP, which singled out the WPP as consisting '...mainly of petit-bourgeois intellectuals, and they were tied up with either the system of landlordism and usury or straight absent capitalist interests.' The letter did though take extensive time to reach the WPP. The Tenth Plenum of the ECCI, July 3-July 19, 1929, directed the Indian communists to break with WPP. When the communists deserted it, the WPP fell separately.

Policies

The founding manifesto of the Labour Swaraj Party stressed that the party was organised on the basis of class thrash about, for the liberation of the masses. The party combined demand for full independence with socio-economic demands. In 1927, the WPP of Bombay presented a programme of action to the All India Congress Committee. The programme proposed thrash about for full independence combined with active socio-economic policies for the toiling classes. The WPP of Bengal had submitted a manifesto the Madras Congress session, which

sought that the Congress should engage in mass struggles for full independence and that a Constituent Assembly should determine the constitution of an self-governing India. The party also worked for the abolishment of 'zamindari' system in agriculture.

M.N. Roy—Marxism and Radical Humanism

Manabendra Nath Roy (1887–1954), born Narendra Nath Bhattacharya and popularly recognized as M. N. Roy, was an Indian nationalist revolutionary and an internationally recognized radical activist and political theorist. Roy was a founder of the Communist Parties in both Mexico and India and was a delegate to congresses of the Communist International. Following the rise of Joseph Stalin, Roy left the mainline communist movement to pursue an self-governing radical politics. In 1940 Roy was instrumental in the formation of the Radical Democratic Party, an organization in which he played a leading role for much of the decade of the 1940s. Roy later moved absent from Marxism to become an exponent of the philosophy of Radical Humanism.

Early Years

Just as to Dr. Bhaskar Bhole the birth year of M. N. Roy is 1893. Dr. Bhole claims that just as to one of Roy's colleagues, Mr. Avinash Bhattacharya, Roy was born in Bengali year 1293 (i.e. 1886–87 AD). V. B. Karnik, one of Roy's biographers,

quotes his birth date in the Marathi Vishwakosh as 21 March 1887. Just as to Police records 1888 is his birth year. But 1893 necessity is his correct birth year, as the Radical Humanist in its February 1953 issue mentions that Roy has completed 60 years.

Narendra Nath "Naren" Bhattacharya, later recognized as M. N. Roy, was born on 21 March 1887 at Arbelia, situated in the 24 Parganas of West Bengal, close to Calcutta (Kolkata).

The Bhattacharyas were Sakta brahmins — a family of hereditary priests. Naren's paternal grandfather was the head priest of the goddess Ksheputeswari in the village of Ksheput, situated in the Midnapore district of West Bengal. Naren's father also served for a time in priestly capability there, although the big size of his family — he being one of 11 siblings — forced a relocation to the village of Arbelia and a change of job.

Following the death of his first wife, the elder Bhattacharya married Basantakumari Devi, the niece of Dwarkanath Vidyabhusan and was appointed as a teacher of Sanskrit in the nearby Arbelia English school. The couple had a total of eight children, including the fourth-born Naren.

Naren Bhattacharya's early schooling took lay at Arbelia. In 1898 the family moved to Kodalia. Bhattacharya sustained his

studies at the Harinavi Anglo-Sanskrit School, at which his father taught, until 1905.

Bhattacharya later enrolled at the National College under Sri Aurobindo, before moving to the Bengal Technological Institute, where he studied Engineering and Chemistry. Much of Bhattacharya's knowledge was gained by self-revision, though.

Nationalist Revolutionary

Towards the end of the 19th Century militant nationalism began to spread in the middle of the educated middle classes of Bengal, inspired by the writings of Bankim and Vivekananda. Naren Bhattacharya was swept up in this movement, reading both of these leading luminaries extensively.

Just as to one biographer, Roy gained an appreciation from Bankim that true religion required one not to be cloistered from the world, but to job actively for the public good; Vivekananda reinforced this notion of social service and further advanced the thought that Hinduism and Indian civilization was superior to anything the western world could offer.

With his cousin and childhood friend Hari Kumar Chakravarti (1882–1963), he shaped a group of free-thinkers including Satcowri Banerjee and the brothers, Saileshvar and Shyamsundar Bose. Two other cousins of Bhattacharya and

Chakravarti — Phani and Narendra Chakravarti — often came from Deoghar, where they went to school with Barin Ghosh. A mysterious Vedic scholar, Mokshadacharan Samadhyayi, active organizer of secret branches of the Anushilan Samiti in Chinsura started frequenting Bhattacharya group.

In July 1905 a partition of Bengal was announced, scheduled to take effect in October. A spontaneous mass movement aimed at annulment of the partition appeared, giving radical nationalists like Naren Bhattacharya and his co-thinkers an opportunity to build broader support for their thoughts. Following his expulsion from high school for organizing a meeting and a march against the partition, Bhattacharya and Chakravarti moved to Kolkata and joined in the active job of the Anushilan.

Under Mokshada's leadership, on 6 December 1907 Bhattacharya successfully committed the first act of political banditry in order to raise money for the secret civilization. When arrested, he was carrying two seditious books by Barin Ghosh. Defended by the Barrister J.N. Roy (secure friend of Jatindranath Mukherjee or Bagha Jatin) and the pleader Promothonath Mukherjee, he got released on bail, thanks to his reputation as a student and social worker.

