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Is India Experiencing a Collective Dictatorship: A Critical Analysis?

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ABSTRACT

India is globally recognized as the world's largest democracy. However, in recent years, concerns have been raised by scholars, civil society groups, international watchdogs, and even former constitutional officeholders about the increasing centralization of power in the hands of a few institutions and officials. This research paper investigates the hypothesis that India exhibits the traits of a "Collective Dictatorship," a political system where multiple arms of the government, including the legislature, executive, and judiciary, act in concert often outside of constitutional checks and balances to consolidate power and suppress dissent. The paper systematically analyzes constitutional provisions, legislative processes, judicial behavior, executive actions and media control mechanisms to argue that India's current governance reflects a structured erosion of democratic values and processes. Through case studies, official reports, and legislative records, the paper highlights how critical institutions have been undermined, laws passed without deliberation, federalism eroded, and dissent criminalized, all pointing towards a collective rather than individual form of authoritarianism. The study calls for urgent reforms, enhanced transparency, and constitutional accountability to restore democratic integrity.

Keywords: India, Collective Dictatorship, Electoral Autocracy, Authoritarianism, Collegium System, Godi media,

INTRODUCTION

India's democracy has long been celebrated for its robust institutions, vibrant civil society, and pluralistic political system. The country's Constitution was designed to ensure a delicate balance of power between the legislature, executive, and judiciary, underpinned by federalism, secularism, and fundamental rights. However, developments over the past two decades mostly intensifying in recent years suggest a departure from this foundational vision.

"Collective Dictatorship" refers to a situation where a group of state institutions and officials act collaboratively to erode democratic norms, centralize authority and suppress opposition, often under the guise of legality and constitutional propriety. Unlike a traditional dictatorship, where a single leader or party wields unchallenged authority, a Collective Dictatorship functions through collusion between institutions making it harder to detect and challenge.

Collective Dictatorship is thus a form of "soft authoritarianism" where multiple branches of the state collude intentionally or systemically to suppress dissent, centralize power and silence institutional criticism. It differs from military or monarchic dictatorships in its diffusion of responsibility. In a Collective Dictatorship, no single entity bears sole accountability and the erosion of democracy happens in a coordinated but opaque manner. This form of governance hides behind procedural compliance, invoking the Constitution, rules of Parliament, or judicial precedents to justify undemocratic actions.

This model has been observed in countries like Hungary under Viktor Orbán, where electoral institutions exist but function to preserve the power of the ruling elite. Turkey under Recep Tayyip Erdoğan and Russia under Vladimir Putin also exhibit similar characteristics where the executive is aided by a compliant judiciary and a legislature that rarely questions policy decisions.

This research critically examines how institutional mechanisms originally designed to uphold democratic checks and balances are being repurposed to enforce compliance and legitimize executive dominance. Through an analysis of judicial passivity, legislative bypassing, bureaucratic pliability, federal erosion, media capture, and electoral manipulation, the paper explores how India's political order is shifting toward a system that maintains the appearance of democracy while hollowing out its substance. The goal is to offer a comprehensive and empirically grounded framework to understand the rise of consensual authoritarianism in India, one that operates subtly but pervasively through institutional collusion, public disengagement and the systematic dismantling of constitutional safeguards.

LITERATURE REVIEW

The concept of Collective Dictatorship has been discussed in various political science literature. Scholars like Juan J. Linz and Alfred Stepan have explored the nuances of authoritarianism and its manifestations in democratic settings. In the Indian context, reports from organizations such as Freedom House and Human Rights Watch have highlighted the decline in civil liberties and political rights, suggesting a trend towards authoritarian governance. However, trends suggest a hybrid model found in India. A democracy with authoritarian features, often labeled "electoral autocracy" by global watchdogs like *Freedom House* and *V-Dem Institute*.

Key Reports:

- * Freedom House Reports: Freedom House has consistently rated India as "partly free," noting the increasing restrictions on freedom of expression, assembly and the press.
- * Human Rights Watch: Their annual reports have documented instances of state-sponsored violence, suppression of dissent, and the targeting of minority communities, indicating a shift towards authoritarian practices.
- * The Economist Intelligence Unit: The Democracy Index has shown a decline in India's score over the years, categorizing it as a "hybrid regime" rather than a full democracy.
- * World Press Freedom Index: India's ranking in the World Press Freedom Index fell from 150th in 2022 to 161st in year 2024 out of 180 countries, according to the latest report published in March 2024.
- * Free Speech Index: A recent global survey by *The Future of Free Speech*, a U.S.-based think tank, has ranked India 24th out of 33 surveyed countries in terms of support for free speech.

OBJECTIVE OF THE RESEARCH

- * To Understand the Current Democratic Landscape in India
- * To Understand the Legislature, Executive and Judiciary act in concert
- * To Identify Threats to Democratic Institutions
- * To Foster Public Awareness and Engagement

RESEARCH METHODOLOGY

This research employs a qualitative approach, utilizing case studies and an analysis of secondary data from reports and academic literature. This research begins by exploring the conceptual origins of Collective Dictatorship and how it differs from classical authoritarianism. It then analyzes specific constitutional provisions that have enabled centralization of power, examines the functioning of the legislature, executive and judiciary and presents case studies where democratic processes have been bypassed or undermined. Special focus is given to the working of the collegium system in the judiciary, the abuse of emergency laws, hasty passage of controversial legislation and the use of investigative agencies to stifle political opposition. Reports from global democracy indices, human rights organizations and national watchdogs are incorporated to substantiate claims. Finally, the paper proposes institutional and policy reforms to address the growing authoritarian drift.

