

DECENTRALIZING ACCOUNTABILITY RE-ENVISIONING INDIA'S GRASSROOTS DEMOCRACY

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ABSTRACT

This paper examines the structural challenges within India's democratic governance with a focus on the limitations of existing federal and administrative frameworks in achieving effective decentralisation and accountability. It aims to address prevalent democratic structures and the inherent weaknesses responsible for gradual erosion of public trust in institutions of constitutional importance, and suggests a layer of decentralisation and accountability as a natural remedy for it, while looking into scalability and long-term democratic resilience at all levels of democratic .

The paper traces the evolution of Indian federalism emphasizing the paradox of increasing centralisation despite a formally decentralised structure. The study identifies key implementation gaps, delays and inefficiencies that hinder the translation of constitutional mandates to the grassroots level. It also explores how institutions like the judiciary and auditing institutions serve to uphold accountability and constitutional balance. To address the challenges, the paper proposes a framework of Decentralised Constitutionalism, advocating for the institutionalisation of State and Local Constitutions to deepen asymmetrical federalism and strengthen local governance. Moreover, through comparative global examples of proactive auditing institutions, it develops a model for a proactive Constitutional Auditing Body (CAB) to build transparency and institutional trust.

Keywords: *Federalism, Decentralisation, Grassroots Governance, Judicial Independence, Basic Structure Doctrine, Accountability, Constitutional Reform, Decentralised Constitutionalism, Constitutional Auditing Body (CAB), Institutional Efficiency*

OBJECTIVES

- To examine the evolving nature of democratic governance and grassroots decentralisation, with reference to emerging challenges of accountability and institutional efficiency.
- To analyse the quasi-federal structure of the Indian Constitution, including its distribution of powers and the functioning of the third tier of governance.
- To evaluate the role of the judiciary, particularly judicial independence and the Basic Structure Doctrine in maintaining constitutional balance.

- To develop a framework of Decentralised Constitutionalism through the institutionalisation of State and Local Constitutions for strengthening grassroots governance.
- To propose reforms in the auditing architecture by conceptualising a Constitutional Auditing Body (CAB) aimed at enhancing transparency, accountability, and institutional effectiveness

INTRODUCTION

Governance in India, as enshrined in the Constitution, represents a unique blend of centralized authority and decentralized administration tailored to accommodate the country's vast diversity. **Article 1** of the Indian Constitution states that “India shall be a **Union of States**”. While commenting on this, Dr. Ambedkar eulogized this term and noted that while India is federal in structure, the Drafting Committee deliberately chose the term “union” to emphasise two key facts:

(a) The Union of India is not a result of an agreement, as is the case of the United States of America. India is a “**holding together federation**”, not a “coming-together” one. This means that a large, existing nation decided to divide its power between constituent states and the central government to manage immense diversity rather than independent states coming together to form a nation.

(b) The constituent units of the Indian Federation have no right to secede from it. He emphasized further that such an arrangement made the federation a permanent and unbreakable union, that’s why “**India is an indestructible union of destructible states.**”

New possibilities of correlating nations and states in multi-diverse federations were proposed and tested by Stepan, Linz and Yadav in their book “**Crafting State Nations: India and other Multinational Democracies**”. In this book, by defining India as a “state-nation” as opposed to a “nation-state”, they recognised the differential layers of cultural diversities belonging to pluralist polities like India and emphasised on the need to provide constitutional protection to such layers within a federal structure. They suggested that by invoking “**asymmetrical federalism**” through devices such as **Article 371A** and **371G**, the 5th and 6th schedules, the state can integrate diverse communities under a single polity. In coherence with these beliefs, the legal architecture of the Indian Constitution is believed to be containing asymmetrically federal provisions which provide for greater self-governance and recognition to certain sub units within the State.

The Indian federal framework is distinct in its “**quasi-federal**” nature as described by K.C Wheare, wherein the central government holds significant power, especially in areas of national importance; while state governments maintain autonomy in matters of regional and local significance. This duality is intended to promote unity while allowing regional diversity to flourish. Historically, India's federal structure has been shaped by its colonial past, the need to maintain national integrity and the desire to accommodate linguistic, cultural and religious diversity. The **Government of India Act, 1935** proposed a federal system for India for the first time, even though the process of decentralisation and devolution of authority had been underway since the **Government of India Act, 1919**.

India's federal structure has witnessed a dynamic interplay between centralization and decentralization influenced by constitutional provisions, political shifts and economic policies. While the Indian Constitution envisions a quasi-federal system, recent trends indicate a growing centralization of power, particularly through legal amendments, fiscal policies like the **Goods and Services Tax (GST)** and the increasing role of central agencies in state affairs. A crucial aspect of this debate is **financial federalism**. The central initiatives like **Aspirational Districts Program, Ayushman Bharat and PM Gati Shakti** reflect a top-down approach to governance, raising concerns over the dilution of state autonomy. Conversely, the **73rd and 74th Constitutional Amendments** promoted grassroots decentralization by empowering local governance through **Panchayati Raj** institutions and **Urban Local Bodies (ULBs)**.

1. CONSTITUENT ASSEMBLY

The debates of the Constituent Assembly on the division of powers formed a central component in shaping India's federal framework. Members broadly agreed on adopting a federal structure; however, the precise balance between the Union and the Provinces generated considerable discussion. A dominant view within the Assembly favoured the establishment of a strong Centre, as reflected in the recommendations of the Union Powers Committee. This position was informed by the historical context of Partition, communal tensions, and the urgent need to maintain political unity and administrative stability in a newly independent state. Accordingly, legislative powers were distributed through three lists, the Union List, State List, and Concurrent List, ensuring a clear demarcation of authority.

Within this scheme, critical subjects such as defence, foreign affairs, and communications were placed under exclusive Union jurisdiction. Furthermore, residuary powers were vested in the Centre, indicating a deliberate shift from classical federal models and reinforcing the primacy of the Union in maintaining national integrity. At the same time, several members expressed concern that such arrangements might undermine provincial autonomy. They argued for a more decentralised structure in which Provinces would retain substantial powers, limiting the Centre's role to essential functions.

An additional layer of complexity arose in relation to the Indian States, particularly the princely states. Unlike the Provinces, these States were not uniformly bound by the constitutional distribution of powers. While they were required to accede on core subjects such as defence and external affairs, residuary powers could remain with them unless voluntarily ceded. This introduced an element of asymmetry within the federal structure, highlighting the transitional and integrative nature of the constitutional process. The adoption of the term "**Union of States**" further underscored the distinctive character of Indian federalism. As clarified by Dr. B. R. Ambedkar, the term was intended to emphasise the indestructibility of the Union and to deny any right to secession. This marked a conscious departure from classical federal models and reflected the framers' concerns to maintain territorial integrity in a diverse and newly independent nation.

Analytically, the framework that emerged from these deliberations reflects a pragmatic adaptation of federal principles to Indian conditions.