Unhappy with Barin's highly centralized and authoritative method of leadership, Bhattacharya and his group had been looking for something more constructive than creation bombs

at the Maniktala garden. Two incidents sharpened their interest in an alternative leadership. Barin had sent Prafulla Chaki with Charuchandra Datta to see Bagha Jatin at Darjeeling who was posted there on official duty, and do absent with the Lt. Governor; on explaining to Prafulla that the time was not yet ripe, Jatin promised to get in touch with him later. However Prafulla was much impressed by this hero, Barin cynically commented that it would be too much of an effort for a Government officer to serve a patriotic cause. Shortly after, Phani returned from Darjeeling, after a short holiday: fascinated by Jatin's charisma, he informed his friends in relation to the unusual man. On hearing Barin censuring Phani for disloyalty, Bhattacharya decided to see that exceptional Dada and got caught for good.

The Howrah-Shibpur Trial (1910-11) brought Bhattacharya closer to Jatindra Mukherjee.

The Indo-German Conspiracy

Several Indian nationalists, including Roy, became influenced that only an armed thrash about against the occupying forces of Great Britain would be enough to separate India from the British empire. To the furtherance of this end, revolutionary nationalists looked to a rival imperial power, that of Kaiser Wilhelm's Germany, as a potential source of funds and armaments.

In August 1914 a huge European war erupted flanked by Britain and Germany. Expatriate Indian nationalists organized as the Indian Revolutionary Committee in Berlin made an informal approach to the German government in support of aid to the cause of anti-British armed thrash about in their native land. These contacts were favorable and towards the end of the year word reached India that the Germans had agreed to give the money and material necessary for the launch of an Indian war of independence from British rule. Revolution seemed close to.

The task of obtaining funds and armaments for the coming thrash about was entrusted to Naren Bhattacharya. Bhattacharya was dispatched first to Java, where in excess of the after that two months he was able to obtain some limited funds, albeit no armaments.

Early in 1915, Bhattacharya set out again, leaving India in search of vaguely promised German armaments which were whispered to be en route, somewhere on the Pacific. Roy would not see his homeland again for 16 years.

The actual plan seemed fantastic, as Bhattacharya-Roy later recounted in his posthumously published memoirs:

"The plan was to use German ships interned in a port at the northern tip of Sumatra, to storm the Andaman Islands and free and arm the prisoners there, and land the army of

liberation on the Orissa coast. The ships were armored, as several big German vessels were, ready for wartime use. they also accepted many guns each. The crew was composed of naval ratings. They had to escape from the internment camp, seize the ships, and sail.... Many hundred rifles and other small arms with an adequate supply of ammunition could be acquired by Chinese smugglers who would get then on board the ships."

At the last minute, money for the conduct of the operation failed to materialize and "the German Consul Common mysteriously disappeared on the day when he was to issue orders for the execution of the plan," Bhattacharya recalled.

Disgusted but still holding out hope, Bhattacharya left Indonesia for Japan, hoping to win Japanese support for the liberation of Asia from European imperialism, despite Japan's nominal alliance with Great Britain. There he met with Chinese nationalist leader Sun Yat-sen, who had escaped to Japan following the failure of a July 1913 uprising in Nanking.

Sun Yat-sen refused to assist Bhattacharya in his task of organizing anti-British revolution in India, expressing instead faith instead in the ultimate liberating mission of Japan and his own powerlessness owing to British manage of Hong Kong, Sun's base of operations in South China. Efforts to raise money from the German Ambassador to China were likewise unsuccessful.

Bhattacharya's behaviors soon drew the attention of the Japanese secret police, who were concerned in relation to the Bhattacharya's efforts at fomenting revolution. Upon learning that he was in relation to the to be served formal notice to leave Japan within 24 hours and not wishing to be deported to Shanghai, Bhattacharya immediately set in relation to the leaving the country overland by Korea. He tried to create his method from there to Peking (Beijing), but by this time he was spotted and recognized by the British secret police, who detained him. Only by a stroke of good fortune was Bhattacharya able to win his release from the police, due to the British Consul Common's ill ease with holding a British subject indefinitely without having formal charges first been preferred.

Further efforts to raise funds for armaments from the German consulate at Hankow resulted in a further tentative agreement. Though, this plan also came to naught owing to the size of the commitment, which had to be approved in Berlin, just as to German Ambassador to China Admiral Paul von Hintze. Bhattacharya determined to take his plan for German funding after that to the German Ambassador in the United States, before heading to Germany itself. Employees of the German embassy were able to assist Bhattacharya in obtaining a lay as a stowaway aboard an American ship with a German crew, bound for San Francisco.

Although they knew he was on board the ship, British authorities stopping the vessel in international waters were unable to locate Bhattacharya in the secret compartment in which he was hurriedly hidden. In an effort to throw the British off his trail — and in an effort to obtain more appropriate accommodations for the extensive trans-Pacific voyage, Bhattacharya stealthily disembarked at Kobe, Japan.

In Kobe Bhattacharya made use of a false French-Indian passport previously obtained for him by the Germans in China. Posing as a seminary student bound for Paris, Bhattacharya obtained an American passport visa, bought a ticket, and sailed for San Francisco.

