Concept and Nature of India Democracy – A Theoretical Perspective

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Abstract

One true aspect in Indian democracy is that it works with the cooperation of all the states in financial, legislative and administrative matters to ensure good governance. It secures rights, liberty and freedom to all its citizen as to achieve the greatest good for the greatest number – which is the humble ideology of Nehru in framing India's democracy and to establish socialist pattern of society. Gradually India's democracy assumes authoritarian nature with highly centralized central powers and dismal federal design which creates a gap in center-state relations, denying of civil and political rights of the individual in times of emergency and in the name of state security and the presence of highly centralized institutions and bureaucratic mechanism. The rise of regional elites and their craving for power and dominance in politics in liberal era and the gradual incorporation of these capitalist elites in Indian democracy made Indian democracy bourgeois in nature. NITI Aayog aims to build strong states that will come together to build a strong India to curve the authoritative and bourgeois nature of Indian state for better governance and to establish a true democratic society.

Key Words – Nehru, Rights, Regime, Unity, Liberty, Bourgeois, Authoritarian

Nehruvian state is seen in terms of establishment of a viable structure of a relatively autonomous and democratic nation state at the core of the society. Democracy declares the ideals of secularism, of social justice, of political equality and embodies an impressive list of fundamental rights. State assumed responsibility to direct economic development, established a constitutional regime, and accumulated wide range of powers from abolition of untouchability of establishment of places of higher education and promotes culture and modernization of society by universal and rational wellbeing of people and economic welfare. Indian democracy strengthened the welfare role[1] of the state to ensure equality, liberty, freedom of speech and expression, rights and social, political, economic justice to its citizen.

SECTION- I

1.1. Indian Concept of Democracy: Democracy[2] may be described as a system of government under which the people exercises the governing power, either directly or indirectly through representatives periodically elected. Democracy in modern India is then of recent growth having being introduced and developed by the British government. Sumit Sarkar[3] opines that democracy in India owes its beginning not to the 'democratic sense', of the English man, or of the English educated Indian but for the stern necessity, for the Indian Council Act of 1861[4] which for the first time recognized the rights of the Indian people to representation in their legislative bodies. The Morley-Minto Reforms of 1909 increased the size of all the Legislative Councils, gave legal recognition to the elective principle provided for non-official majorities and extended the powers of the councils by giving them power to move and vote on resolutions on all matters of general public importance including the budget. The act of 1919 introduced several 'democratic 'features in the constitution like criticizing governmental activities and remodeling of public administrative system. The Act of 1935 [is] the last important milestone in the progress of democracy in India. It transfers all department of provincial government to administration by responsible ministers; proposes to introduce diarchy at the center which means that subject to the special responsibilities of the Governor-General, ministers will be in charge of administration of all subjects.

The concept of democracy and democratic institutions were by no means by no means alien to India. Republican forms of government, representative deliberative bodies and local self-government institutions existed in many parts of ancient India and democratic thinking and practices permeated in different aspects of the life of the people of India right from the Vedic age[5] even dates back to centuries before Christ. We may say that much later after the decline of the Vedic age, the Greek city-state or Greek democracy came into existence. The function of a political community is to construct 'universal society' to 'universal empire', the ancient rulers observed the symbolic representation of the cosmic 'yajna' (sacrifice) among different classes in order to develop mutual dependence, co-operation and harmony among each other. Thus Yajna symbolizes the process through which the diversity is transformed into unity without sacrificing the distinctiveness of different categories of men. The social order in India was inspired by the idea of Vedic 'Yajna', that sustained 'unity in diversity', on the basis of sharing a common culture grounded in 'Samanachittata'[6], (like-mindedness) and promoted the value of interdependence, co-operation and harmony. The early Indian political scholar like Kautilya has excellently portrait the political attitude of ancient India in his work 'Arthasashtra'. The social order based on verna system provided the functional basis to the political decision making which had to observe the principles of dharma. Manu-Smiriti, Bhuddhist and Pali literature and Jain treatises confirm the picture of widespread republicanism. The concept of the Gramsabha and welfare state was prevalent in Shanti parva in Mahabharat and Bhagawat Gita[7].

Even in Kautilyas Arthasastra it is mentioned regarding the concept of welfare state, that king ought to derive his happiness from the happiness of the people, their own wellbeing

from their contributions to the wellbeing of the people. Kautilya laid down the rules of administration for merchants, oppressed people, peasants and artisans and every individual of the society. The whole idea of democratic state was followed from Vedic view that is king will work for the good of all without making any distinctions. Kohli argues[8] that a close study of ancient Indian texts is required to understand the roots of democracy in India. Gandhi, the father of the nation developed his ideology and concepts of democracy on Indian tradition by recognizing the spiritual energies generated through empowerment of the people[9] (by creating self-sufficient village unit) as the main force behind human activity. Similarly in Aurobindo's concept of spiritualism[10] a clear picture of ancient Indian ideology is predictable. The aim of life was the pursuit of perfection in all level and it can be achieved through the path of dharma and every individual should achieve 'swabhava' and a swadharma of its own through which he would be able to adjust with society. Later on Swami Vivekananda, Rabindranath Tagore, Aurobindo Ghosh developed their concepts of democracy based on Indian tradition.