At the same time, the retention of state-level powers and the inclusion of the Concurrent List indicate an intention to preserve regional participation within a unified structure. Thus, the Constitution embodies a model of cooperative and flexible federalism, where the division of powers serves broader goals of unity, stability, and socio-economic transformation.

2. STRUCTURE OF THE INDIAN CONSTITUTION

The Indian Constitution is structured into a rigid, hierarchical structure in which every legal exhaustive provision is provided. According to Article Structure (refer to format below):

Part I to XXII): Thematic Classification at a High Level. This classification arranges legal subjects in themes (such as Fundamental Rights or Union Executive) into a macro-level structure. It is utilized for dividing the highest form of law into different functional and administrative areas for greater legal clarity.

Article: Fundamental numbered elements (for instance, Art. 243). They are the most fundamental elements of the constitutional document and constitute the principal legal mandate or establishment. Every Article represents the root law from which the administrative powers and responsibilities flow.

Clause: Numbered sub-elements (1, 2, 3) that distinguish independent legal principles. They divide separate legal principles in one Article to make sure that complicated legal mandates are enforceable and understandable. Such a division is crucial in avoiding any ambiguity during legal interpretation and implementation.

Sub-Clause: Alphabetical sub-elements (a, b, c) that list parallel legal rights/powers. They are utilized in listing detailed legal rights or responsibilities in one Clause. They help in providing a thorough listing of rights or responsibilities without complicating the principal legal provision.

Proviso: Clauses that begin with "Provided that..." that serve as limiting clauses. Proviso is a technical qualification to the principal clause; it ensures that broad power cannot overstep into an unwanted area of law.

Explanation: Clauses that serve the purpose of explaining the terms of the Article. The explanation clause explains the terms of an Article so that there is no misunderstanding about any particular term or phrase contained therein.

2.1 The Quasi-Federal Model: The Union and the Seventh Schedule

The unitary foundation and amendment paradigm form the basis of the structure of India's contemporary governing system. Article 1 describes India as a "Union of States". However, the allocation of power takes place via the Seventh Schedule.

List I (Union List): It occupies the topmost rung in the constitutional hierarchy and forms the bedrock of central sovereignty over national policy.

Articles 352–360 (Emergency Provisions): The Articles have several Clauses that permit the Union to override its usual federal distribution of power through exceptions (for instance, "Nothing in this Article shall affect..."). The Constitution thus enables a mechanized process of generating power where the Centre takes on the functions assigned to the State List.

2.2 Parts IX and IXA: Structure of the Third Tier

Through the 73rd and 74th Amendments, **Parts IX ("The Panchayats")** and **IX-A ("The Municipalities")** were added into the Constitution's hierarchy. The result is a structured "Third Tier" of governance based on a complicated arrangement of Articles and Clauses.

Devolution of Power (Article 243G & 243W): The structure of the Articles establishes the relationship between the state and local authorities. The Main Clause generally serves as an assertion that the State Legislature holds the power to confer powers on Panchayats.

Sub-clauses: The specific powers concerning the "Three Fs" (Funds, Functions, and Functionaries) are stated in Sub-clauses. In this regard, it may be pointed out that the formulation of schemes for economic development and social justice is mentioned as a separate sub-clause of the Article.

Use of Proviso: Most of the independent powers of the local body are followed by a Proviso. This constitutes the "instrument of order" which ensures that the process of decentralization takes place according to the order defined in the administrative structure of the State Legislature. Through this arrangement, it becomes clear that the "Gram Sabha".

2.3 The Amendment Paradigm (As Stipulated By Article 368)

The stability of the above structure has been maintained through Article 368 which defines the process of the Amendment Paradigm. Article 368 is divided into various Clauses that categorize the process of amendment as simple majority and special majority requiring state ratification. Such an arrangement ensures that there cannot be any alteration in the "Basic Structure".

3. FEDERALISM

There exists no single definition of federalism that has proved satisfactory so far, primarily because of the mismatches while relating theoretical formulations to the evidence gathered from observing the actual operation of federal systems. Federalism is a system of government in which the same territory is controlled by two or more levels of government in a parallel layout. Generally, an overarching national government is responsible for broader governance of larger territorial areas, with the smaller subdivisions, states, and cities governing the issues of local concern. Both the national government and the smaller political subdivisions have the power to make laws and both have a certain level of autonomy from each other.

The Constitution of India establishes the structure of the Indian government, including the relationship between the federal government and state governments. Part XI of the Indian constitution specifies the distribution of legislative, administrative and executive powers between the union government and the States of India. The legislative powers are categorised under a Union List, a State List and a Concurrent List, representing, respectively, the powers conferred upon the Union government, those conferred upon the State governments and powers shared among them.

This federalism is symmetrical in that the devolved powers of the constituent units are envisioned to be the same. Historically, the state of Jammu and Kashmir was accorded a status different from other States owing to an explicitly temporary provision of the Indian Constitution namely Article 370 (which was abrogated and abolished by the Parliament).

Union territories constitute unitary jurisdiction and administration, being directly governed by the Union government. Article 1 (1) of the constitution stipulates two tier-governance with an additional local elected government for such Union Territories. However, exceptions exist, such as Delhi and Puducherry, where both the Union Territories were accorded with legislatures of their own under Article 239AA and 239A, respectively.

It is necessary to identify the various federal systems that exist today or have existed in the past; only then can we analyze them as operating political systems. Federal systems have historically been marked by great internal distinctions between theory and practice, perhaps more so than other political systems. In the United States, the measure of the maintenance of federalism was long considered to be the degree of separation of government activities by level, because it was generally believed that such separation actually existed.

In fact, American federalism from the first had been characterized by extensive intergovernmental functional collaboration within the framework of separate governmental structures (Elazar 1962). Similarly, the Canadian federal system has always been described as one in which the federal government is clearly dominant, and the repository of all powers have not been explicitly granted to the provinces. Yet since the brief period of federal supremacy in the years immediately following confederation, the provinces have consistently gained power at federal expense. The Russian federal constitution went so far as to grant each Soviet republic the right of secession a patent impossibility under the realities of the Russian political system. Figure 1 showcases nations with federal political systems.



Figure 1

While many attempts to establish federal systems have ended in failure, such systems, once established, have proved to be most durable. No authentic federal system that has lasted for even fifteen years has ever been abandoned except through revolutionary disruption (as was the case of Germany), and in every such case, federalism showing remarkable resilience has ultimately been restored. Certain theories to the contrary, there is no evidence that federalism represents a transitional stage on the road to unitary government.

While many attempts to establish federal systems have ended in failure, such systems, once established, have proved to be most durable. No authentic federal system that has lasted for even fifteen years has ever been abandoned except through revolutionary disruption. No federal system in history has ever “evolved” into a unitary one, nor has any established system been structurally consolidated by internal decision. On the contrary, federal devices to conciliate minority populations have been used in place of force to maintain unity even in consolidated systems. Moreover, federal systems or systems strongly influenced by the federal principle have been among the most stable and long lasting polities. Figure 2 showcases the different forms of federalism.