International Revolutionary

Throughout his stay in Palo Alto, a era of in relation to the two months, Roy met his future wife, a young Stanford University graduate named Evelyn Trent. The pair fell in love and journeyed jointly crossways the country to New York Municipality.

It was in the New York Municipality public library that Roy began to develop his interest in Marxism. His socialist transition under Lala owed much to Bankim Chandra Chatterjee's essays on communism and Vivekananda's message of serving the proletariat. Bothered by British spies, Roy fled to

Mexico in July 1917 with Evelyn. German military authorities, on the spot, gave him big amounts of money.

The Mexican president Venustiano Carranza and other liberal thinkers appreciated Roy's writings for *El Pueblo*. The Socialist Party he founded (December 1917), was converted into the Communist Party of Mexico, the first Communist Party outside Russia. The Roys lodged a penniless Mikhail Borodin, the Bolshevik leader, under special circumstances. On the basis of a grateful Borodin's reports on Roy's behaviors, Moscow was to invite Roy to the 2nd World Congress of the Communist International, held in Moscow throughout the summer of 1920.

A few weeks before the Congress, Vladimir Lenin personally received Roy with great warmth. At Lenin's behest, Roy formulated his own thoughts as a supplement to Lenin's Preliminary Draft Theses on the National and the Colonial Questions.

Material from Roy's pen was published by International Press Correspondence (Inprecor), the weekly bulletin of the Communist International. Roy served as a member of the Comintern's Presidium for eight years and at one level was a member of the Presidium, the Political Secretariat, the Executive Committee, and the World Congress.

Commissioned by Lenin to prepare the East — especially India — for revolution, Roy founded military and political schools in

Tashkent. In October 1920, as he shaped the Communist Party of India, he contacted his erstwhile revolutionary colleagues who, at this juncture, were hesitating flanked by Radicalism (Jugantar) and Mohandas K. Gandhi's novel programme. Secure to the Jugantar in spirit and action, C. R. Das inspired Roy's confidence. From Moscow, Roy published his major reflections, *India in Transition*, approximately simultaneously translated into other languages. In 1922 appeared Roy's own journal, the *Vanguard*, organ of the emigre Communist Party of India. These were followed by *The Future of Indian Politics* (1926) and *Revolution and Counter-revolution in China* (1930), while he had been tossing flanked by Germany and France.

Leading a Comintern delegation appointed by Joseph Stalin to develop agrarian revolution in China, Roy reached Canton in February 1927. Despite fulfilling his mission with ability, a disagreement with the CCP leaders and Borodin led to a fiasco. Roy returned to Moscow where factions supporting Leon Trotsky and Grigory Zinoviev were busy fighting with Stalin's.

Stalin refused to meet Roy and provide him a hearing at the plenum in February 1928. Denied a decent treatment for an infected ear, Roy escaped with Nikolai Bukharin's help, sparing himself Stalin's anger. Shortly after Trotsky's deportation, on 22 May 1928, Roy received the permission to go abroad for medical treatment on board a Berlin-bound plane of the Russo-German Airline *Deruluft*. In December 1929, the *Inprecor*

announced Roy's expulsion from the Comintern, approximately simultaneously with Bukharin's fall from grace.

Imprisonment

Roy returned to India for the first time in December 1930. Upon reaching Bombay, Roy met leaders like Jawaharlal Nehru and Subhas Bose, the former of whom recalled that despite important political differences, "I was attracted to him by his extra ordinary intellectual capability."

Roy's political action in India proved to be brief, on 21 July 1931 he was arrested in Bombay on an arrest warrant issued in 1924. Roy was taken to Kanpur to face charges under Part 121-A of the Indian Penal Code, "conspiring to deprive the King Emperor of his sovereignty in India."

No trial was held in open court; rather, the proceedings were mannered inside the jail in which Roy was held. Proceedings were mannered from 3 November 1931 until 9 January 1932, at which time Roy was sentenced to 12 years of rigorous imprisonment.

Roy was taken immediately under armed guard to the Central Jail at Bareilly for completion of his sentence managing, though, to smuggle out the defence statement which he was not allowed to present in court. This disallowed declaration

was published in full by Roy's supporters in India as *My Defence*, and in abridged shape in New York as *I Accuse*.

Roy was unapologetic for his advocacy of the use of armed thrash about against British colonialism, in his own defence declaring

The oppressed people and exploited classes are not obliged to respect the moral philosophy of the ruling power.... A despotic power is always overthrown by force. The force employed in this procedure is not criminal. On the contrary, precisely the guns accepted by the army of the British government in India are instruments of crime. They become instruments of virtue when they are turned against the imperialist state.

Roy filed an appeal in his case to the Allahabad High Court, but this was dismissed on 2 May 1933 — although Roy's sentence was at the similar time reduced from 12 years to 6 by the court. Roy ultimately served 5 years and 4 months of this term, sitting in five dissimilar jails. Dismal prison circumstances took a severe toll on Roy's health, and he suffered lasting damage to his heart, kidneys, lungs, and digestive tract as a result of his time behind bars. Roy also lost many teeth, was regularly feverish, and suffered constant pain from a chronically infected inner ear.