1.2. Western Concept of Democracy: In the late eighteenth century, Benjamin Franklin announced democracy as the rising of a new sun. As a governing power, democrasy[11] has overthrown the feudal system and vanquished mighty kings. Tocqueville in 1835 defined democracy as a governing power in the world's affairs, a power which he recognized as a universal and irresistible force. Territorially, the democratic idea appeared some two and a half millennia ago on the soils of Athens, disappeared for a while to reappear again in Western Europe some three hundred years ago. Democracy[12] indicates a particular political regime and Tocqueville defines it as a notion of equality. Greek society[13] came to signify as a democratic city-state, a community of equal men that is demos (people) and kratos (rule) absorbed in larger political units and enjoining the power of ruling or participating in political activity of the city-states. Athenian[14] (Greek) democracy was direct but gradually shifts from Greek to Roman, medieval and renaissance the notion of democracy has changed from direct to representative, a shift from religion oriented to secular mode of governance. Later on, the western scholars like Locke, Rousseau, Montesquieu, Bentham; Mill has reshaped the notion of democracy.

SECTION-II

Nehru's Concept of Democracy: Looking back at the crowded panorama of this century, the one thought that readily comes to mind is the abiding radiance of Nehru's image while concentrating on Indian democracy. To Nehru[15], democracy did not merely mean periodical exercise of franchise rather it determines the relationship between the citizens and the state and among citizens themselves.

According to him, democracy was an extension of the democratic principle to the economic domain. Nehru stood for progress, for modernization and for the onward march of India towards a just and egalitarian order[16]. To ensure political equality, Nehru argued that it is obvious to achieve economic prosperity, and people should have equality of opportunity and they should be able to go as they can go.

Hence in this context we should mention that Nehruvian democracy opt the model of unique democratic traits which is distinct from other South Asian countries. The Asian countries have to work in the background of poverty and illiteracy, of multi-racial societies and of communities following many religions. But there are several problems[17] to work democracy successfully in Asian context like most of the people are illiterate and ignorant, leaders mostly become self-seeking, satisfying their own personal ambitions, and corruption in administration and politics which makes difficult to make successful working of democratic government.

The democratic institutions in other South Asian countries[18] like Pakistan, Bangladesh, Nepal, and Bhutan, Srilanka loose the true spirit of democratic ideals. Due to population explosion in these countries, they adopt new decentralized policies like- privatization-participation lead to the erosion of traditional forms of sovereign political control by the nation-state and the trans-nationalization of economic activity result in the political centrality of the state. Nehru's ideas of democracy[19] were a combination of the ideas of Locke, Rousseau, Montesquieu, Bentham and Mill. Montesquieu's Espirit des Lois, Rousseau's De Contract Social (man is born free, but everywhere in chains), Mill's On Liberty all of which apparently made a considerable impression on his mind. The idea of Nehru's[20] democracy was very closely related to the goal of self-rule in India. Democracy meant freedom from foreign rule and the establishment of and a truly representative government.

Nehru defined democracy[21] as a means to attain national unity, industrialization, parliamentary democracy, socialism and secularism. Nehru was much influenced with John Locke's concept of natural law which was identified with morality. The formation of representative government according to the will of the people is the true essence of governance in democratic way; the members could create restraints on the ruler in respect of their personal liberties and rights. Rousseau subscribed to the notion of active and involved citizenry who must meet in assembly to make laws by which their lives could be regulated. Thus for Rousseau, the exercise of power by citizens is the only legitimate way in which liberty can be sustained and safeguard. Citizens both create and are bound by "the supreme direction of the general will", the publicly generated conception of the common good. Athenian democracy showed the basic feature of direct democracy where power was constantly passing in the hands of leading citizens like Solon and Pericles. Whereas Nehru was influenced by the concept of formation of civil society and political community with active participation of citizens was a prominent feature. Later on Montesquieu through his separation of power tried to modify the concept of democratic governance to ensure social, political and economic equality for people. Bentham regarded laws as the commands of the sovereign power imposing patterns of behavior and not as rules of ethics or morality. Mill simultaneously described democracy as the greatest good of the greatest number.