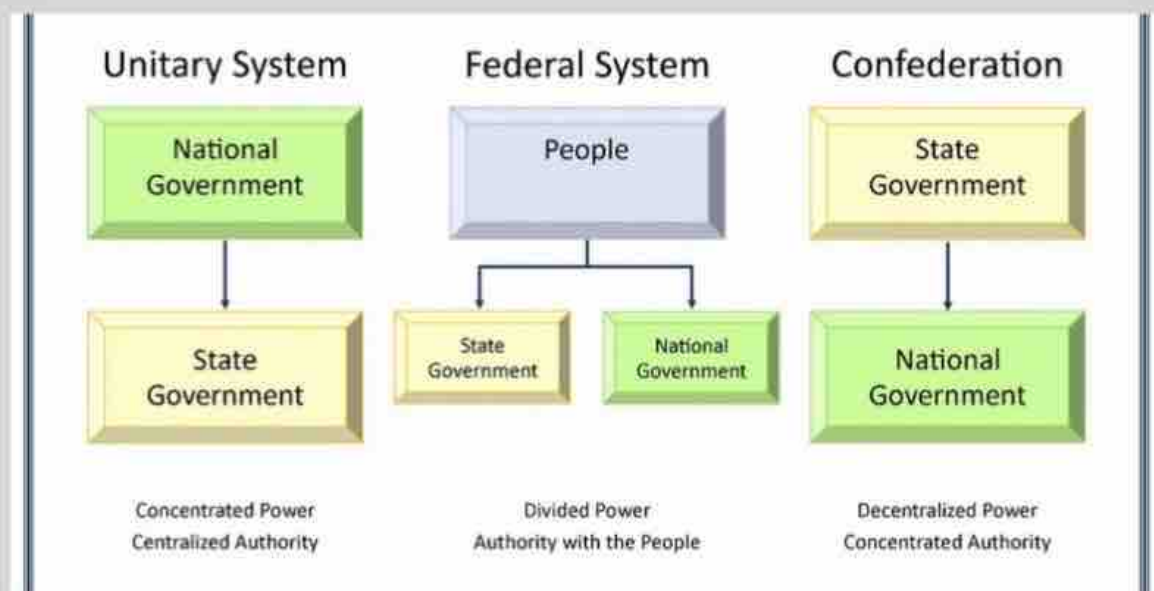


Figure 2

4. THE ROLE OF JUDICIARY

4.2 Why the Judiciary Matters

Before looking at problems, it is important to understand the basic character of the judiciary. In any democracy, the judiciary acts as the guardian of the constitution. It protects fundamental rights, settles disputes between different levels of government, and ensures that no branch of government becomes too powerful. This is especially important for decentralisation, the distribution of power between central and state governments.

An independent judiciary makes sure that states are not unfairly overruled by the centre, and that local bodies can function freely within the law. Without this, democracy becomes hollow. People lose faith in fair play. So the judiciary is not just a court system; it is the backbone of democratic governance and federal balance. When a country's judiciary is seen as independent, fair, and efficient, it sends a strong message to the international community, showing that the country is ruled by laws rather than by the whims of those in power. In this way, the judiciary acts as a quiet but powerful tool of soft power.

For a country like India, the judiciary has a particularly important role. India is a large and diverse democracy with a complex system of government. The judiciary helps keep this system stable by settling disputes between different levels of government, protecting fundamental rights, and making sure laws follow the constitution. So, the strength of India's judiciary matters not just for domestic governance but also for national identity and international reputation. Efforts to make India's judiciary more efficient, more accessible, and less prone to corruption are more than just administrative fixes.

4.3 Public Trust and Related Challenges

The judiciary, like any governing institution, doesn't exist apart from the people it serves. Its legitimacy depends on how much ordinary people believe it is working properly, delivering justice fairly and quickly. When public trust weakens, it affects more than just courtrooms. If the judiciary is seen as slow, out of reach, or corrupt, it damages not only confidence in the courts but in the entire system the courts uphold.

Several issues have contributed to this loss of trust in judicial systems worldwide, including in India. One big problem is the backlog of cases and long delays in court decisions. When cases drag on for years or even decades, it undercuts the judiciary's main goal, timely and effective justice. For many people, especially those without resources for drawn-out legal battles, these delays mean justice might as well be out of reach. This creates a feeling that the legal system favours those with money, which hurts the institution's credibility.

Corruption is another issue attracting attention. Reports of corrupt practices in courts, whether low or high level, raise questions about the fairness of legal outcomes. It is important to look at such claims carefully and based on evidence, since it wouldn't be fair to label entire judicial systems as corrupt because of individual cases. An example that highlights tensions around the judiciary's role and reputation comes from India's education system. A textbook published by the National Council of Educational Research and Training (NCERT) included content critical of the judiciary. The Supreme Court responded by expressing concern about how this might affect public views of the courts. The court argued that the judiciary's image should be protected, especially in materials read by students who are forming their understanding of democratic institutions. This raises complex questions about balancing institutional reputation and accountability.

On one side, public institutions, including the courts, need respect to function well. If people don't trust or respect the judiciary, they're less likely to use it, accept its decisions, or see the law as a fair way to resolve problems. On the other side, accountability and the freedom to constructively criticise institutions are essential for a healthy democracy. Education plays a key role in helping students think critically and understand both the strengths and weaknesses of institutions. If fair, evidence-based constructive criticism of the judiciary is discouraged or seen as harmful by default, it risks shielding the institution from scrutiny. Hence, strengthening the judiciary through reform, better resources, and a real focus on transparency and accountability is one of the most important investments a democracy can make in its future, both at home and abroad.

5. BASIC STRUCTURE DOCTRINE

The Basic Structure Doctrine is one of the most significant principles of the Constitution of India. The crux of the basic structure of doctrine is to keep a significant check on Parliamentary amendments, which might otherwise alter or destroy the essential features of the Constitution. It does not mean, however, that the Constitution does not allow changes to meet the needs of society while protecting its core values such as democracy, justice, and equality.

5.1 Origin and Development

This basic structure doctrine originates from the landmark case of **supreme court Kesavananda Bharati v. State of Kerala (1973)**, where the verdict said that the constitution can be amended through Article 368, which elucidates that Parliament has the power to amend the constitution and even fundamental rights but not allowed to change the **Basic Structure of constitution**, and that the amendment itself requires a special majority from both the houses and in some cases, ratification or clarification. It protects features such as democratic checks and balances, rule of law, and Fundamental Rights.

This doctrine was introduced to minimise or prevent the misuse of the power granted by constitution to parliament, ensuring that power is not absolute but rather, comes with certain kinds of restrictions. This doctrine also ensures that power doesn't stay vested in a singular head of state by introduction of the federal system, where separation of power amongst legislative, executive, and the judiciary ensures the proper functioning of government. This doctrine also enacts the idea of freedom and dignity, where the constitution is not merely a legal document, but reflects the principles of liberty, equality, justice and fraternity; any sort of amendment to these principles or ideals could violate the very essence of constitution. It ensures that the core (basic structure) of constitution remains same without any alteration, in this way it acts as guardian of constitution which ensures that amendment should be made while protecting the essential features. It keeps a proper balance between change and stability, so the Constitution can grow with time without losing its original identity and values.