DISCUSSION

The Emergency in India was declared on June 25, 1975 by then Prime Minister Indira Gindhi. This led to the suspension of fundamental rights and the curtailment of civil liberties, allowing the government to rule by decree. Political Opponents were jailed and many activists faced severe repression. The media was heavily censored, with journalists facing threats and imprisonment for criticizing the government. State governments that opposed the central authority were dismissed and President's rule was imposed frequently.

Current political dynamics are compared to the Emergency and Critics arguing that the current political climate mirrors some aspects of that era. Let's we should discuss different Points one by one that are supporting the above claims.

1. Constitutional Provisions and Their Misuse for Centralized Power

This section explores how various constitutional mechanisms originally intended for emergency use, national integrity, and administrative efficiency have been systematically repurposed to strengthen the central government's grip on power and reduce state autonomy, judicial independence, and civil liberties.

(I) **Article 356** – President's Rule: Originally intended as a safeguard against breakdowns in constitutional machinery at the state level, Article 356 has historically been misused for political purposes. While its misuse was more common in the past, its relevance persists. The imposition of President's Rule

in states ruled by opposition parties continues to serve as a tool for toppling democratically elected governments. The most glaring example remains the 2016 case of Uttarakhand where President's Rule was imposed just before a scheduled floor test.

(II) **Article 123** – Ordinance-Making Power: Article 123 empowers the President to promulgate ordinances when Parliament is not in session. However in practice, this has become a tool for the executive to bypass legislative scrutiny. Ordinances are issued repeatedly, re-promulgated and sometimes used to enact critical policy changes without public debate or parliamentary discussion. The repeated ordinance route for the Land Acquisition Act in 2014–2015 and the three contentious farm laws in 2020 are stark examples.

(III) **Article 131 and Erosion of Federalism**: Inter-state disputes are to be adjudicated by the Supreme Court under Article 131. However, when states have taken the Centre to court for instance, Kerala's legal challenge against the Citizenship (Amendment) Act there has been judicial lethargy. The central government has also used central agencies and funding allocation methods to punish non-aligned states thus subverting the essence of federalism.

(IV) **Article 142** – Complete Justice or Absolute Power: Article 142 empowers the Supreme Court to pass any order necessary for “complete justice.” While this clause has done some commendable good (e.g., environmental justice), it has also led to questionable jurisprudence where the judiciary has ventured into executive or legislative domains. The uncritical use of this Article particularly in the Ayodhya verdict demonstrates how extraordinary judicial powers can contribute to majoritarian narratives.

(V) **Article 19 and 21** – Right to Freedom and Life: Amendments and judicial interpretations have gradually diluted Articles 19 and 21. The use of Unlawful Activities Prevention Act (UAPA), sedition laws and National Security Act (NSA) against activists and journalists has virtually rendered Article 19 meaningless in many cases. Arbitrary arrests, prolonged detention without trial and suppression of dissent under the guise of ‘National Interest’ have transformed the fundamental right to life and liberty into a conditional privilege.

(VI) **Schedule 10** – Anti-Defection Law: Initially designed to promote political stability, the anti-defection law has become a tool to strengthen party leadership's control over legislators. Instead of curbing political horse-trading, it has often enabled it under legal cover. Recent events in Maharashtra and Karnataka show how this law is selectively applied to facilitate regime change.

2. Centralized Control Through Government Machinery

While the Indian Constitution envisions institutional checks and balances recent developments reveal an alarming trend of institutional convergence serving centralized executive power. Rather than functioning independently, key institutions including investigative agencies, tax authorities, surveillance apparatus and regulatory bodies appear increasingly politicized. This section highlights critical case studies exposing how these tools are used to suppress dissent and control the democratic process.

(I) CBI: The “Caged Parrot”

The Central Bureau of Investigation (CBI) meant to be India's top anti-corruption and criminal investigative agency has become emblematic of executive control. The Supreme Court in 2013 labeled it a “caged parrot” due to its political misuse. In 2018, when CBI and Income Tax raids coincided with opposition efforts to bring a no-confidence motion against the NDA government. Such timing suggests a pattern of strategic intimidation, especially since CBI probes appear selectively aggressive toward opposition figures, while stalling against ruling party members.

(II) ED and Income Tax: Political Targeting

The Enforcement Directorate (ED) and Income Tax Department have seen exponential growth in politically sensitive cases since 2014. Over 95% of ED investigations have reportedly involved opposition politicians. Often, high-profile raids gain massive media attention despite yielding minimal actionable evidence. Similarly, the Income Tax Department has raided journalists, NGOs, and academics critical of the government.

A striking example is the 2021 raid on Dainik Bhaskar, shortly after it exposed the mishandling of COVID-19 deaths along the Ganga river. While the government denied political motivation, media and civil society groups condemned it as an attack on press freedom.

(III) Pegasus Surveillance and the Surveillance State

The Pegasus spyware scandal exposed how military-grade surveillance tools were used against journalists, opposition leaders, judges, and activists. Despite serious privacy concerns, the government neither confirmed nor denied using the software, citing national security. A Supreme Court appointed committee later found evidence of malware, but no official accountability followed. This highlights the dangers of unchecked digital surveillance and the shift toward a techno-authoritarian state.