Despite his imprisonment, Roy still supervised to contribute to the Indian national liberation movement. A steady stream of

letters and articles were smuggled out of jail. He also wrote a 3000-page draft manuscript provisionally titled *The Philosophical Consequence of Contemporary Science*.

Released in November 1936 in broken health, Roy went to Allahabad for recovery, invited by Nehru. Defying the Comintern order to boycott the Indian National Congress, Roy urged Indian Communists to join this Party to radicalize it. Nehru, in his presidential address at Faizpur session in December 1936, greeted the attendance of Roy, as

...one who, however young, is an old and well-tried soldier in India's fight for freedom. Comrade M.N. Roy has presently approach to us after a extensive and mainly distressing era in prison, but however shaken up in body, he comes with a fresh mind and heart, eager to take section in that old thrash about that knows no end till it ends in success.

From the podium Roy in his speech recommended the capture of power by Constituent Assembly. Unable to collaborate with Gandhi, though, Roy was to stick to his own conviction. In April 1937, his weekly *Self-governing India* appeared and was welcomed by progressive leaders like Bose and Nehru, unlike Gandhi, and the staunch Communists who accused Roy of deviation.

Radical Humanist

In marrying Ellen Gottschalk, his second wife, “Roy establishes not only a loving wife but also an intelligent helper and secure collaborator.” They settled in Dehra Dun. Roy proposed an alternative leadership, seized the crisis following Bose’s re-election as the Congress President, in 1938: in Pune, in June, he shaped his League of Radical Congressmen. Disillusioned with both bourgeois democracy and communism, he devoted the last years of his life to the formulation of an alternative philosophy which he described Radical Humanism and of which he wrote a detailed exposition in *Cause, Romanticism and Revolution*.

In his monumental biography, *In Freedom’s Quest*, Sibnarayan Ray writes:

If Nehru had his troubles, so had Roy. From early life his sharp intellect was matched by a strong will and extraordinary self-confidence. It would appear that in his extensive political career there were only two persons and a half who, in his estimate, qualified to be his mentors. The first was Jatin Mukherji (or Bagha Jatin) from his revolutionary nationalist era; the second was Lenin. The half was Josef Stalin....

With the declaration of World War II, Roy (in a location secure to that of Sri Aurobindo) condemned the rising totalitarian regimes in Germany and Italy, instead supporting England and

France in the fight against fascism. He severed connections with the Congress Party and created the Radical Democratic Party in 1940. Gandhi proceeded to foment Quit India in August 1942. In response The British imprisoned without trial approximately the whole Indian National Congress leadership within hours. Roy's row was clearly dissimilar from that of the mainstream of the national liberation movement. Just as to Roy, a victory for Germany and the Axis powers would have resulted in the end of democracy worldwide and India would never be self-governing. In his view India could win her freedom only in a free world. Subhas Chandra Bose took the pro-active stance that The enemy of my enemy is my friend; escaping home-arrest and India he shaped the Azad Hind Provisional Indian Government in Exile and allied with the Japanese brought the Indian National Army to India's doorstep.

Sensing India's freedom to be a post-war reality following the defeat of the Axis powers and the weakening of British imperialism, Roy wrote a series of articles in Self-governing India on the economic and political structures of new India, even presenting a concrete ten-year plan, and drafting a Constitution of Free India (1944).

Roy in his philosophy devised means to ensure human freedom and progress. Remembering Bagha Jatin who "personified the best of mankind", Roy worked "for the ideal of establishing a

social order in which the best in man could be manifest.” In 1947, he elaborated his theses into a manifesto, *New Humanism*, expected to be as significant as the *Communist Manifesto* by Marx a century earlier.

Death and Legacy

A lecture tour to the USA was to be suspended, as Roy died on 25 January 1954. Beginning in 1987, Oxford University Press began the publication of the *Selected Works of M.N. Roy*. A total of 4 volumes were published by 1997, gathering Roy's writings by his prison years. Project editor Sibnarayan Ray died in 2008, though, and the Roy works publishing project was so prematurely terminated.

Chapter 7

Modern Political Thinking

Marxist thinking in Indian politics

Marxist thinking in India is not as urbanized as in the West. In India, Marxism is the product of Western intellectual custom. Logic of intellectual development in West had reached a scrupulous level of culmination. Renaissance, reformation and enlightenment led to a creative stage in Western intellectual history which is recognized as the Marxist stage. The basis of this new thinking was laid by Marx and Engles. In India we do not have such a rich intellectual custom. Our intellectual custom allows very little legroom for original thinking. It is a hard task on the section of a Marxist to be very original and creative. Despite this the Indian Marxist custom is not so bad as compared to several other States in third world countries. It has a history of half a century. Marxist intellectuals in India basically remain with in the Communist Parties. Some of them however, are establish outside the fold of these parties.

Marxists and Historical Materialism

Communists in India have always been busy in trying to seem for answers to troubles in a Marxist framework. They have had very little time to do philosophical thinking. Their concern has been basically in the application of historical materialism to

Indian situations. Mainly Indian Marxists have a dialogue with Marx's own writings on Indian civilization. In constructing Indian history, Marx has made two significant points. First, Indian civilization before the British rule was a stagnant civilization. Village society and caste civilization created a social framework for creation Indian economy a unchanging economy. Secondly, British rule was a blessing in disguise which helped in destroying this aspect of Indian civilization and created circumstances for regeneration. Marx's own statement is given below: "The historic pages of their rule in India statement hardly anything beyond that destruction. The job of regeneration hardly transpires by a heap of ruins. Nevertheless it has begun."