5.2 Judiciary and Judicial Review

The Supreme Court of India plays a crucial role in protecting the basic structure of doctrine through its power of judicial review. It scrutinises the amendments passed in Parliament inside-out, taking up cases of gross negligence of the doctrine, ultimately protecting the ethos of the constitution. One of the greatest examples is **Minerva Mills v. Union of India (1980)** in which the Supreme Court gave a landmark judgment that reaffirmed the judgement for the doctrine of the Constitution as its "basic structure", as was earlier decided in the **Kesavananda Bharati v. State of Kerala (1973)** case. The Court struck down portions of the 42nd Amendment to the Constitution of India, emphasizing that Parliament's power to amend.

5.3 Importance of Basic Structure Doctrine

Article 368, Clause (2) Proviso reads as follows:

"Provided that if such amendment seeks to make any change in —

(a) article 54, article 55, article 73, article 162, article 241 or article 279A, or

(b) Chapter IV of Part V, Chapter V of Part VI, or Chapter I of Part XI, or

(c) any of the Lists in the Seventh Schedule, or
(d) the representation of States in Parliament, or
(e) the provisions of this article,
the amendment shall also require to be ratified by the Legislature of not less than one-half of the States..."

This Proviso clause suggests that not all amendments are of equal weightage, where they may require the consent of the states affected, for example.

The same Article's Clause (4) reads as follows:

"No amendment of this Constitution (including the provisions of Part III) made or purporting to be made under this article... shall be called in question in any court on any ground."

This creates a necessary exception to place constitutional amendments and its mechanism out of judicial review entirely. Therefore, the Basic Structure doctrine is important in the way it meets the changing needs of society while enacting the basic nature of constitution, balancing between change and continuity and ensuring the stability of the political system. It acts as a guardian of the constitution which ensures that all the changes made should align with people's interest and strengthen public trust in both legal and political structure.

6. COMPARISON WITH OTHER DEMOCRACIES

Unlike constitutions that emerged organically from singular political traditions, the Indian Constitution was the product of an extraordinarily self-conscious act of comparative constitutional borrowing. Its framers, many of whom were trained in British constitutional practice and acutely aware of American federalism, undertook a meticulous survey of existing democratic frameworks before synthesising an instrument calibrated to the unique civilisational, federal, and social imperatives of a newly independent, pluralistic republic. Situating the debates of Constituent Assembly Dr. Ambedkar's framing of conscious borrowing, the thesis that the constitution is not electric but architecturally original but the influence or the impression that Dr. Ambedkar had was of his professor at Columbia, Dr. John Dewey. Pt. Nehru, who is considered as the ardent champion of Socialism, gave the idea of Westminster-model parliamentary executive that he took from the UK's Uncodified Constitution, but India added written safeguards unlike the unwritten model of UK's Constitution and the Presidential model of US that also influenced India to take Fundamental Rights, Judicial Review, Impeachment of President, the only difference being that India adapted the rights to socio-economic needs and limited the judicial activism in comparison to US's Constitutional Model. This made sure that the Indian constitution is flexible in comparison to the rigid US constitution.

While weighing and comparing Germany's constructive No-Confident vote with Japan's post-war design of Parliament, India took emergency provisions of Fundamental Rights in the situation of Emergency, from the erstwhile Weimar Republic's constitution, where India's emergency power broadens and allows the Indian constitution to segregate all the power to the central government. An inspiration that was taken from Japan was its procedure of amendments.

India took the federal system with a centre-heavy power structure from Canada, as well as the residuary powers with the Union, where India's federalism is more centralised especially during the emergency due to the inspiration from the German Constitution. India also took the inspiration of DPSPs (Directive Principles of State Policy), which are non-justiciable guidelines for governance, inspired by the Irish social policy. Notably, India's DPSP's are broader with a harmonious blend of Socialist, Gandhian and Democratic ideas to address issues of poverty, inequality and development to suit India's diverse, secular and developmental needs.

India took the idea of Concurrent list, Freedom of Trade and Commerce from the Canadian Constitution, where India's Concurrent list balances the Union and State lists effectively in comparison to the Canadian one. India took the ideas of procedure for amendment, election of Rajya Sabha members from the laboratory of constitutionalism, South Africa. Here, India's Rajya Sabha is elected through Proportional Representation by state MLAs, while South Africa's NCOP is a delegation-based body. We can clearly outline India's amendment process being more complex with a three tier system while South Africa having a simpler two-tier system, which requires provincial consent for federal changes.

India was inspired by the ideals of Liberty, Equality, Fraternity as mentioned in the French Constitution's preamble (Vth republic), where India directly adopted these ideals into the constitutional philosophy, reflecting French revolutionary ideals. USSR also had an influence on India's Fundamental Duties which was added to the constitution in 1976 via the 42nd Amendment, inspiring the Indian citizens to follow socialist obligations akin to the 1936 Constitution of the USSR. India did not directly adopt the Idea of Direct Democracy of Switzerland but it studied Swiss federalism and the models of Cooperation.

The Indian Constitution is not just a mix of Anglo-American and commonwealth models, it integrates French ideals, soviet federal-democratic concepts, since India drew inspiration from their constitutional practices as well. The Indian Constitution is a unique synthesis from borrowing the idea of democracy from the UK, rights from the US, social policy from Ireland and others, yet reshaping the borrowed ideas and to suit India's diversity and challenges. This reflects the genesis of the Indian Constitution and the inspiration it has given to countries.

7. THE PEOPLE'S MANDATE

To better align the paper with aspirations of the common people of India, the Research Team conducted a 7-day series of interviews, both qualitative and quantitative, in order to deduce where exactly does public opinion lie when it comes to the Constitution and Constitutionalism as a whole. But before we jump into it, let's learn what exactly are research methods, the different methods themselves and how the team utilized these methods to obtain valuable data to extrapolate public opinions and standings.

7.1 Methods of Research

Research methods, especially ones in politics and political science, are tools and ways in which political processes can be analyzed, studied and critiqued to provide factual explanations and predictions of political phenomena, be it policy evaluation or local elections.

If we talk about what exactly does political research comprise of, we have concepts of human enquiry, especially political enquiry, along with two major paradigms of analysis, i.e., Objectivity and Interpretation, where a delicate balance must be struck to maintain credibility while also ensuring complex and subjective data is presented in an unabridged, neutral manner to encourage a healthy discourse. Broadly speaking, there are two main forms of research, namely, the Quantitative and the Qualitative methods. A third, more loosely associated method is the Mixed method, where elements of both these methods are combined to gather output with appropriate depth and breadth.

Quantitative Research is a branch of research methods that focuses on collection and thorough analyses of numerically-formatted data. Our survey's quantitative data was collected via a Google Forms questionnaire, disseminated through Instagram, WhatsApp, and other media tools. Questions were predominantly multiple-choice, covering constitutional awareness, institutional trust, value preferences, and perceptions of the Constitution's contemporary relevance. The survey received 44 complete responses, constituting the sample for all quantitative analysis.