(IV) Media Censorship and Regulatory Overreach

Media censorship has intensified via raids, defamation cases, hostile takeovers, and IT regulations. Outlets like The Wire, Newsland and NDTV have faced raids or lawsuits after critical reporting. The 2021 IT Rules enable the government to force takedowns of online content, creating a bureaucratic grip over editorial freedom. NDTV's hostile acquisition by a corporate ally of the ruling party is a prime example of silencing independent media.

(V) Weaponization of Central Agencies

Institutions like the CBI, ED, and NIA have been increasingly deployed against opposition-ruled states and their leaders. This selective use of investigative agencies has emerged as a pattern, often preceding elections, major policy confrontations, or political realignments.

- In West Bengal (2021), several Trinamool Congress leaders were targeted by the CBI and ED during the state assembly elections. The state government's demand to withdraw the general consent to the CBI was met with legal challenges and central resistance.
- In Maharashtra (2022), investigations against Shiv Sena leaders intensified, coinciding with political instability. Eventually, a faction aligned with the BJP succeeded in forming a government with central backing.
- In Delhi, the Delhi Ordinance Bill effectively transferred control of civil services from the elected government to the Lieutenant Governor, who reports directly to the Centre. This move severely curtailed the administrative autonomy of the Delhi government, despite repeated Supreme Court affirmations of its powers.

Such interventions indicate not just executive overreach but a coordinated undermining of opposition-run state governments using centrally controlled institutions and legal ambiguities.

(VI) Criminalization of Dissent

Activists, Academics and Journalists face increasing criminalization. Teesta Setalvad, who pursued justice for 2002 Gujarat riot victims was jailed after questioning official narratives. Father Stan Swamy, a tribal rights activist, died in custody after being arrested under anti-terror laws without trial. Such arrests reflect how dissent is reframed as criminality and due process is bypassed to silence critics.

3. The Judiciary and the Collegium System

The judiciary in a democratic system serves as the guardian of the Constitution, ensuring the rule of law, separation of powers and protection of fundamental rights. In India, the independence of the judiciary has been historically revered as a cornerstone of constitutional democracy. However, recent trends indicate a disturbing transformation from an institution that once held the executive accountable to one that increasingly aligns with ruling narratives, often through delays, inaction or selective interventions.

(I) Historical Evolution of Judicial Independence

India's post-independence judiciary was modeled to be an independent institution, free from political interference. This principle was reinforced during the *Kesavananda Bharati vs. State of Kerala* (1973) case, which established the "Basic Structure Doctrine," protecting essential constitutional features from legislative overreach. Similarly, during the Emergency (1975–77), the judiciary's submission to executive power particularly in *ADM Jabalpur vs. Shivkant Shukla* served as a cautionary tale about the erosion of judicial integrity.

In response, the judiciary later fortified its autonomy through a series of judgments that led to the creation of the Collegium System effectively giving judges the sole authority to appoint and elevate judges - a move intended to prevent executive interference.

(II) How the Collegium Works And Why It's Problematic

The Collegium System formalized through the Second and Third Judges Cases (1993, 1998) allows the Chief Justice of India (CJI) and a group of senior judges to select appointments and transfers in the higher judiciary. While this was conceived as a safeguard, it has evolved into a closed-door mechanism shrouded in opacity, secrecy, and lack of accountability.

There is no formal procedure, no detailed criteria for selection and no public record of dissenting opinions. Recommendations are made, returned and reiterated without explanation. This secrecy not only undermines public trust but also creates an elitist judiciary disconnected from the people it serves.

Even internal criticism such as from Justice Chelameswar (2017) who called the Collegium "opaque and inaccessible" has failed to bring about reform.

3. From Judicial Activism to Judicial Overreach and Silence

Indian courts have historically embraced judicial activism, particularly through Public Interest Litigation (PIL) to expand rights and ensure justice for the marginalized. However, the line between activism and overreach has increasingly blurred with the judiciary sometimes intruding into executive domains while paradoxically remaining silent on critical constitutional challenges.

Notably, the Supreme Court has refused to hear or delayed hearings on several crucial constitutional matters, including:

- Abrogation of Article 370 (2019) – Pending for over four years.
- Citizenship Amendment Act (CAA) – No substantial hearing despite nationwide protests.
- Electoral Bonds scheme – Only addressed after repeated pressure, despite its clear implications for transparency in political funding. During this thousands of Crores were funneled into political parties, primarily the ruling party through the opaque channels.

This pattern suggests strategic judicial delay in matters that could politically embarrass the ruling establishment.

4. Legislative Authoritarianism – Laws Passed in a Day

Parliament in any democracy is the epicenter of legislative deliberation, public accountability and checks on executive power. India's Parliament was designed as a forum where the voices of diverse constituencies across geography, caste, class and ideology could be heard and debated. However, in

recent years Parliament has increasingly functioned as a rubber stamp with significant laws passed without scrutiny, meaningful discussion or bipartisan consensus. This growing trend represents a new form of legislative authoritarianism where procedure is followed in form but not in spirit.

(I) Fast-Tracking Critical Laws

Several major laws with far-reaching consequences have been passed in a single day or over very short durations with minimal or no parliamentary debate. This trend undermines the deliberative nature of democracy and violates the spirit of parliamentary procedure.