Like socialism, secularism too is an indispensable ingredient of Nehru's concept of democracy. In Nehru's conception 'secularism' did not mean opposition to or rejection of religion. It rather meant separation of religion and politics on grounds of rationality and

social harmony. For a multi-religious society like India, secularism provided a valid and viable framework for national integration, since he believed that like land and resources, people and their ideas and interests are the true ingredients of democracy. The democratic state is one in which there is a freedom for the realization of human values and the creative development of the individual. The purpose of a democratic society is 'to provide the individual' with the conditions of creative development. According to Nehru the modern democratic state [22]still represent a structure of society in which freedom is cherished in which human values can best be realized. Nehru declared that the only in proper democratic way to deal with the representative institution[23] is through popular sovereignty through elected representative, majority rule and responsible political parties and leaders. Nehru demanded for a constituent assembly elected by means of an adult franchise so as to secure true mass representation. Nehru admitted that political equality was the very basis on which India build up other equalities if the individual lacked political equality than other rights could not be secured. Democracy thus came to mean the right of the majority.

SECTION –III

Nature of Indian Democracy: In this section we will analyze the nature of Indian democracy. Scholors like Asutosh Varshney, Sumit Sarkar, Rajni Kothari, Partha Chatterjee, D.L.Sheth opine that today Indiathat has been described as the world's largest democracy may be characterized as bourgeois and authoritarian in character.

3.1. Bourgeois nature of Indian Democracy: The constitution had clear egalitarian objectives and the Congress under Nehru had adopted a socialistic pattern of society as the vision of the Indian polity to ensure equality and justice for all and capitalism was not considered as a desirable goal for India. From 1991onwards economic reforms, the policies of liberalisation[24] and globalization have explicitly undertaken by the government which aimed at building a western type of modern capitalist system. Political conflict mainly took the form of claims and counter claims by rival elites, especially regional elites demanding a greater share of power and resources visa-a vie the central government. Rajini Kothari, D.L Sheth and Partha Chatterjee can be seen as important representatives of this current of thinking.

1. Elite versus mass conflict in India in these decades was, however a palpable picture. Lower castes were mobilized by the ruling elites (as portrait by Myron Weiner in few South Indian states), where mostly poor lower caste landless peasants depended on landowning upper caste elites for their livelihood, thus in turn the patronage and dependency constrained the political behavior of poor, illiterate Indian mass. This provides democracy has often had undemocratic roots. Low level of political mobilisation[25], (lower castes were not politically enough conscious of good governance) result in poor governance and multiple political conflicts. Indian democratic trend thus includes both the national and regional bourgeois and elites with legitimate authority within the governing institutions along with the incorporation of the India's un-conscious masses. Rajni Kothari sees on one hand the bourgeois has become stronger and increasingly become a part of the capitalist process.

They tend to capture vast market through advanced technology and information and produce huge goods for the consumer and the majority of the poor remain victims of capitalism. The anti-poverty measures since the regime of Mrs Gandhi (1966) have failed to reduce poverty significantly in spite of several measures taken by the government. The number of poor continues to grow in spite of the allocation of governmental funds for health, education and social welfare, unemployment continues to rise high. Congress policies for heavy industrialization and look after these elite classes by promoting their interest through protectionism, low pricing of raw materials bring them into the political process.

Numerous new elites entered the political arena, challenging the power of government[26]. In the late 1950s and early 1960s, land reforms in the countryside particularly in areas where formerly the zamindari system was in place created a space for the emergence of a new class of rich farmers who acquired wealth and political influence locally and gained political power. Green Revolution for example is a case where we find that policies and political decision are now wished to taken by the newly rich political clout, and the state has favored these urban upper classes. Agricultural sector also gained by the absence of an agricultural income tax. Powerful farmer's lobbies formed by the mid 1960s tend to dominate the political process. In North Indian states during 1950s rich farmer's group left the Congress and formed their own political party and act as a strong lobby and in the absence of a single dominant party these groups become strong and influences the working of government. For Partha Chatterjee Indian states is diversified between the dominant and subaltern classes.

2. The Marxist acknowledged the pre-dominance of capitalist relations and the continuing presence of semi-feudal elements in many parts of the country. If we look at the ground situation during the 1980s and 1990s, it shows a co-existence of persisting feudal relations in the form of bonded labor and caste-related production relations with a rising phenomenon of the emergence of modern capitalist farmers[27]. This is evident in the behavior of the state organs and the political organizations. At the same time, despite the widespread feudal and semi-feudal relations, clearly the modern capitalist elements have become more and more powerful in the political process. The liberalization process has brought new sources of capital to them. They have established linkages with the world market. Conversely, if the world market puts them at a disadvantage, then they pressurize the state to protect their interests. The conflict between the elites (rich farmers) and the low caste people become palpable. Through education the low caste people, the dalits become conscious about their exploitation and through finance corporations and banking facilities they too try to increase their economic status which brings serious conflicts with the elites where state failed to ensure the interest of the ordinary masses.

3. According to Rajni Kothari[28] gradually incorporating the bourgeois or elite class in the democratic governance constraints the space of democracy. According to him, corporatist interests, using the very resources that democracy had generated, tried to sabotage the democratic mandate and to serve their interests. In this sense, the state become instrumental

in using the legitimacy provided by democracy to further the interests of big capital which is today largely integrated within global capital. The masses themselves the backbones of democracy were increasingly reduced to ascriptive identities serving the interests of the elites. Such construction of identities and their proliferation is partly promoted by the state itself. Ashis Nandy[29] pointed out that modernity itself is inimical to democracy. The emergence of regional bourgeois in many parts of India combining local interests with cultural assertion tried to maintain a duality of linkages- feudalism on the one side and with foreign capital on the other. It is forward looking because it seeks modern technology and external markets and backward looking because it seeks to maintain social constraints on production at the same time.