Qualitative Research is the second branch of research methods focusing on understanding and interpreting subjective meanings, experiences and contextual conversations about political processes, while being interpretive and exploratory in nature. Our survey's qualitative data was gathered through semi-structured, in-person interviews with representatives of five focus groups, guided by open-ended questions. This method captures subjective and normative dimensions; what citizens believe ought to be the case regarding governance and accountability that quantitative instruments alone cannot represent.

Mixed Research is a novel approach at combining the strengths of both quantitative and qualitative methodologies, while eliminating their individual weaknesses. Our study integrates both approaches: the quantitative survey establishes broad patterns across 44 respondents; qualitative accounts interrogate and give context to those patterns. Where the two streams converge, findings are treated as strong indicators of public sentiment.

7.2 Focus Group Composition

Five focus groups were selected to for the purpose of conducting surveys to ensure socioeconomic, occupational, and demographic diversity:

- **Students** - Undergraduate and Postgraduate students representing educated youth perspectives.
- **Faculty Members** - Academic staff with professional engagement in civic and political questions.
- **People in the Vicinity of the College** - Residents, local shopkeepers, and daily commuters.
- **Street Vendors and Entrepreneurs** - Small-scale traders and self-employed individuals in eastern and south-eastern Delhi.
- **Miscellaneous Groups from South-Eastern and Eastern Delhi NCR** - Additional respondents from residential areas, markets, and community spaces.

7.3 Qualitative Analysis

Upon analysis of interview data for the qualitative survey, five principle thematic patterns are revealed across the focus groups.

- **Youth: Optimism and Affirmative Constitutional Identity**

Student respondents demonstrated a broadly supportive orientation toward the Constitution, viewing it as a guarantor of individual rights, democratic equality, and civic participation. Their engagement was mediated primarily through formal education; consistent with the quantitative finding that 95.5% first encountered constitutional content through school textbooks, and was characterised by an aspirational rather than critical register: constitutional values were spoken of as ideals to be realised through continued democratic engagement.

- **Middle-Aged Respondents: Critical Implementation Consciousness**

Respondents in the forty to forty-five age group offered a more critical assessment, pointing to the persistent gap between constitutional text and governance reality. Their criticism was not directed at the Constitution as a normative document, which was broadly affirmed, but at mechanisms of implementation and enforcement. This aligns with the quantitative finding that 52.3% consider rights only moderately protected and 59.1% view constitutional values as only somewhat relevant today.

- **General Public: Constitutional Awareness Deficit**

Street vendors and general urban respondents demonstrated limited knowledge of specific constitutional provisions. While broad awareness of principles such as the right to equality existed, detailed knowledge of constitutional mechanisms was largely absent—precisely among those whose interactions with state authority are most frequent and most vulnerable to rights violations. This introduces a critical exception to the quantitative survey's high self-reported awareness (79.5%), suggesting the online sample skewed toward more educated and digitally connected respondents.

- **Concerns on Individual Rights vs. National Unity**

A minority of respondents raised concerns about perceived tensions between the Constitution's emphasis on individual rights and the imperatives of national unity. This reflects a recurring discourse within Indian political culture and is acknowledged here as a dimension of public opinion that is apprehensive of gradual erosion of individual rights.

- **Awareness of Comparative Constitutional Design**

A notable set of people recognised that the Indian Constitution incorporates provisions drawn from other democracies, and viewed this as intellectual sophistication rather than derivative imitation which is consistent with the quantitative finding, where 56.8% respondents attribute Constituent Assembly decisions primarily to ideals derived from the Indian freedom struggle.

7.3.1 SPOTLIGHT: Interview with the Vice Principal of Deshbandhu College, University of Delhi

Mr. Sunil Kayesth, Vice Principal of Deshbandhu College, University of Delhi, describes the Constitution as a “**granth**”, i.e, a foundational text with moral and civilisational significance and observed a shift in constitutional awareness over his lifetime: from a time when villagers shut their doors at the sight of a uniformed official, to today, when even children possess working knowledge of their basic rights.

He articulated an active conception of constitutional citizenship: upon encountering a fellow citizen subjected to unjust state action, his instinct is not merely to sympathise but to inform the aggrieved party of their rights and to hold accountable any bystander who chooses silence. He expresses strong trust in the Supreme Court as a constitutional guardian, aligning with the quantitative finding of 79.5% judiciary trust. On constitutional borrowing, he offered that just as scientific progress builds on prior research, constitutional design benefits from the accumulated wisdom of other democratic experiments, provided provisions are adapted to Indian social reality.

7.4 Quantitative Analysis

The seventeen-question survey yielded 45 responses. Major findings and their democratic implications are presented below, followed by four noticeable patterns in the survey conducted.

Survey Question	Findings	Implication
<i>Where did you first learn about the Constituent Assembly?</i>	95.5% via school textbooks (NCERT)	<i>Constitutional knowledge depends heavily on formal state curricula</i>
<i>What does the Constitution primarily represent?</i>	80% chose All of the above (legal doc + governance + rights)	<i>Citizens hold a holistic, multi-dimensional conception of the Constitution</i>
<i>Are constitutional values still relevant today?</i>	59.1% Somewhat relevant; 27.3% Neutral	<i>Ambivalence signals a gap between constitutional ideals and lived reality</i>
<i>Does the Constitution reflect young Indians' aspirations?</i>	65.9% To some extent; 20.5% Yes, completely	<i>Youth perceive partial but incomplete constitutional responsiveness</i>
<i>Have you read any part of the Constitution?</i>	84.1% Yes, extensively; 15.9% Yes, partially	<i>High formal engagement, though depth of comprehension warrants examination</i>
<i>Role of public awareness in protecting constitutional values?</i>	47.7% Very crucial; 40.9% Moderate	<i>88.6% affirm the critical role of civic awareness</i>
<i>Are citizens sufficiently aware of their rights?</i>	79.5% Yes; 11.4% Somewhat	<i>Majority confidence, though qualitative data complicates self-assessment</i>
<i>Which institution best protects the Constitution?</i>	79.5% Judiciary	<i>Strong institutional trust in judiciary over elected branches</i>
<i>Which aspect connects you most to the Constitution?</i>	65.9% Fundamental Rights	<i>Rights-based citizenship identity dominates civic self-understanding</i>
<i>Most important constitutional value in daily life?</i>	40.9% Freedom; 31.8% Justice; 25% Equality	<i>Freedom and justice valued above equality</i>