A. The Farm Bills (2020):

Three farm laws passed in the Rajya Sabha using a controversial voice vote, despite visible chaos and lack of clarity sparked nationwide protests by farmers. The government bypassed the Standing Committee review process and failed to consult major stakeholders. Opposition leaders were suspended from the House, and the laws were rammed through with no consensus. Eventually, after a year long protest the laws were repealed highlighting their lack of democratic legitimacy from the outset.

B. Unlawful Activities Prevention Amendment (UAPA):

The 2019 UAPA Amendment empowered the government to label individuals not just organizations as terrorists, without trial. The law passed swiftly, with opposition voices suppressed under the pretext of national security. Dissenting parliamentarians were either ignored or shouted down, and concerns over civil liberties were dismissed as anti-national rhetoric.

C. Citizenship Amendment Act (CAA):

The CAA, passed in December 2019, introduced religious criteria into citizenship laws, marking a radical shift in India's secular legal framework. It was fast-tracked through both Houses amid protests across the country and international condemnation. The law passed with no reference to a committee, and opposition concerns over constitutional validity were brushed aside.

D. Waqf Board Amendment:

The amendment, altering control over Waqf properties, was passed without debate, amid growing accusations of state encroachment on minority religious rights. The lack of consultation with affected communities exemplified the top-down nature of the current legislative process.

E. Enemy Property (Amendment) Act (2017):

This law retrospectively nullified inheritance rights of Indian citizens related to property labeled as "enemy property," mainly affecting Muslim families with ancestral ties to Pakistan. It was introduced and passed with minimum deliberation, setting a dangerous precedent for property rights.

(II) The Voice Vote and Silencing of the Opposition

Increasingly, the government has relied on voice votes to pass controversial legislation, even when division of vote was demanded by opposition members. This method allows the ruling party to bypass formal voting further eroding transparency and marginalizing dissent.

Parliament has also seen the mass suspension of opposition MPs, particularly in the Rajya Sabha, whenever resistance is vocal or coordinated. This tactic creates an artificial consensus, enabling the government to claim legitimacy while silencing representative voices.

(III) Parliament as a Rubber Stamp

This pattern rushed legislation, absence of scrutiny, suspension of dissent, and avoidance of committee review raises a fundamental question: Is Parliament still a space for democratic governance or merely a rubber stamp for executive decisions?

Data from PRS Legislative Research shows that the number of bills sent to Parliamentary Committees has dropped sharply in recent years. In the 17th Lok Sabha, less than 15% of bills have been referred to committees down from 71% in the 15th Lok Sabha. This erosion of legislative rigor reflects the consolidation of power within the executive. In the current scenario, Political Parties are making the alliance to win the election. The Alliance has mostly majority in the Parliament. Therefore, Most of the Time, Ruling Party uses this majority to pass the bill with minimum objections and efforts.

5. Executive Overreach and Politico-Judicial Shielding

A defining feature of any healthy democracy is the presence of robust separation of powers, institutional checks and balances and administrative neutrality. In the Indian context, however, executive overreach has become increasingly normalized with the Prime Minister's Office (PMO) emerging as the central command, sidelining traditional governance structures. This consolidation of power is further legitimized and protected by judicial deference and a compliant bureaucracy. Together, these dynamics contribute to the phenomenon of Collective Dictatorship, where the executive acts unchallenged and other institutions reinforce its authority rather than restrain it.

(I) PMO as the Superpower

In recent years, the centralization of power in the PMO has led to a stark erosion of Cabinet authority. The Cabinet once a forum for diverse deliberation and decision-making is now often seen as a rubber stamp. Ministers frequently learn about major decisions through media reports and significant policy directions are issued directly by the PMO.

This centralization bypasses democratic dialogue, both within the government and with the public. The role of senior bureaucrats and lateral entrants like technocrats appointed directly into key policymaking positions has expanded, blurring the line between executive expertise and political allegiance. This trend removes traditional checks associated with a merit-based and permanent civil service and allows politically aligned bureaucrats to advance executive agendas without accountability.

(II) Bureaucrats and Lateral Entrants as Political Instruments

While lateral entry can theoretically bring fresh talent into governance, its selective application has raised concerns about politicization. Individuals with links to ideological or partisan platforms are placed in strategic positions, not merely to administer but to ideologically steer policy. This includes appointments in ministries related to culture, education, or economic policy.

Simultaneously, senior IAS and IPS officers are seen openly aligning with political narratives often rewarded with gubernatorial or post-retirement positions. This erodes institutional independence and incentivizes loyalty to political power over constitutional duty.

(III) Governors as Instruments of the Centre

The office of the Governor, envisioned as an impartial constitutional authority, has morphed into a tool for political manipulation. In several opposition-ruled states, Governors have blocked or delayed bills, interfered with legislative processes, and even refused to assent to laws passed by elected assemblies.

Examples:

- Tamil Nadu: Governor R.N. Ravi's repeated interference in administrative matters and refusal to forward key bills (like NEET exemption) to the President.
- West Bengal: Public confrontations between the Governor and the elected state government, particularly over university appointments and law-and-order issues.
- Punjab: Governor's refusal to approve the budget session and key legislation, leading to constitutional crises.

Such behavior reflects the Centre's political overreach through nominally neutral offices, undermining the federal structure.

(IV) Judiciary as a Shield for the Executive

Rather than acting as a check, the judiciary has often shielded executive excesses. Examples:

- Electoral Bonds Judgment (2024): Though the Supreme Court eventually struck down the scheme, the delay in hearing the case allowed unaccountable political funding to persist for nearly six years benefiting the ruling party disproportionately.
- Refusal to Hear Pegasus Surveillance Case: Despite credible evidence from international outlets and public outcry, the Supreme Court delayed or avoided substantive hearings, thereby allowing the executive to evade accountability.