The British rule cannot stop the changes introduced by it. Changes would bring national unity. Moreover, introduction of freedom of press and English education have brought in relation to the a radical change in Indian civilization. An educated class with new thoughts would be playing an significant role in the political transformation of a civilization. Marxists have a historical scheme for understanding any history. There are sure levels in history like primitive communism, slavery, feudalism and capitalism. Historical development of each civilization experiences these levels. Some of the prominent communists themselves applied the historical scheme in a mechanical manner. S.A. Dange, *India: From Primitive Communism to Slavery* accepted the level of slavery

in Indian history. But mainly of the Indian communists reject this point and attempt to understand Indian history in a creative manner. All of them agree to a point that Indian history does not have a level of slavery. Primitive tribal civilization gets transformed into a caste civilization without experiencing the level of slavery. Indian feudalism integrated caste system into it. It has similarities with European feudalism because it does not have serfdom which is an integral section of European feudalism.

Indian Marxists on Colonial Rule

All Indian Marxists agree to a point that India experienced capitalism under colonial rule. British rule brought sure radical transformation in the Indian civilization. It destroyed sure social organizations like the village society which had become an obstacle to social progress. Colonial capitalism created troubles for Indian progress. Colonial policy affected the artisan society. They were reduced to being paupers by the deindustrialization policy of colonial rule. One has to recognize the positive features of British rule which created sure circumstances in bringing contemporary industries. When railway was introduced in India, Marx was hopeful that India would experience a level of industrialization even however British rule did not intend to do so. Marx observed, "But when you have once introduced machinery into the locomotion of a country, which possesses iron and coal, you are unable to

withhold it from its fabrication. You cannot uphold a net of railways, all those industrial procedures necessary to meet the immediate and current wants of railway locomotion, and out of which there necessity grow the application of machinery to those branches of industry not immediately linked with railways. The railway system will so, become in India, truly, the forerunner of contemporary industries.... Contemporary industry resulting from the railway system "will dissolve the hereditary divisions of labor, upon which rest the Indian castes, those decisive impediments to Indian progress and Indian power."

British rule could not stop the wheel of economic progress in India. India experienced the level of capitalism. Big level industrialization took lay flanked by two world wars. This gave an economic strength to Indian capitalist class for supporting the demand for independence.

Indian Marxists and Character of Indian Independence

Once India achieved independence what is the character of Indian independence became a debatable point in the middle of Marxists. Controversy in excess of the issue brought differences within communists to the surface. There are basically three opinions on the issue of independence. A part of the communists declared Indian independence as fake. India was a colony under the British rule and after independence turned into a neo-colony of British and American imperialism.

Second group is of the opinion that India has acquired true independence by the path of self-governing economic development and such a India is going to be totally self-governing of the imperialist world. Third group remnants in flanked by the first and second. They accept the independence of India but there is always a threat from imperialism which cannot be washed absent.

Indian Marxists on Indian State and Ruling Class

This led to variation of opinion in the middle of Indian communists on the question of Indian State and ruling class. The function of the Congress party in the post-independence history remnants a debatable point. Each group remained as a political trend within the party. The Communist party functioned as a platform till 1964. Split in the international communist movement accentuated the differences further. Formal split in the Communist party took lay in 1964. This did not stop there. Split within split occurred in the year of 1967. At present there are several splintered groups in India. But there are three major groups in communist politics whose differences of opinion on the issue of state, scheduling and ruling class need a serious discussion.

Indian Marxists and Instrumental Approach to the State

Indian communists have an instrumental approach to the question of the state. That state is an instrument of the ruling

classes and it works in safeguarding and furthering their interests. Otherwise each Communist Party has a political theory of Indian state. Understanding of ruling class helps in characterizing Indian state. There are three Communist Parties: CPI, CPI(M) and CPI(ML). We have to understand each party's viewpoint on the character of Indian State. The location of the CPI is as follows: "The State in India is the organ of the class rule of the national bourgeoisie as a whole, in which the big bourgeoisie holds powerful power. This class rule has links with the landlords. These factors provide rise to the reactionary pulls in the State Power."

This statement has two sections. First, the big bourgeoisie holds the state power which is the national bourgeoisie. At the similar time they have not snapped their dealings with the landlords in rural India. This helps in the rise of reactionary forces in Indian politics. They recognize the progressive character of the national bourgeoisie. The ruling Congress Party is the party of this class, that is why it can function as the instrument of social progress. Basically, the congress party can fight feudal interests in rural India. The location of CPI(M) is as follows: "The present Indian state is the organ of the class rule of the bourgeoisie and the landlords led by big bourgeoisie who are increasingly collaborating with foreign finance capital in the pursuit of capitalist path of development. This class character essentially determines the role and function of State in the life of the country. "

For CPI(M), the ruling class is composed of the capitalists and landlords. They both share power in Indian state. Moreover, Indian capitalists are collaborating with foreign capitalists. State is an instrument of capitalists and landlords. The Congress Party is a party of these classes. It has a very little capability to play a progressive role in Indian politics. There is no question of social, economic and political progress unless this state is undermined and destroyed and replaced by a state of People's Democracy.