Kothari hence argued the base of Indian democracy today is much weaker and electoral democracy has been increasingly co-opted within the creeping structure of bourgeois dominance. Democracy by definition involved participation of citizens at various levels of the political system and diverse kinds of roles. Such participation required that considerations of equality be extended to all citizens. The citizens himself was expected to play a positive role and needed the basic information, skills and confidence to act as citizen. Citizens required a range of liberties and an assurance that the citizen-community has a right to contest all modes of authority. But in analyzing the nature of Indian democracy it primarily seems to be bourgeois in nature where the main political decisions are taken by the Tata, Birlas and big enthrupreneurs[30] and not by the representative of the people (that is the political leaders) where the decision has been over-imposed from the elites in the process of governance. This creates a gap in between the citizen and the government that hampers democratic governance.

4. The Indian state, like any modern state, especially the post-colonial states of the third world exercises relative autonomy vies-a vise the dominant social forces[31]. In 1990s as anew partership between the state and the capital got cemented, the state willingly handed over its developmental and economic functions to the capitalist class Indian and foreign. The rulers of the state now prepared to maintain their role essentially as a law and order organization with less welfare functions. The challenge of social turbulence caused by agrarian movements, ethnic movements, autonomy movements and occasionally workers movements was to be handled by the new techno-managerial capitalist state or the silicon state. According to D.L.Sheth[32] democratic decision making both economic and politics that is democratic decision making and accountability depends on the hegemonic power of the world capitalist system. IMF, World Bank and MNCs influences most of the decisions of the government which shows that liberal democracy is now a part of the larger agenda of global homogenization.

Partha Chatterjee argues that the civil society in India understood as those characteristic institutions of modern associational life[33] originating in western societies which are based on equality, autonomy, freedom of entry and exit, contract, deliberative procedures of decision making, recognized rights and duties of members and other such principles was highly confined. The large masses had little access to the domain of civil society and the

state related to them not as citizens but through the mode of govern mentality worked out through welfare. Chatterjee sees the limited presence of civil-society in India and correspondingly the existence of the hegemony of the bourgeois. Political society[34] is in a way the challenge to liberal democracy and the instrumentalities of the latter do not succeeded in disciplining the former. Both Hobbes and Locke had emphasized the individual's right to resist even though these rights were conceptualized as rights of the bourgeois or propertied class in a framework of possessive individualism. For Rousseau, the general will was not necessarily the majority's will. True democracy is the realization of the self determination of people based on the principle of equality, freedom, reason and justice. The utilitarian argument of the greatest good of the greatest number has to be understood in terms of diverse values of good. The radical perspective on liberal democracy points out the necessary class character of bourgeoisie democracy which leads to the degeneration of liberal democracy and marginalization of social groups and result in majoritarian rule.

3.2. The Authoritarian Nature of Indian Democracy: Scholars like Ashis Nandy, Sudipto Kaviraj and Partha Chatterjee analyzed the autonomy of political processes. Kaviraj argues that a gradual process of democratic change mainly directed through constitutional mechanisms has re-enforced the base of democracy in India. Formal institutions are entities of state created by India's law and constitution – legislatures, the federal system including the instrument known as President's rule, the bureaucracy, the courts etc. The category of informal institutions include, most importantly, the political parties, but also movements, fractions, patronage networks and the vast army of political activists and fixers which derives and sometimes disrupts the democratic process making the state authoritarian in nature. Sudipto Kaviraj[35]also feels that the democratic process is getting detached from its institutional constraints and becoming autonomous. The growing differentiation with regard to the relation between the center and region in India overtime has changed. While there are regions such as Gujrat which tend to identify with the central government, there are other regions such as Tamil Nadu which has strongly tilted towards assertion of regional belonging. In a way such differentiation is the outcome of flourishing democracy in India. Institutional weakness of democracy and critics targeted the parliament for attack. Though our constitution designs a federal structure of governance, but it is observed that (article 2, 3, 4), our constitution offers extensive formal powers to the national parliament to recognize states (enable parliament by law to admit a new state increase, diminish the area of any state or after the boundaries or name of the state). Mrs Gandhi's rule reversed some of the fundamental principles of Indian democracy. She began to ignore institutional conventions in appointment of Supreme Court judges and conduct of cabinet affairs and turned democracy into an authoritarian regime. During emergency (1975-79), she exercised undisputed control, put to mendacious use provisions put into the constitution to avert threats to the entire institutional system or the territorial integrity of the country. Emergency provisions were meant to avert threats to the state, not to the individual but no doubt emergency violated the spirit of the constitution.