The judiciary's reluctance to adjudicate sensitive matters such as Article 370, Citizenship Amendment Act (CAA) and demonetization further demonstrates how judicial inaction can embolden executive overreach.

(V) Ordinance Raj – Bypassing Parliament

Executive legislation through ordinances, a power meant for emergencies, has become a routine tool to bypass parliamentary scrutiny. The Farm Bills, for instance, were first promulgated as ordinances in June 2020 despite no evident emergency before being passed amid chaos in the monsoon session.

This use of ordinances to preempt or force Parliament's hand reflects a clear disregard for democratic legislative processes and consolidates the executive's unilateral lawmaking authority.

6. Emergency Powers in Peacetime

The Indian Constitution grants the state certain exceptional powers to deal with threats to national security, law and order and sovereignty. These powers embedded in laws like the National Security Act (NSA), the Unlawful Activities (Prevention) Act (UAPA) and the colonial-era Sedition Law (Section 124A of the IPC) were originally intended to be used sparingly under extraordinary circumstances. However, in contemporary India these laws are increasingly being invoked during peacetime, not to defend the state from real threats, but to silence dissent, punish critics, and preempt protest.

This section investigates the disturbing normalization of emergency powers in the day-to-day functioning of a democracy and how their abuse contributes to India's slide toward collective authoritarianism.

(I) The Weaponization of UAPA, NSA and Sedition

Originally framed to address terrorism and grave threats to the sovereignty of India, the UAPA has now become a catch-all law to imprison individuals critical of the government. Its most dangerous feature is the long pre-trial detention without bail often exceeding years. Under UAPA, the burden of proof is reversed undermining the principle of "innocent until proven guilty."

Similarly, the National Security Act (NSA) allows authorities to detain individuals for up to 12 months without charge or trial, based on vague grounds like acting "in a manner prejudicial to the security of the state."

Sedition - A law dating back to colonial rule has been frequently invoked against journalists, students, and political activists merely for expressing views perceived to be critical of the government or its policies. The result is a legal climate of fear where the state doesn't need to win cases in court. The process itself becomes the punishment.

(II) High-Profile Cases Illustrating Misuse

- Father Stan Swamy, an 84-year-old Jesuit priest and tribal rights activist, was arrested under UAPA in the Bhima Koregaon case. Despite being terminally ill and suffering from Parkinson's disease, he was denied proper medical treatment and bail. He died in judicial custody, sparking national and international outrage.
- Umar Khalid, a former student leader has spent years in jail without trial under UAPA accused of inciting violence during the Delhi riots though no conclusive evidence has been presented in court.
- Safoora Zargar, a pregnant student activist was arrested during the COVID-19 lockdown under UAPA for participating in anti-CAA protests. She was jailed for over two months before being granted bail under mounting public pressure.

These are not isolated instances, they reflect a systemic abuse of emergency laws often targeting those from marginalized communities, ideological opponents, and civil society.

(III) Preventive Detention: A Paradox in Democracy

The routine use of preventive detention laws undermines the very fabric of democratic freedom and civil liberty. These laws operate outside the framework of due process, allowing governments to imprison individuals without needing to prove guilt.

While such powers might be justifiable during wartime or genuine threats to national integrity, their deployment during protests, political movements, and critiques of government policy signals an authoritarian shift. Courts have often remained passive, deferring to the "wisdom" of the executive even when liberties are clearly at stake.

The contradiction is stark: how can a democracy function when its citizens live under the constant threat of incarceration for thought, speech or peaceful assembly?

7. Case Study – Demonetization, Goods and Services Tax, Enemy Property, Waqf Board Amendments & Selling of Government Entities

In the ongoing narrative of India's democratic backsliding, specific legislative enactments stand out as markers of centralized authority and majoritarian policy design. The First Example is Demonetization held in 2016 without a correct procedure. The Second Example is implementation of GST in 2017, The GST Council is heavily dominated by the Union government which holds one-third of the voting power and significant influence over decisions. Another Two such examples are the Enemy Property (Amendment and Validation) Act, 2017 and the Waqf Board Amendment, both of which not only display patterns of legal overreach and legislative opacity, but also raise serious concerns about property rights, religious freedoms, and the targeting of minority communities. Their passage and implementation underline the mechanisms of India's Collective Dictatorship, wherein Parliament, the Executive and Judiciary appear aligned in enabling the erosion of constitutional protections. The Fifth Example is Selling of Government Entities that not only reduces public accountability but also transfers economic control into the hands of a selected few.

(I) Demonetization (2016)

In November 2016, the Indian government announced the sudden demonetization of ₹ 500 and ₹ 1000 currency notes, effectively rendering 86% of the country's cash invalid overnight. This move was presented as a bold initiative to combat corruption, black money, and counterfeit currency. However, the policy had far-reaching and immediate economic consequences, particularly affecting the informal sector, which relies heavily on cash transactions. Small businesses, daily wage earners, and rural populations faced severe hardships due to the abrupt cash crunch.