Who contributed most to shaping the Constitution?	61.4% Collective debates of all members; 34.1% Ambedkar	<i>Deliberative, collaborative understanding of constitutional authorship</i>
How important is constitutional literacy for democracy?	77.3% Extremely important; 18.2% Moderately	<i>95.5% affirm constitutional literacy as essential -- strongest consensus</i>
How effectively are rights protected today?	52.3% Moderately; 22.7% Slightly; 15.9% Not effectively	<i>Only 9.1% say very effectively -- significant implementation deficit</i>
How much does the Constitution affect daily life?	47.7% A lot; 47.7% To some extent	<i>Near-universal acknowledgement of constitutional relevance to daily life</i>
Value of studying Constituent Assembly debates?	38.6% Understand values; 36.4% Strengthen awareness	<i>100% see educational value; none selected very little influence</i>
Did the Constituent Assembly represent diverse voices?	45.5% Some groups, not all; 40.9% Most groups	<i>Nuanced but largely positive historical assessment of CA legitimacy</i>
What most influenced the Constituent Assembly's decisions?	56.8% Freedom struggle ideals; 22.7% Social inequalities	<i>Anti-colonial nationalism seen as primary normative driver of constitutional design</i>

Noticeable patterns: Constitutional knowledge remains almost entirely dependent on school-based curricula (95.5% cite NCERT textbooks), indicating that constitutional literacy is mediated through formal state education rather than civil society or lived experience. 95.5% rate it as extremely or moderately important for democratic functioning, the single most decisive finding. However, low implementation is perceived, wherein, only 9.1% consider rights 'very effectively' protected, while 59.1% consider constitutional values only 'somewhat relevant' today. This gap constitutes the empirical foundation for the paper's proposed model of decentralised accountability. Nevertheless, the judiciary possesses exceptional trust (79.5%), dramatically outpacing the legislature (11.4%) and executive (6.8%), suggesting citizens look to non-majoritarian institutions for constitutional protection even as they perceive elected branches as falling short.

7.5 Combined / Mixed Analysis: The People's Mandate

The integrated analysis of both data streams yields four interrelated conclusions that together constitute the People's Mandate on constitutional governance and democratic accountability.

- **Constitutional Affirmation with Implementation Consciousness**

The most consistent cross-method finding is that the public broadly affirms the Constitution as a legitimate and foundational document. No respondent across any focus group rejected the constitutional framework. The mandate is not for constitutional revision but for constitutional realisation: citizens want the gap between normative aspirations and lived governance to be closed. This implementation awareness is shared across educational levels, indicating it is a broadly held civic frustration rather than an elite concern.

- **Constitutional Literacy as Democratic Necessity**

The strongest quantitative consensus (95.5%) concerns constitutional literacy that cross-validated qualitatively by accounts of how awareness translates into benefits. However, the current architecture of literacy is inadequately distributed: near-total reliance on NCERT textbooks, combined with significantly less awareness among street vendors and the urban poor, indicates that constitutional knowledge does not reach those most exposed to rights violations. The mandate calls for a democratisation of constitutional knowledge, extending rights literacy beyond formal education into everyday life.

- **Rights and Justice Over Procedural Formalism**

Citizens relate to the Constitution primarily as a source of liberty and rights rather than as an institutional mechanism for collective self-governance. Freedom ranks first (40.9%), followed by Justice and Equality, with Fundamental Rights as the aspect respondents identify most closely with. This rights-first orientation has direct implications for accountability design: democratic reform must speak in the language of rights, justice, and tangible protection rather than in the abstract vocabulary of electoral procedures or institutional restructuring.

- **Conditional, Judiciary-Centred Institutional Trust**

Across both methodological streams, the judiciary commands the greatest constitutional trust (79.5%), substantially outpacing all other branches. The conditional character of this trust is equally significant: the judiciary is trusted precisely because the political branches are not fully trusted. This is consistent with a public mandate for structural reform: for institutional mechanisms that distribute accountability more evenly across the democratic system, particularly at the grassroots level where citizens’.

7.6 Where the People’s Mandate Stand

Citizens broadly affirm and trust the Constitution, but perceive an implementation gap demanding structural reform of accountability and action which cannot be fixed by mere textual amendments. Citizens recognize constitutional literacy as foundational to democracy, but its current distribution to be unequal, particularly among the economically marginalised who are simultaneously most in need of protection and least equipped to demand it. They value rights, freedom, and justice as the primary currencies of constitutional citizenship, demanding accountability mechanisms designed to protect these values at the point of their most frequent violation: the local and community level. And lastly, there’s a higher trust in the judiciary and the judicial system, reflecting a possible dissatisfaction in elected and administrative institutions; a deficit addressable only by bringing constitutional responsibility closer to the citizens it is meant to serve.

8.WORKING MECHANISM

The Constitution of India has a fairly rigid and responsible, accountable structure simultaneously, enabling India to have checks and balances on the chosen government, while also presenting a necessary stability in place to keep government collapse from happening every so often. The current model of governance under the Constitution reflects this same principle, however, as a lot of people have debated often, ever since 1947, right after India’s Independence, this model has lots of inherent flaws that are more apparent in present times, enough to meddle with the democratic values of the Constitution itself.

Therefore, this new proposal, keeping in mind how people view the Constitutional framework today in different contexts, tries to bridge the gap between administration and people at the state and local levels in a far more decentralized but simultaneously effective way, reducing corruption tendencies and increasing accountability. It specifically targets two main areas: Decentralized Constitutionalism and Systematic Auditing, ensuring the democratic principles of the Constitution, while being tweaked, are always upheld in favour of greater accountability and efficiency at the same time. It keeps in mind the people's mandate as shown above, which largely favours greater and effective accountability with minimal corruption and maximum trust.

8.1 Constitution at Present

The Constitution functions by means of Schedules, each having different Sections, Articles, and Clauses within. Laws are enacted on the basis of a generalized framework to accommodate local as well as unique state laws together in a manner that can apply to every single territory in India. However, as the past few decades have shown, this has often resulted in localized conflicts, long-standing deadlocks in terms of actualization of such jurisdictions and in some ways, violation of the fundamental rights of the people, resulting in a huge chunk of the backlog of cases just being dedicated on these crises in our judicial system. Next comes the auditing clauses as present in the Constitution as per Article 148(1), wherein the President of India appoints the Comptroller and Auditor-General of India, who is assigned statutory, advisory roles in addressing non-constitutional discrepancies (mostly financial and compliance audits), and provides reports to the Public Accounts Committee, which in turn reports to the Legislature at the Central level of governance.