Atul Kohli[36] mainly focused on two proximate variables – the level of institutionalization of the central state and the degree to which the ruling strategy of leaders accommodates their demands. Democracy is a system, norms and procedures and asset of institutions on the one hand and actors and functionaries and officials who run these on the other and for the people it is also a pattern of experiences. First we will mention that decline of one party dominance led to the development of regional parties which started rearticulating their demands on regional issues such as development. Gradually there occurs a huge difference between the party in power at the center and in the region (state). This resulted in interlocked co-operation and conflict between the two. As a result a large number of big and small regional parties have become stakeholders in political power at the state, region or union level (through alliance with center and regional parties in central ministry), though none of them can afford to push their conflicts beyond a particular threshold.

Secondly we will mention the level of state's institutionalization and its authoritarian nature of governance. The coercive dimension of the Indian state has been manifest in numerous ways. The Preventive Detention Act[37] in the 1950s and the Maintenance of Internal Security Act (MISA) in the 1970s, the National Security Act which replaced it in the 1980s, the Terrorist and Disruptive Activities (Prevention) Act (TADA) of the 1980s, which was not repealed even in the face of a nationwide campaign, the Armed Forces Special Powers Act, which operates in the North-Eastern region and Jammu and Kashmir and the Disturbed Areas Act are some of the draconian laws which have curbed human rights of citizens in vast areas of the country. The ways in which rebellious elements have been suppressed – be they the naxalites of Andhra Pradesh and Bihar or the militants in the autonomy movements in Jammu and Kashmir and the North-East – ranging from indiscriminate arrests and killings by security forces – also bring out the coercive character of the Indian state. This has caused a trend of violence on the part of the security forces as well as the rebellious forces both committing serious violations of human rights of common people.

As Ashis Nandy clarifies that the democratic institutions (legislature, executive and judiciary) and procedures (the vote, representation, political parties and leaders) have contrasting features. Ordinary people through the act of franchise believed that they celebrate their real power, but they were mostly mobilized by the local political leaders, especially the illiterate, poor mass. But the conscious voters thought that the representatives they choose did not pay attention to or care about what the voters thought. Though people value the system of representation, but they gradually faced the problem that the higher official who runs the administration that is the bureaucrats maintains a strict rigid character and not personalized (less care about the public interests and demands). Thus ultimately most of the people tend to believe that the judiciary and the election commission functioned in a commendable manner. Due to inadequacy in democratic governance, true participation of the people hampered. The mass faced the problem of dissatisfaction and alienation from

the leaders' parties and certain institutions. The bureaucratic structure is highly hierarchical and work in one dimensional way hampering the sentiment of the ordinary people.

According to Partha Chatterjee, the formal institutional state structures reconstruct the structures of dominance. State proves itself to be highly authoritarian in nature in times of emergency. The objective of the emergency government should be none but the restoration of normal conditions, preservation of the constitutional democratic order, maintenance of the independence of the state and the defense of the political and social liberties of the people. This result state concentrates more and more than usually belongs to regular government and some curtailments of the rights[38] and liberties of the citizens for example – wars, internal disturbances and economic crisis are mainly accountable for this. However centralizing tendencies in the congress during Indira Gandhi's time led to regional resentment and as a result regional parties successfully capture state power. However in 1960s, the regional parties successfully capture state power and the regional parties Akali Dal, DMK, AGP owned their political existence to regional issues and demand even regional autonomy. The present Narendra Modi government's discretionary act[39] like demonetization, passing GST Bill (goods and service tax), and reducing rate of interest as a part of its economic policy all shows the government's own discretion and authoritarian nature. Government tried to clarify that GST will enable the center to levy and collect taxes across the country and will provide compensation to the states for their loss of revenue. Government upholds their clarification that the steps like demonetization or its nod for cashless society or reducing the rate of interest would help the government to squeeze black money from overall India. These whimsical actions of the government brings hardship for marginal and middle income based workers who do not have access to account suffers a lot and it retards India's economic growth from 7.2% to 6.1% because of government's disruptive move to ban cash. As regards the judicial safeguards, the record of the Indian higher judiciary as compared with other countries has been dismal. As far as judicial review is concerned, the main objective is to protect the rights of the people and to ensure that these are not encroaching by the public administrators in any way. But it has some limitations that is courts of law cannot intervene in any matter on their own, someone will have to approach them and many administrative activities have been kept outside the domain of judiciary. Moreover the judiciary can by law prevented from promoting upon the validity of certain rules and regulations and it has no other alternative but to refrain from pronouncing its judgment, then the judiciary may on its own decide not to interfere in a particular areas through it may legally be competent to do so. The courts have by and large expressed their inability to nullify detention orders made during the operation of a proclamation of emergency[40] (article 356,352,360). During an emergency the government has an overwhelming majority in both houses. The authority of parliament becomes the authority of the government. That is why there is no need for a coalition government in India at any time during the emergency and the center acts as sole authority concentrating all the powers in its hand.