What made the move especially controversial was the manner in which it was executed. The decision was made with no prior consultation in Parliament and reportedly involved only a select group of individuals within the government. The Reserve Bank of India (RBI), the country's central banking institution, appeared to have played a limited role in shaping or advising on the policy, raising questions about its autonomy and the transparency of the process. The centralization of such a massive economic decision in the hands of a few, with minimal institutional input or democratic debate, is often seen as indicative of authoritarian governance. Critics argue that the demonetization episode reflects a pattern of decision-making that bypasses checks and balances, favoring control over consensus.

(II) Goods and Services Tax (GST)

The implementation of the Goods and Services Tax (GST) in India in 2017 marked a significant shift in the federal structure of taxation, with the creation of the GST Council becoming a central force in shaping this new regime. While GST was introduced to unify the country under a single indirect tax framework (One Nation, One Tax), it has also led to what many critics call a form of *collective dictatorship*. The GST Council, though portrayed as a cooperative federal body, is heavily dominated by the Union government, which holds one-third of the voting power and significant influence over decisions. States, despite having two-thirds of the votes collectively, often find themselves sidelined, especially when consensus is built under pressure or through political alliances. This has diluted the financial autonomy of states, limiting their ability to raise revenue independently or tailor policies to local needs. The centralization of tax authority in the GST Council has resulted in delayed compensation payments, dependency on central allocations, and a lack of accountability. In essence, the GST regime, led by a dominant GST Council, has become a tool through which the Union government

exercises disproportionate control, undermining the spirit of cooperative federalism and paving the way for a centralized, collective decision-making structure that leaves little room for dissent or diversity in economic governance.

(III) The Enemy Property (Amendment and Validation) Act, 2017

The Enemy Property Act, originally enacted in 1968 after the wars with Pakistan and China, allowed the government to seize properties of those who had migrated to enemy countries. However, the 2017 amendment extended the government's powers dramatically. It allowed the retrospective confiscation of "enemy" properties, even if they had been legally inherited by Indian citizens, effectively negating decades of settled property rights.

Most alarmingly, this amendment was passed in March 2017 with minimal debate, bypassing democratic deliberation in both Houses of Parliament. It was brought in after multiple failed attempts, including ordinances that were re-promulgated an abuse of executive powers to circumvent parliamentary procedure.

Key concerns include:

- **Retrospectivity:** The law nullified court decisions that had previously upheld the rights of legal heirs—many of whom were Indian citizens.
- **Violation of natural justice:** The amendment barred any civil court from entertaining disputes related to enemy property, effectively denying affected individuals the right to judicial recourse.
- **Selective application:** While the law ostensibly applies to properties linked to both China and Pakistan, most cases have been against people of Muslim descent, reinforcing concerns about religiously motivated policy bias.

The act's passage with little opposition scrutiny and the judiciary's reluctance to intervene have made it a textbook case of coordinated institutional complicity in the expropriation of rights.

(IV) Waqf Board Amendment: Centralizing Religious Property

The Waqf Board, governed by the Waqf Act of 1995, administers religious endowments (waqf properties) in the Muslim community. Amendments proposed and implemented in the 2010s and again in the early 2020s have centralized control, bringing state and central governments deeper into the administration of Waqf properties.

Key issues with the amendments:

- **Erosion of community autonomy:** The Waqf Boards, once semi-autonomous, are now subject to direct appointments and removals by the government.
- **Opaque property transfers:** The amendments allow for disposal and leasing of Waqf land for "public purposes," enabling potential commercial exploitation and encroachments.
- **Allegations of targeting:** The centralization is seen by critics as a move to weaken institutional Muslim self-governance and pave the way for state expropriation of minority-held assets.

Though several legal challenges have been filed alleging violation of Article 26 (freedom to manage religious affairs) these remain pending or delayed indefinitely, with little judicial urgency shown to safeguard constitutional rights.

(V) Selling of Government Entities

The aggressive privatization and selling of key government-owned entities in India is not merely an economic strategy, it reflects a deeper political agenda that contributes to the consolidation of a collective dictatorship. By systematically disinvesting from strategic public sector undertakings (PSUs), the state not only reduces public accountability but also transfers economic control into the hands of a selected few, often aligned with the ruling establishment. Major national assets like *Air India* (sold to Tata Group) in 2021, *Bharat Petroleum Corporation Limited (BPCL)* initiated in 2020 and *Container Corporation of India (CONCOR)* planned for the fiscal year 2021-2022 have either been privatized or are in the pipeline, while stakes in *Life Insurance Corporation of India (LIC)* in 2022 have been offloaded through IPOs. Additionally, assets under the *Railways*, including stations and freight corridors, are increasingly being monetized under the National Monetization Pipeline. These sales shift critical infrastructure and resources away from democratic oversight into private and often politically friendly hands. This process not only undermines the principle of economic democracy but also concentrates wealth and influence, silencing independent corporate voices that might otherwise hold the state accountable. As the government weakens its own institutional presence in vital sectors, it reinforces a centralized power structure ensuring loyalty through economic dependency and further entrenching the architecture of a collective dictatorship.

8. Regional Expressions of Collective Authoritarianism in Indian States: A Case-Based Analysis

While much of the discourse around collective dictatorship focuses on central institutions, several Indian states exhibit authoritarian tendencies in their governance practices. These expressions are not isolated administrative decisions but are part of a larger pattern where political power, economic control, and institutional complicity converge to restrict dissent, manipulate policy, and centralize authority. This section explores state-level manifestations highlighting how economic instruments are increasingly deployed to sustain and legitimize these authoritarian practices.