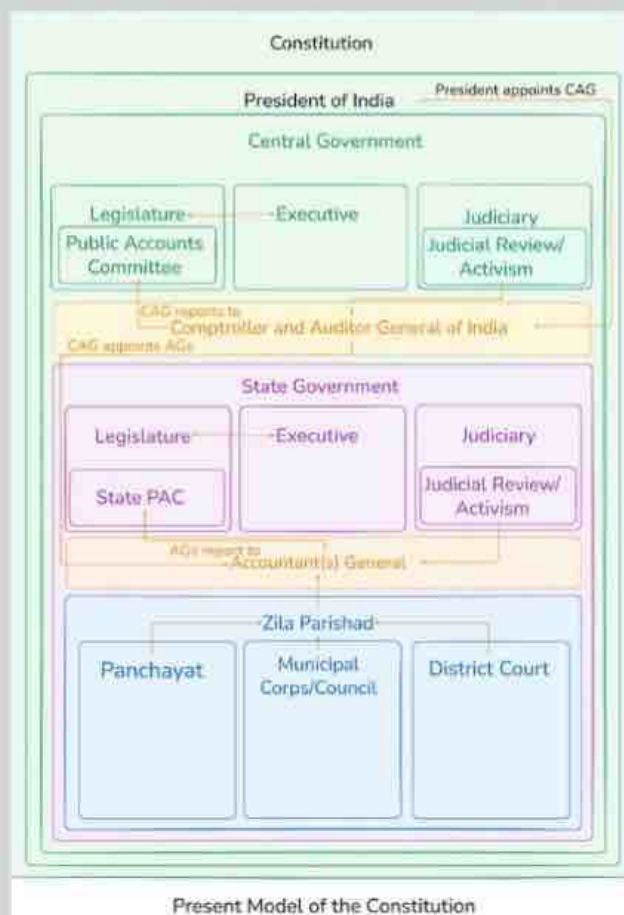


Figure 3

The CAGs foundations are rooted in Part V, Chapter V of the Constitution of India, specifically under Articles 148(1), and Articles 149-151, together making up India's supreme auditing institutional framework. The CAG, after preparing reports, must submit them to the President, who shall ensure they are laid before both the Lok Sabha and the Rajya Sabha under the Public Accounts Committee of the Parliament. The CAG is further entitled to engage with the Governor of each state, such as to ensure a similar framework is present at the state level by appointment of Accountant(s) Generals. Both the CAG and the AGs are immune from interference by State-level legislative actions, and their powers or duties cannot be changed by any state level legislative houses. They are, however, accountable to the Lok Sabha, the Rajya Sabha, and the President, and are answerable to the Judiciary as well if in case of self-discrepancies in performing their duties

The CAGs are to audit bodies and authorities present as governmental assets, which also includes Public Sector Undertakings and state-level committees, for example. The CAG audits any body or authority that is deemed to be “substantially financed”, i.e., a body that takes a grant or loan of more than twenty-five lakh rupees for a financial year, and as long as the amount of said grant or loan remains over 75% of the total expenditure of the same body or authority. Figure 3(below) shows the present structure of the Indian Constitution alongside the functionary role of the CAG and the AGs, all of which by itself is quite sufficient and all-encompassing, however, all things considered, there is scope for improvement.

8.2 A Proposal for Change

Now that we have a basic idea of how this model works, now we are ready to showcase the model that can solve the issues present in the current model of the constitution. This revised model aims to reinvent the Constitutional clauses by introducing state level constitutions, which are essentially extensions of special clauses for different states as normally mentioned in the Constitution. In this scenario, the Constitution acts as a “Central Constitution”, and the state has an equivalent “State Constitution”, which does not replace the Central Constitution, but rather, extends it in a way that complements the peculiar attributes of that state in terms of economic, social and political paradigms. In a similar manner, local bodies are given greater autonomy by means of “Local Constitutions”, which presents a re-engineered precipice for local representation as opposed to provincially-controlled measures. The Local Constitution addresses cases where centrally administered general scenarios cannot apply, such as indigenous tribal laws applying on a particular tribal area, or a special law exclusive only to a particular district. All of these Constitutions are not to serve as ones having specific clauses for reach derived only from the main constitution, but also include localized laws in ways that otherwise require special clauses and Provisos for different articles. It also complements some present localized laws, such as those under the Fifth and Sixth Schedules, which talk about tribal laws. Not only does this reduce judicial backlog of often easy-to-resolve cases, but it also instills the spirit of constitutionalism in a relevant and natural manner, one that is simultaneously empathetic to the local population yet has the constitutional capacity required for true decentralization of the Constitution with reasonable checks and balances in place. This revised model also brings about revisions to the Comptroller and Auditor-General of India and her/his powers and functions. Rather than limiting it to an advisory and statutory body, this new model proposes it to be a constitutionally-empowered body in the form of a “Constitution Auditing Body”, overlooked by the Comptroller and Auditor-General of India. And much like the State and Local Constitutions, this too shall have decentralization of power to remove any scope of overriding general laws against local ones. Here, the CAG would be treated more like the Election Commissioner of India, but it shall still retain some of its attributes of the current CAG, such as having a similar impeachment procedure as that of a Supreme Court judge or having the same Financial Auditing powers as it presently does. A major change this would bring would be that rather than reporting it to the President who then allows for the Public Accounts Committee to receive the CAG’s reports and presents them for Legislative scrutiny, the CAG shall now present the reports of the CAB (Constitutional Auditing Body) to the President, and only after consultation with the Judiciary.

Additionally, the Judiciary must be responsible for solving legal disputes if in case the Basic Structure Doctrine of the Indian Constitution is violated in any way, shape or form. The CAB should also look into auditing of Public-Private Partnerships, as well as cases of private-sector lobbying activities, as it deals with significant funding from the government. If we talk about the composition of the CAB, it should consist of different members from various important constitutional posts, be it the CAG, Law Minister of the Executive, 1-2 Opposition MPs (including the Leader of Opposition, else senior most opposition leader, along with the equivalent Law Minister of a “shadow government”, if any), and retired CJIs as an advisory member. Civil societies such as NGOs can act at the secondary advisory level in a manner that allows for active public discourse on anti-corruption/anti-lobbying measures, which can help increase transparency and clarity in public policy. Such a measure transforms the current CAG system to be a proactive watchdog rather than a passive recipient for auditing assignments from the government. The terms of the CAG within these CABs must be the same as they are at present, i.e., of 6 years, with a permanent membership that is subject to presidential and 2/3rds majority joint-parliamentary impeachment procedures, if required. To better understand this revised model of the Constitution, let’s have a look at Figure 4(below).