Though there is a distribution of powers between the union and the state under a federal system, the distribution has a strong central bias[41.] The residuary power of taxation belongs to the center – it means that the subjects which have not been included either in the union or in the state list may be taxed only by the union government. The most productive sources of revenue in every federation are with the center while the most expensive heads of expenditure are with the states. Hence to run the expenses, state has to depend on center for financial assistance which the ruling party at the center may use to serve its political ends. To relieve this dependence article 275, and article 282 of the constitution provides for grant-in-aid to some states for the promotion of welfare of the tribal people, in natural calamities and for development. But the union shall have unlimited power of borrowing upon the security of the revenues of India either with India or outside (article 292). Foreign aid comes directly to union government. The borrowing power of a state is however subject to constitutional a limitation that is it cannot borrow money from outside India. The union government may offer a loan to a state may impose terms against the loan and has to return the outstanding loan with interest for the further demand of loan (article 293). Duties and some taxes (income tax) are levied by the union, collected by state and later deposit it to center (article 270,272). According to the recommendations of Finance Commission aid given to the state sometimes remains discretionary of the Parliament of India (article 282). Sometimes discretionary grants may be return to the center if central government feels so necessary.

Thus we may infer that the nature of democratic state is authoritarian with highly centralized central powers and dismal federal design which creates a gap in center-state relations, denying of civil and political rights of the individual in times of emergency and in the name of state security, the presence of highly centralized institutions and bureaucratic mechanism make the nature of democracy highly authoritarian in nature and on the other hand weak institutional channels led to the weakness of democracy.

Section -IV

Conclusion: The constitution of India embodies the principle of democratic ideas of secularism, socialism, social justice, political equality and fundamental rights. Indian democracy is the right intermixing of Western and Indian tradition of thought. Democracy respects the egalitarian and liberal principles of governed by recognizing group rights, secular principles and strengthen the welfare role of the state. India's democratic model was fashioned by Nehru in a realistic way to face the magnitude of challenges, the nation faced in the long run in the post independent period. Today democracy has struck very deep roots in the inhospitable soil of India. Democracy is the rule of the people, by the people and for the people so the whimsical act of government is restricted and curtailed if necessary by the strong measures taken by the judicial department of the country. Even rights of the people are secured by the fundamental rights enshrined in our constitution which clarifies too the working of democratic government and act as a cheque valve on the highly centralized central powers and its authoritarian nature.

The Supreme Court criticized Modi government led NDA government for its lackadaisical attitude to the appointments of judges and accused the government of "trying to starve out the cause of justice by not appointing judges"[42]. Supreme Court argue that the present government want to lock down the judiciary by not appointing the judges in Karnataka, Punjab and in several states. Though Modi government says the Memorandum of Procedure (MOP) for judicial appointments was not ready the Supreme Court pressurized the government to activate the work of appointment in its own way by constituting a judge bench constituting of 5 judges to clarify the appointments of judges quickly. Government's authoritative acts were restricted by Public Interest Litigation [43] (PIL) act. This enabled the court to hear out public grievances and deliver justice on key social issues to large masses of people who were denied basic human rights. We have some instances of PIL revolutionary cases. In Sheela Barse vs state of Maharashtra (15th February, 1983), court dealt with the issue of custodial violence against women in prison and gave order to facilitate separate police lockups for women convicts in order to shield them from further trauma and brutality. In M.C.Mehta vs union of India (pollution in the Ganga, January 12th 1988) the judgment of the court lashed out at civic authorities for allowing untreated sewage from Kanpur's tanneries making its way into the Ganges. It was the beginning of green litigation in India and resulted in stringent orders against Mathura refineries for polluting the ambient air around Taj Mahal (30th December, 1966). In February 2nd, 2012, the top court criticized a policy decision – one taken to use 'first come first served' as the basis to allocate natural resources. The court's advice was to use auctions for allocations. The prism of judicial over reach compelled the court from scarping 122 2G licenses. Hence the judiciary chose to step into what was described as one of the biggest scams in post-independent India.

GST Bill says to create a single market throughout India, but it hurts Article 1 of the constitution which describes India as union of states. Constitution makers separated out matters to be legislate by state of center including giving them financial autonomy. But with the introduction of GST there is no autonomy of state to levy tax on products. Division of fiscal responsibility was made to make state self-sufficient and there was flexibility according to the needs of people which now does not exist. This bill far from being a case of co-operative federalism is really an incursion into the authority that India's state have been permitted under constitution. National Institution for Transforming India (NITI) Aayog aims[44] to build strong states that will come together to build a strong India. NITI Aayog leads initiative to convert cent percent government-citizen transaction to the digital platform. NITI provides critical knowledge, innovation and entrepreneurial support to the country. To enable this NITI is trying to build an Art Resource Centre with citizens of all states as a repository of research on good governance and best practices. Radically redefining center-state relations, NITI has for the first time ensured that all states should take the lead in protecting the policy interventions of the union government. To provide a platform for co-operative federalism, it facilitates the working of the union and states as equals. NITI ensures that people are involved and informed at all stages of governance.