(I) Uttar Pradesh

Uttar Pradesh uses legal and economic tools to suppress dissent, especially among marginalized communities. Property seizures and demolitions during protests, particularly in anti-CAA movements, are conducted without due process. Simultaneously, large-scale development projects like Ayodhya's religious infrastructure and expressways serve political narratives while displacing local populations with minimal compensation revealing how economic projects are leveraged for authoritarian consolidation. Democratic institutions like panchayats and municipal bodies function with minimal autonomy, often used to reinforce the ruling party's agenda. Elections, while held regularly, are marred by media manipulation and bureaucratic interference, further consolidating political control. This entrenched political domination reflects how regional governance in UP increasingly mirrors the mechanics of a state-level dictatorship.

(II) West Bengal

The West Bengal government's control over public schemes like "Duare Sarkar" is marred by allegations of corruption and political favoritism. Opposition-held municipalities face fund shortages and state-imposed restrictions. At the same time, central economic sanctions against the state further exacerbate the politicization of development. This dual-layered economic retaliation illustrates how fiscal manipulation supports centralized political dominance. The ruling government frequently positions itself in opposition to the Centre, resisting central schemes like the Ayushman Bharat and PM Kisan programs, while emphasizing Bengali linguistic and cultural pride.

(III) Delhi

Delhi's unique administrative status has turned it into a battleground for political dominance between the elected state government and the central authority. Despite a popular electoral mandate, the Delhi government's autonomy is routinely undermined by the Lieutenant Governor, who acts as an unelected extension of the central government. Despite a democratically elected government, Delhi's fiscal and administrative powers are undermined by the Centre. Welfare initiatives in health and education are routinely delayed or blocked through bureaucratic interventions by the Lieutenant Governor's office. Economic obstruction becomes a strategy to weaken state autonomy, turning democratic representation into a symbolic exercise with little real power.

(IV) Assam

Assam presents a distinct form of political dictatorship rooted in ethnonationalist identity and state surveillance. The National Register of Citizens (NRC) and Citizenship Amendment Act (CAA) have redefined citizenship along communal lines, disenfranchising large sections of the population, particularly Muslims and Bengali-speaking communities. These measures have empowered the government to politically exclude dissenting groups under the guise of national security. Development projects have resulted in mass evictions labeled as "anti-encroachment drives" often targeting economically vulnerable and religious minority groups. The NRC process and associated exclusion from citizenship lists also carry severe economic consequences, denying access to land, subsidies, and employment, and further entrenching economic marginalization as a political tool.

(V) Tamil Nadu

In Tamil Nadu, authoritarian tendencies appear through suppression of dissent surrounding economic mismanagement or corruption. Whistleblowers and journalists reporting on financial irregularities face legal challenges. Tamilnadu strongly upholds Dravidian ideology, often opposing Hindi imposition and NEET exams, portraying central policies as northern impositions that erode Tamil identity. Recently state government replaced the Rupee symbol with Tamil letter "Ru" in state budget logo.

(VI) Maharashtra

In Maharashtra, selective use of economic incentives, land grants, and ED raids show a pattern of weaponized governance where economic privileges and punishments are aligned with political loyalty. Especially under regional parties like Shiv Sena (Uddhav faction), policies and rhetoric favor local Marathi populations in job allocations and housing, often excluding outsiders.

9. Media, Surveillance, and Suppression

A cornerstone of any healthy democracy is the freedom of the press, the independence of civil society, and the ability of citizens to express dissent without fear of state reprisal. In India, however, the past decade has witnessed an accelerated decline in all three domains, facilitated by a combination of legislative control, state surveillance, economic coercion, and a compliant media landscape. The transformation of the media from a watchdog of democracy into a tool of propaganda is perhaps the most visible symptom of the broader authoritarian drift characterizing what this paper terms a "Collective Dictatorship."

1. Controlling the Narrative: TRP Wars, IT Raids, and Fake News Laws

One of the most sophisticated tools in consolidating authoritarian power is information control. In India, this has been executed through:

- TRP manipulation and media favoritism: Channels aligned with the ruling party often dominate viewership metrics. The manipulation of Television Rating Points (TRPs) not only determines advertising revenue but shapes public discourse. Independent voices face marginalization or are drowned out.
- Income Tax (IT) raids on dissenting media houses: Media organizations like *NDTV*, *The Quint*, *NewsClick*, and *BBC India* have faced raids and financial scrutiny after publishing content critical of the government. These actions, while cloaked in legality, reflect a pattern of punitive enforcement aimed at silencing dissent.

- Fake news and digital content laws: The government has introduced multiple amendments to the IT Rules (2021 and 2023), granting itself the power to flag and remove any content it deems “false” with little to no judicial oversight. These laws give executive bodies the power to censor the internet, bypassing Parliament and courts.

2. Surveillance State: Pegasus and Legal Loopholes

Perhaps the most alarming trend in India’s collective authoritarianism is the emergence of a surveillance state.

- The use of Pegasus spyware, revealed in 2021, demonstrated that journalists, opposition leaders, activists, and even judges were targets of military-grade surveillance software. Despite calls for investigation, the government refused to acknowledge the purchase or deployment of Pegasus, citing “national security.”
- Judicial responses have been slow and non-confrontational. The Supreme Court’s inquiry committee into Pegasus yielded little accountability, further indicating judicial reluctance to challenge executive overreach.
- India’s surveillance framework, governed by laws like the Telegraph Act (1885) and Information Technology Act (2000), lacks modern data protection mechanisms and does not mandate judicial oversight. This legal vacuum has enabled mass surveillance under executive control.