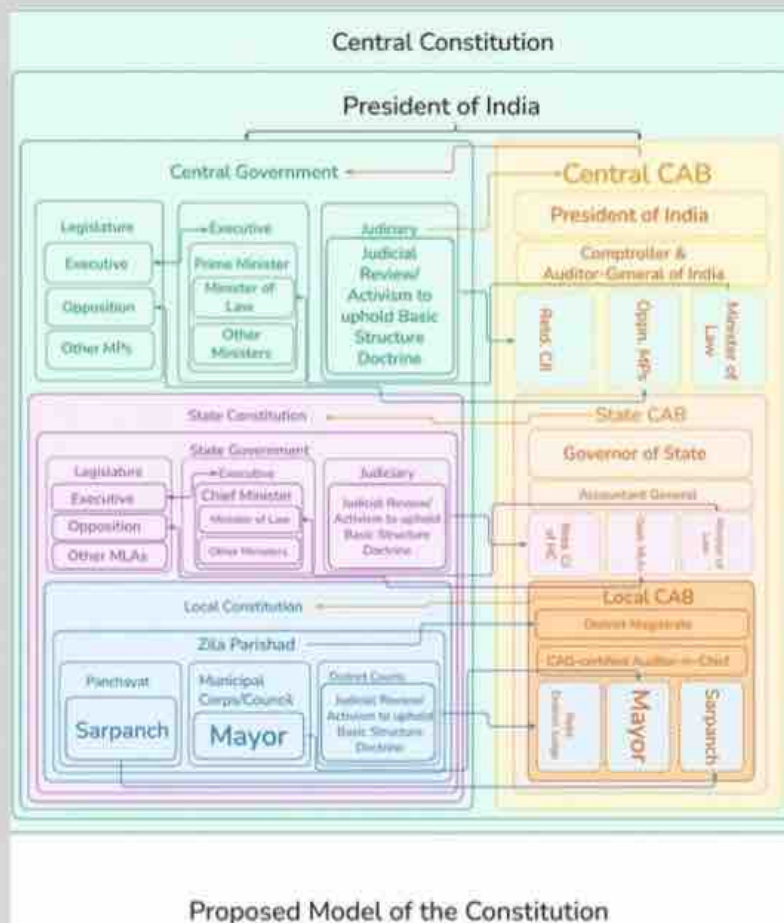


Figure 4

The CAG in the present model suffers from a paradoxical reality, where the executive is essentially having effective control over the very body that is meant to scrutinize all of its external operations, that too being limited to financial matters and matters of compliance. This model, however, aims to remove this deadlock by treating anti-corruption as a serious goal, keeping with the Directive Principles of State Policy as well as the Fundamental Rights of the Citizens of India. Further measures can be taken up to ensure this accountability is paired with the Right to Information in a way that essentially provides all essential information in an easy-to-comprehend manner for all citizens. It reshapes the CAG’s role by providing a pivotal role to balance out multiple other constitutional roles that are riddled with inefficiency and non-compliance in more than one case, all of these being done within corresponding CABs. Such a model ensures these issues do not remain opaque and are clearly shown to the public, unless it is challenged in the appropriate judicial platform. Moreover, this brings significant reforms at the local level such that constitutional values are internalised at the grassroots level of democracy.

inculcating good governance across the entire democratic setup. The different civil societies can engage with CABs in a way that 1) does not abuse the civil society-CAB engagement 2) ensures complainants are not under any coercion or part of lobbying groups in any way, shape or form.

8.3 Theories and Inspirations

This revised model has, in a similar essence to the Constitution, been inspired by the harmonious ideas of Germany's Bundesrechnungshof (Federal Court of Audit) and its self-directed audit scope, with France's Cour des Comptes (Court of Accounts) and its judicial enforcement power, together with Taiwan's Control Yuan and its combination of a dual auditor and ombudsman, and Sweden's Riksrevisionen (National Audit Office) and its surrounding transparency infrastructure (RTI, public contract disclosure, civil society advisory role). No single democracy has all four simultaneously, therefore, this could be the missing link to solve the grave issue of non-compliance when it comes to constitutional positions and responsibilities. The auditing arrangement as shown in this proposed model has been done in alignment with a mix of Stakeholder theory and Audit Explosion theory. However, the proposed model is far from being finalized, as it is open to further scrutiny and improvements, with the aim to serve as a spark of discourse on proactive auditing bodies across democracies to prevent anti-democratic practices such as corruption.

Analysis and Probable Impacts

If we trace the public opinions and causalities from Section 7, discussing the People's Mandate, we find that most, if not all, citizens wish to have a mechanism that fixes the gaps in policy implementation, while still trusting the Constitutional processes to provide equitable representation, justice and rational policies for the general public. Therefore, we sought to create a model that addresses such issues with an integrationist mindset, wherein the aim is not to revolutionise the constitutional framework entirely, but to provide addendums for it to be enhanced in its practice. By placing the Comptroller and the Auditor-General of India at a position of constitutional scrutiny of both elected and unelected constitutional positions of power, it demands greater compliance with apt transparency from those in power, instilling in the public the much needed trust in all constitutional institutions. The model does not reinvent the wheel, but reinforces it, and a reinforced wheel travels farther.

The paper itself aims to act as a rough policy draft, highlighting some key areas where improvements could be beneficial, but the main challenges that this model is likely to face could range from bureaucratic delays in implementation, implementation gaps and deliberate implantation of loopholes to extensive modification and redundant policy revisions. Therefore, if these challenges can be ironed out, the model can achieve its ambitions much more effectively. Of course, no singular argument for enhancement of the constitution is perfect; we therefore invite new discourses on the same to further refine what may serve as the new model of constitutionalism and public trust mechanisms.

CONCLUSION

One of the most impressive instances of democratic constitution-making in modern history is that of the Constitution of India. Created after much discussion in the Constituent Assembly, the Constitution combines in itself many aspects of the world's constitutions along with its own unique socio-political environment. The success of the Constitution does not lie in how comprehensive or lengthy it is, but in how well it integrates India's vast socio-cultural diversity under a single constitution. One of the important characteristics of this document is that of being flexible yet rigid at the same time.

The unity and coherence of the constitution depend on the careful equilibrium that exists between the nature of federalism and the independent role of the judiciary within the constitutional structure. Federalism creates a system in which there is an appropriate level of power diffusion such that each state operates independently enough to fulfill the necessities of its locality. On the other hand, the judiciary serves as the custodian of the constitution by defining and upholding the constitutionality of both Union and State actions. And at the fulcrum of this stability is the doctrine of the Basic Structure, which is an indigenous judicial innovation of India that has helped protect the very essence of the Constitution. In no way does the Basic Structure doctrine restrict democracy, but it rather makes sure that the process of amendment does not weaken the basic aspects of the Constitution like federalism, separation of powers, and judicial review. This paper is in no way intended to criticize the doctrine, but to rather supplement it.

The People's Mandate has helped provide a brief overview of public opinion regarding the constitution. Although the spirit of constitutionalism was seen throughout, the public recognized some notable implementation gaps that can be solved with a joint public stakeholder approach as shown in the working mechanism of the proposed model, while also showing how formal education about constitutionalism and the constitution have helped shape grassroots democracy into a forum of civil discourse. Inclusion of public opinion in the study through the process of "People's Mandate" is crucial to the democratic aspect of this study. Survey results have provided useful perspectives on the views of the citizens with regard to issues of federalism, decentralization, and accountability. This part is meant to capture the views of the citizenry in order to make democratic ideals more real.

The model suggested in this paper aims to take advantage of current constitutional principles by establishing a framework for improving accountability and decentralization. The premise of the model is the notion that systems of institutional checks should develop in response to emerging governance problems. Through a combination of constitutional mechanisms and innovative models, the model intends to ensure an equilibrium wherein power will not be too centralized or excessively distributed.

Thus, it may finally be concluded that the Constitution of India continues to remain a living and vibrant constitution which is able to handle the complexities involved in an ever-changing socio-political scenario. The reason for this stems from the strength of the constitution, which lies in the combination of continuity and dynamism in it that enables it to uphold its basic ideals without compromising on flexibility.

The Constitution is not a mere lawyer's document, it is a vehicle of life, and its spirit is always the spirit of age."

-B.R. Ambedkar

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