NITI waited for the state governments to adopt a number of reforms oriented legislative bills which aim at transforming India and to develop a healthy center-state relation and to curve the bourgeois and authoritative nature of Indian state for better governance.

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8. Kohli Atul, 'Interpreting India's Democracy: A State Society Framework', in Kohli Atul ed. 2001, India's Democracy: An Analysis of Changing State-Society Relations, Hyderabad, Orient Longman Publication (pp.6-11)

9. Roy Ramashray, 2005, Democracy in India: Form and Substance, Delhi,Shipra Publication (pp.66-67)

10. Sharma Sanjeev Kumar, Ancient Indian Democracy- Studies, Research and Some Modern Myths, Indian Journal of Political Science, Aligarh Muslim University, Aligarh, Vol.xxxix, No.3, July-September, 2005 (pp.158-159)

11. In case of the world like democracy not only that there is no agreed definition but the attempt to make one is resisted from all sides……The defenders of any kind of regime claim that it is a democracy and fear that they might have to stop using the word if it were tied down to any one meaning,…..George Orwell.
Roy Ramashray, 2005, Democracy in India: Form and Substance, Delhi, Shipra Publication (pp.3-5)

12. Democracy means 'the rule of the people', which is the root of the matter, when the electoral success of one set of human beings spells the utter loss of power to rule for the other: more so when as too often is the case again becomes the loss of the superior numbers and the loss victory of the fewer. This condition gave birth to Magna Carta, the culmination that produced the French Revolution, the atmosphere that matured the 'no taxation without representation', for democracy is a state of deliverance of human beings from the oppressive rule of one, more or far away many.

Naqavi S,M, 1967, Democracy in India, Calcutta. Cosmopolitan Publication (pp.103-147)

13. Thucydides notes Athenian Democracy under Pericles, were of direct type, the demos (people) universally were supposed to participate actively in the affairs of the state, citizens of Athens enjoyed equality before law, demos were dedicated to the republican city-state, were supposed to subordinate private interests to the public good and state was a unified entity that ensures justice to its citizens.

Chaube, S.K, 'India's Republican Democracy and Ideology and Politics in India', in Chaube, S.K ed. 1999, Indian Democracy At the Turn of Century, New Delhi, Kaniska Publication (pp.23-25)

14. The foremost man in Greece, the law giver (Solon), the Philosopher (Plato), the wise leader (Pericles), Studios (Aristotle) and demos (people). Apparently, we can infer that the political community mow came to be constituted by separate, autonomous individuals who exercise their power as citizens in the political realm that is rule of people was the foremost criteria in ancient Greek democracy.

Roy Ramashray, 2005, Democracy in India: Form and Substance, Delhi, Shipra Publication (pp.34-35)

15. "I have often wondered why the people of India put up with people like me, after all that has happened during the last few months (a reference to the terrible aftermath of partition). I am not quite sure that I had not been in the government, I would put up with my government". A few years later (1952), when reminded of the government's failure to end all food imports, he frankly admitted, I regret that my words have been falsified and I feel thoroughly ashamed that what was almost a pledge to the country has been broken".

Chakroborty Bidyut, 1993, Wither India's Democracy, New Delhi, K.P Bagchi and Company (pp.144-145)

16. Jalal Ayesha, 1995, Democracy and Authoritarianism in South Asia, A comparative and Historical Perspective, New Delhi, Cambridge University Press (pp.20-26)

17. World Brotherhood All India Committee, 1960, Indian Democracy in the Asian Background, New Delhi, Allied Publishers Private Ltd (pp.62-63)

18. A hungry man is not going to put the ballot box before his next meal. If our way of life is to survive and spread and vitalize, we must offer prosperity as well as freedom. As Bernard Shaw said, "Democracy cannot rise above the level of the human material of which its voters are made". According to L.T.Hobhouse," Democracy can be worthy of us only in so far as we are worthy as human beings".

Ibid (pp.88-89)

19. Nehru wrote in 1935, "My roots are still perhaps party in the nineteenth century and I have been too much influenced by the humanist liberal tradition to get out it completely. Nehru's democratic thought is more the product of this broad tradition, the humanist liberal tradition,

Eugene Donald, 1958, The Political Thought of an Asian Democrat, Calcutta, Orient Longman Publication (pp.43)

20. Democracy is not only political or economic but something of the mind, as everything is ultimately something of the mind. It involves equality of opportunity to all people as far as possible in the political and economic domain. It involves the freedom of the individual to grow and to make the best of his capacities and ability. It involves a certain tolerance of others and even of other's opinion when they differ from yours. It involves a certain inquisitive search for truth and a dynamic concept, its domain is much wider and Nehru defined democracy as a mental approach applied to our political and economic problems.