CPI(ML) is not a homogeneous political grouping. There are several groups working in the platform. Dominant viewpoint in the party is as follows. "India under Congress rule is only nominally self-governing, in information it is nothing more than a semi-colonial and semi-feudal country. The Congress Party Management symbolizes the interests of the Indian feudal princes, big landlords, and bureaucrat-comprador capitalists." In other languages, Indian ruling class has a comprador character. They are subordinated to the American and Russian imperialism. Capitalists are very friendly with the landlords. Indian state is an instrument of these classes which do not job in the interests of Indian people. It is a reactionary state. Indian state and the Congress Party cannot become instruments of social change.

Both CPI and CPI(M) provide sure autonomy to the Indian state. Within the present class configuration, state can play a

decisive role in the development of a civilization. Both recognize the importance of scheduling. That scheduling in Indian economy supplements the strength of Indian capitalist class. Indian capitalist class because of its belated growth does not have enough capital and technology for taking an self-governing path. State sector or public sector can give them a helping hand in their development. Public Sector in Indian economy has gone for capital rigorous industries. That helps the Indian capitalist class not to be so much dependent on foreign capital. It provides them sure maneuvering capability in the international economy.

Indian Marxists and Foreign Policy

In the arena of foreign policy, both CPJ and CPI(M) support the non-alignment policy. India is not a member of any bloc, neither Western Soviet. India after independence takes an self-governing path in international politics. That helps them to protect national interest in a better manner. It is another matter that it receives economic aid from Soviet Union and America.

Indian Marxists and the Congress

As the Congress Party under the leadership of Nehru took a forthright and self-governing stand on the role of scheduling and foreign policy, it created confusion in the minds of the communist parties. CPI believes that Congress under the

leadership of Nehru represented the interests of the national bourgeoisie. The row sustained till the Indira Gandhi era. The Congress Party pursued the policy of non-alignment. It gave priority to public sector in Indian economy. Here the perception of CPI(M) differs slightly from CPL That non-aligned policy is the result of the character of Indian capitalist class which is a reasonably urbanized class in all the third world countries. They pursued the policy of scheduling to stay India autonomous of international capital. There is a possibility that Indian capitalist class goes deeper into economic crisis. It will depend more and more on foreign capital like World Bank and IMF.

CPI and CPI(M) agree that the Congress Party is a secular party but very often compromises with collective forces. Power of single personalities like Nehru, Indira Gandhi in Congress politics creates the party more authoritarian. Congress Party under the leadership of Indira Gandhi has never faced any organizational election. That is why CPI(M) characterizes the Congress Party as an authoritarian party, although CPI does not agree with this characterization. Both CPI and CPI(M) do not have any political theory of communalism and caste system. Mast of the leaders throughout the national movement acquired sure understanding out of their experience. On both these issues, their understanding does not differ from liberal traditions. India is a multi-society civilization. Inter-collective

harmony is a necessity for practicing class politics. With radicalization of mass politics, collective politics will retreat.

Indian Marxists and the Caste System

On the issue of caste system, their perception has a historical dimension. In the procedure of transformation from a tribal to a peasant civilization, India has integrated into caste systems. Castes are basically occupational groups based on the division of labor" Capitalism would change the caste system. Class politics will be able to check caste politics. Caste politics is a section of the ruling class politics. As B. T. Ranadive provides his observation, "The stability of religiosity, communalism and caste ism was embedded in the compromise that permitted the continuation of antiquated land dealings."

Progressively their understanding on the caste question is changing. Caste system has to be fought on the plane of ideological and Political stage. Caste legitimacy allows upper castes to oppress the lower castes. Ideological hegemony of caste system necessity is fought. Both CPI and CPI(M) support the reservation policy on the caste basis to destroy the iniquitous caste system.

Indian Marxists and Nationality

CPI, CPI(M) and CPI(ML) all support the freedom of nationalities. Indian nation is a collection of dissimilar

nationalities. Each nationality is based on a linguistic row supported by cultural traditions_ That is why all communists agree to a point that Indian state should be a federal state for helping in allowing the cultural groups to flower. Ethnicity is a question which has approach to Indian politics in the 1980s. Tribal societies because of their ethnic backdrop have been demanding a tribal state like Jharkhand in Central India. Communist Parties agree to a point that all ethnic groups' necessity be allowed to function In an autonomous area, which is guaranteed by the Constitution. There is no such clear thinking on the question of ethnicity in communist circles

Indian Marxists on the Strategy of Mobilization

On the plane of political mobilization, CPI and CPI(M) have adopted a single strategy whereas the CPI(ML) has a confused opinion. Some groups in CPI(ML) do not like to adopt the parliamentary path while some others, specifically IPF (Indian People's Front) accept it. All the parties face a problem of reconciling flanked by the parliamentary row and revolutionary mass row.

CPI has taken to electoral politics without any hesitation whereas CPI(M) has tried to reconcile flanked by electoral politics and mass politics, but progressively ha., become a victim of electoral politics CPI(ML) has been confused in excess of the issue. But CPI(ML) has been able to take low castes and lower classes jointly for political mobilization. In the case of

Bihar, exercising their franchise becomes a radical slogan because poor from low castes are usually not allowed to vote. In a intricate caste ridden civilization, a strategy of class politics is not an easy task. In the procedure of political thrash about, a clearer strategy can emerge.