Chakroborty Bidyut, 1993, Wither India's Democracy, New Delhi, K.P Bagchi and Company (pp.44)

21. Hidayatullah M, 1965, Democracy in India and the Judicial Process, New Delhi Asia Publishing House (pp.42-53)

22. National freedom as far as the nation is concerned, personal freedom so far as the individual is concerned. For every restriction and inhibition stops growth and development and produces apart from economic disorders, complexes and perversions in the nation and individual. So freedom is necessary.

Mehta Bhanu Pratap, 'The State of Indian Democracy', in Basrur Rajesh. M ed. 2009, Challenges to Democracy in India, Oxford, Oxford University Press (pp.49-51)

23. The democratic way was not only well known but was common method of functioning in socio-political life, in local government trade guilds, religious assemblies etc, caste, with all its evils kept up the democratic habit in each group.

Eugene Donald, 1958, The Political Thought of an Asian Democrat, Calcutta, Orient Longman Publication (pp.50)

24. Varshney Ashutosh,1995,India and the Politics of a Developing Countries, Cambridge, Cambridge University Press (pp.90-95)

25. The base of institutional democracy in India will have to expand beyond parties and elections, and the political authority will have to seek legitimating by also responding to the politics of non-party and non-electoral organizations and movements that have arisen in the wider public realm (that is within civil society) and largely in response to structural changes in society.

Mohanty Monoranjan, 'Indian Democracy', in Vora Rajendra and Palsikar Suhas ed. 2004, Indian Democracy ; Meaning and Practices, New Delhi, Sage Publications (pp.35)

26. The state such as West Bengal, Kerala the poor have been more systematically incorporated by reform oriented communist parties

Sarkar Sumit, 'Indian Democracy; Its Historical Inheritance', in Kohli Atul ed. 2008, Reprint,2011, The Success of India's Democracy, New Delhi, Cambridge University Press (pp.15)

27. Khothari Rajni, 'The Crisis of the Moderate State and the Decline of Democracy', in Jayal Niraja Gopal ed. 2007 Reprint,2010 Democracy in India, New Delhi, Oxford University Press Publication (pp.122)

28. Rudolph and Rudolph, 'Democracy and Identity Politics', in Rudolph and Rudolph ed. 2008, Explaining Indian Democracy. A Fifty Year Perspective; 1956-2006, Vol.I, New Delhi, Oxford University Press (pp.608-610)

29. Mitra Sharmila Deb, 'Democracy and Development; State Society Approach', in Mitra Sharmila Deb and Manisha M ed. 2009, Indian Democracy; Problems and Prospects, New Delhi, Anthem Press (pp.89-92)

30. Kohli Atul, 'Political Change in a Democratic Developing Country', in Jayal Niraja Gopal ed. 2007 Reprint,2010 Democrasy in India, New Delhi, Oxford University Press Publication (pp.149)

31. Kohli Atul, 'Interpreting India's Democracy: A State Society Framework', in Kohli Atul ed. 2001, India's Democracy: An Analysis of Changing State-Society Relations, Hyderabad, Orient Longman Publication (pp.6-7)

32. Sheth D.L and Nandy Ashis , "Introduction", in Sheth D.L and Nandy Ashis ed.1998, The Multiverse of Democracy, Sage Publications, New Delhi (pp.9-23)

33. Gupta Sobhanlal Datta, "Social Character of the Indian State", in Das Samir Kumar and Vanaik Achin ed. 2014, The Indian State, New Delhi, Oxford University Press (pp.55-60)

34. Kothari Rajni, 2005, Rethinking Democracy, New Delhi, Orient Longman Pub. (pp.68-72)

35. Kaviraj Sudipto, 2011, The Enchantment of Democracy and India; Politics and Ideas, Orient Blackswan Publications, New Delhi (pp.274-76)

36. Mohanty Monoranjan, Indian Democracy in Vora Rajendra and Palsikar Suhas ed. 2004, Indian Democracy ; Meaning and Practices, New Delhi, Sage Publications (pp.115-117)

37. Alam Zubair, 1987, Emergency Power in Indian Democracy, New Delhi, S. K Publishers (pp.87)

38. ibid (pp.94-95,110-111)

39. www.hindustantimes.com, 28th October, 2016

40. Rodrigues Valerian, 'Two Discourses on Democracy in India', in Basrur M Rajesh ed. 2009, Challenges to Democracy in India, New Delhi, Oxford University Press (pp.69-71)

41. Johari J.C, 1987, Indian Government and Politics, Delhi, Vishal Publications (pp.286)

42. www.hindustantimes.com, 28th October, 2016

43. www.hindustantimes.com, 28th October, 2016

44. National Institution for Transforming India – www.niti.gov.in

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World Brotherhood All India Committee, 1960, Indian Democracy in the Asian Background, New Delhi, Allied Publishers Private Ltd

Zubair Alam, 1987, Emergency Power in Indian Democracy, New Delhi, S. K Publishers

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