Nationalism and social revolution

The Nationalists, Socialism and Social Revolution

The trend represented by the socialists in the national movement was broadly represented in the thoughts of Jawaharlal Nehru, Subhas Chandra Bose, Jayaprakash Narayan, Narendra Dev and their associates in the Congress Socialist Party. Despite differences in the middle of them, they were attracted towards the ethical ideal of socialism emphasizing abolition of inequality, use and injustice; they were simultaneously ardent nationalists and were opposed to the ways of disagreement and violence by which the socialist revolution had been accomplished in the USSR. In other languages, they aimed at a socialist restructuring of India on the basis of Indian nationalism. At the similar time, they also distanced themselves from the trend represented by Hindu revivalism. Broadly, they accentuated the secular basis of Indian nationalism and it was with in this framework that they projected their vision of socialism.

Jawaharlal Nehru

Nehru's understanding of the problem of social transformation of India was primarily guided by his secular and scientific outlook, which aimed at the modernization of Indian civilization. In this venture Nehru had before him two major alternatives: One, the model of free market economy in the West, based on unrestricted capitalism; the other was the model of planned economy as pursued in the USSR. Nehru had reservations against both of these approaches. He could not accept the first one, since this would eventually lead to gross inequality and use, in violation of the vital norms of humanism.

As regards the Marxian model of socialism which was being practiced in Soviet Russia, Nehru was deeply impressed by its achievements and he quite openly proclaimed that socialism was the only option for India, if a civilization free from the clutches of use, injustice and inequality was to be built. His socialist sympathy was mainly strongly apparent in his Presidential address at the Lucknow Session of the AI CC in 1936. He could at the similar time never reconcile himself to the ways. Therefore, he could not accept the thought of the cult of one centralized party, restrictions on rights and freedoms of individuals and above all, Soviet socialism's emphasis on class thrash about and the forcible overthrow of an exploitative social order. Nehru's socialism was broadly

based on limited public manage of private enterprise, planned economy etc. on the one hand, and pluralism, freedom of the individual etc. on the other. In developing this perspective, he was deeply influenced by the Fabian thought of democratic socialism in a nationalist framework. While this nationalism was sharply dissimilar from the thought of Hindu revivalism with which Nehru never compromised, he accentuated that India's road to socialism would have its foundations based on traditional Indian ideals like cooperation, peaceful development, humanism and accommodation of all religious beliefs, i.e. secularism.

It becomes quite strongly apparent that Nehru was projecting a vision which was bound to unleash tensions and difficulties, since it was an effort to reconcile things which were contradictory. While Nehru's goal was to seek a civilization based on justice and free from use, he attempted to do it in a framework of thought where rights and freedoms of individuals placed in unequal circumstances would not be restricted. This was a type of humanism which was unworkable in practice, since the privileged and the underprivileged were advised to job in a spirit of cooperation. Effectively speaking, Nehru's nationalistic vision blurred his perspective of socialism and dissipated the possibility of any real social revolution, since his radical outlook contradicted his path of compromise.

Subhas Chandra Bose

Subhas Chandra Bose's thought of social transformation of India was guided primarily by a spirit of intense nationalism and the thoughts of practical politics. While he quite strongly accentuated that political freedom was meaningless without social and economic emancipation of the masses and that in free India it was not the vested interests (i.e., the landlords, money-lenders and capitalists) but the interests of the peasants and workers which would be protected, the ideological framework which he envisaged for realizing these goals contradicted his objectives. In fighting vested interests, since he stood for the abolition of landlordism, an uniform land-tenure system and sound Scheduling, he distanced himself from the capitalist path of free-market economy and came certainly closer to the radical ideology of socialism. But his spiritual backdrop, particularly the power of Vivekananda, his militant nationalism and his primary consideration being practical politics, led Bose to reject the Marxist model of socialism with emphasis on class thrash about and materialism: Therefore, while he was certainly attracted towards socialism's crusade against injustice and use and its advocacy of the cause of equality, he could not endorse the political strategy of Marxism for realization of these objectives.

His ideological vision became particularly clouded because, guided primarily by militant nationalist sentiments he aimed at

realizing his goal by adopting a path which would provide him quick, immediate and effective results. This inclination towards pragmatism being a major characteristic of Bose's political outlook, he looked towards fascism with its emphasis on centralized state manage and militarism. He felt that the quickest road to social transformation was possible by combining the ideological goal of Marxism, socialism with emphasis on equality and the fascist ways of discipline, militant nationalism and rigid state manage. In this regard, the views of Bose sharply differed from those of Nehru, who was uncompromisingly opposed to fascism for its in human character.

Bose, though, could not convincingly explain as to how this odd mixture was really possible in practice, since fascism was basically a protection of the vested interests of capitalism, while Marxian socialism was uncompromisingly opposed to capitalism. The result was that Subhas Chandra Bose's nationalist ideological vision did not enable him to develop any real and effective understanding of the problem of social revolution in India.

The Marxists, Socialism and Social Revolution: An Overview

The freedom thrash about witnessed another trend represented broadly by the Marxists who distanced themselves from the socialist minded nationalists on a number of questions. Their thought of social revolution was broadly guided by the vital

tenets of Marxism and the experience of the Russian Revolution that had taken lay in 1917. On the one hand, they were skeptical in relation to the very ideology of nationalism and the solutions provided by people like Nehru, Subhas Chandra Bose, Narendra Dev and others, since in their opinion the nationalist framework of thought would perpetuate the vital problem of inequality, use and injustice in India; on the other hand, they stood for a social order where the interests of the workers and poor peasants would be primarily safeguarded and real power would vest in their hands. This meant an alternative understanding of the problem of social revolution in the framework of a radical variant of socialism, i.e., Marxism. This trend was reflected collectively in the viewpoint of the communists associated broadly with the Communist Party of India, the Workers' and Peasants' Party and other radical groups which broadly swore in the name of Marxism. Individually, the Marxist location was best represented in the thought of M.N. Roy in his early years when he was associated with the communist movement. Later, though, there took lay a major shift in his outlook when he provided a reinterpretation of Marxism and distanced himself from the Communists.

The Communists

The alternative strategy of social revolution proposed by the communists was primarily a product of their critique of the nationalist brand of socialism. While they also were genuine

patriots and stood for secularism, opposition to Hindu revivalism and obscurantist practices like untouchability, their vital argument was that the objectives of socialism, i.e. equality, justice and freedom from use could not be realized without a radical restructuring of civilization. In their vision, this was impossible by adopting the nationalist solution which accentuated primarily the thought of accomplishment of national freedom under the leadership of the middle-Class oriented parties and groups as represented by Nehru, Subhas Bose and Congress Socialists. The Communists also could not agree with their perspective of social transformation which mainly justified the values of harmony and co-operation in the middle of the contending groups and classes in a civilization where discrimination flanked by the privileged and underprivileged was very acute. In other languages, their main objection against nationalism was that it was virtually a "protection of the vested interest" and real social transformation was impossible by adopting the framework of nationalism.

Motivated by this thought the communists, who professed their adherence to Marxism, urbanized an alternative approach towards the understanding of the question of social revolution. They followed what is usually recognized as the class approach and therein place their fundamental variation with the nationalist approach. They argued that if the ordinary man was to be the real beneficiary of social transformation, then it

would have to be the alliance of the working class and peasantry which would be the guiding force of revolution.. This, they argued, could not be done by adopting the ways of cooperation and preaching harmony-of contending groups and classes in civilization; to achieve this objective, the communists therefore preached the thought of violent, forcible overthrow of the propertied classes which incorporated the nationalists, i.e., the middle classes also. In proclaiming this goal, they were mainly inspired by the experience of the Russian Revolution.

This approach, though, despite its strongly radical thrust, proved unworkable for a number of reasons. One, despite the criticism of the nationalists, it could not be appreciated by the communists that nationalist sentiments and appeals were too strongly embedded in the minds of the masses, which could not be presently brushed aside. Rather, this virulent attack on nationalism and the castigation of the nationalist leaders like Gandhi, Nehru and Subhas Bose as mediators of capitalists quite often inaccessibly drove the communists from the mainstream of the freedom struggle. Two, the model of the Russian Revolution was virtually unworkable in India, because the material circumstances were fundamentally dissimilar. Three, the communists overestimated the potential and organizational strength of the working class was somewhat mechanical and to a big extent unreal, with the consequence that their vision of social revolution eventually remained unreal and unworkable.

M.N. Roy

M.N. Roy quite often regarded as one of the founders of communist 'movement in India, was one of the those early Marxists who attempted a radical understanding of the issue of social transformation of Indian civilization as separate from the framework of nationalism. In his early stage (extending up to the late 20s) Roy's understanding suggested that the social emancipation of the Indian masses was possible only by effecting a socialist revolution in the country under the leadership of the working class, since he whispered that in India nationalism was a spent force and that the nationalist movement was virtually aimed at ultimate consolidation of the interests of the middle class which spearheaded it. This hostility towards and cynicism in relation to the nationalism made Roy an uncompromising critic of the leaders of the Indian National Congress like Gandhi and Nehru. Moreover, Roy's optimism in relation to the prospects of a socialist revolution in India was mainly guided by his understanding that industrialization had proceeded quite rapidly in the country with the result that a strong working class had appeared with the potentiality to unleash a revolution. Subsequent research has proved that this understanding was totally at variance with reality, since the British were not at all interested in any real and effective industrialization of India.

M.N. Roy, as we know, later returned to India following his dissociation with the Communist movement and this second stage, broadly recognized as the era of 'radical humanism', witnessed Roy's reinterpretation of Marxism in a new perspective. Throughout this era, while he maintained his earlier critique of nationalism and thereby sustained to aloofness himself from the Congress Party, his views underwent a change in regard to the earlier understanding of Marxism as presently a political instrument for violent overthrow of the exploiter class. Roy now came round to the location that for a real social revolution in India what was primarily necessary was the assertion of a new type of ethical consciousness with which the people would have to be imbued. The emphasis now shifted in his thought from political confrontation to a type of abstract humanism which, though, was of little practical use. As a transition took lay in his writings from focusing on the masses to that on the individual and from political action to abstract humanism, his perspective of social revolution became blurred and virtually unworkable.