3. “Godi Media” and the Decline of Press Independence

The term “Godi Media” coined by journalist Ravish Kumar describes a class of media outlets that function more as mouthpieces of the government than as independent news platforms. Characteristics of this ecosystem include:

- Unquestioned government amplification: Coverage overwhelmingly favors ruling party narratives, often ignoring or vilifying opposition voices and protest movements.
- Demonization of dissenters: Civil society members, students, and minorities are routinely portrayed as “anti-national,” especially during events like the CAA-NRC protests, Farmer Protests, or anti-CAA university movements.
- Lack of critical journalism: Investigative journalism is in decline, replaced by studio debates, propaganda, and communal dog-whistling, contributing to polarization and misinformation.

The media, once the “fourth pillar” of democracy, has largely become complicit in India’s democratic decline. Journalists face harassment, arrest (as in the cases of *Rana Ayyub*, *Siddique Kappan*, and *Prashant Kanojia*), and even violence. The chilling effect is widespread: fewer are willing to speak truth to power, and the space for independent media is rapidly shrinking.

10. International and Domestic Reports Supporting the Claim

A critical element in evaluating the health of any democracy lies in how it is perceived and assessed by both international watchdogs and domestic civil society organizations. Over the past several years, a strikingly consistent narrative has emerged from multiple global and national assessments: India, once a model of pluralistic democracy, is experiencing a systematic erosion of democratic norms, civil liberties, and institutional checks and balances. These assessments bolster the claim that India is inching toward a form of Collective Dictatorship where multiple organs of the state function in unison to curtail dissent and consolidate executive power.

(I) V-Dem Institute: From Democracy to Electoral Autocracy

The Varieties of Democracy (V-Dem) Institute at the University of Gothenburg is among the most comprehensive global evaluators of democratic health. In its 2021 and 2022 Democracy Reports, V-Dem classified India as an “Electoral Autocracy”, a downgrade from its earlier status as an “Electoral Democracy.”

- The reports cited several alarming trends: rising media censorship, judicial delays in key constitutional matters, harassment of opposition leaders and the curtailment of academic and civil society freedoms.
- V-Dem noted that India’s decline was among the most dramatic in the world, drawing parallels with countries like Hungary and Turkey where democratic institutions continue to exist but are functionally compromised.

(II) Freedom House: Democracy Under Siege

The US-based Freedom House, in its annual Freedom in the World reports, has repeatedly downgraded India’s status:

- In 2021, it changed India’s classification from “Free” to “Partly Free”, citing growing intolerance towards dissent, use of sedition laws, and violence against religious minorities.
- The report highlighted the targeting of journalists, arbitrary arrests of protesters, and state-sanctioned discrimination, particularly under laws like the Citizenship Amendment Act (CAA).
- The 2023 report reiterated that the Indian government was exhibiting “authoritarian behavior under a democratic veneer”, strengthening the case for a collective and coordinated retreat from democratic norms.

(III) Amnesty International and Human Rights Watch: Civil Liberties Under Threat

Leading human rights organizations have also sounded the alarm:

- Amnesty International, before suspending operations in India due to financial and legal harassment, detailed the widespread misuse of sedition, UAPA, and preventive detention laws to silence critics and human rights defenders.
- The organization's reports emphasized the targeting of minorities, Dalits, journalists, and NGOs, and the chilling effect on free speech and assembly.
- Human Rights Watch (HRW) has similarly noted how the judiciary's reluctance to challenge executive overreach, coupled with the misuse of counter-terror laws, has created an environment of fear and impunity.

(IV) Indian Civil Society Reports: PUCL, CHRI and Others

Domestically, Indian civil society organizations have continued to document and resist the decline:

- The People's Union for Civil Liberties (PUCL) has produced detailed reports on custodial deaths, police excesses and illegal surveillance.
- The Commonwealth Human Rights Initiative (CHRI) has flagged issues in transparency, judicial accountability and law enforcement bias, particularly regarding communal incidents and protest management.
- Reports by Internet Freedom Foundation (IFF) have extensively covered digital surveillance, internet shutdowns, and the erosion of online privacy, particularly with tools like Pegasus spyware.
- Lokniti-CSDS surveys have shown a growing distrust in political institutions and declining perceptions of government responsiveness among the Indian populace.

CONCLUSION

India, once lauded as the world's largest democracy, is now facing an unprecedented political transformation one not defined by an overt coup or imposition of martial law, but by a slow and systemic corrosion of its democratic institutions. What emerges from this transformation is not a traditional autocracy but a more insidious and coordinated model of governance a Collective Dictatorship. In this model, power is no longer held by a single authoritarian figure, but by a nexus of institutions that have either abdicated their constitutional responsibilities or are actively complicit in undermining democratic norms.

At the core of this collective authoritarianism lies systematic state coordination. The executive, legislature, judiciary, bureaucracy, investigative agencies, and media—once meant to check and balance each other are increasingly functioning in tandem to centralize power, stifle dissent, and control public discourse. Far from being a chaotic series of overreaches, this is a deliberate repurposing of institutions to enforce compliance and manufacture legitimacy.

The judiciary, once a respected sentinel of civil liberties, is now often seen as a silent partner to executive overreach. The Collegium's opacity, selective interventions, and its general reluctance to confront the government have contributed to a climate of judicial passivity and eroded public trust. Instead of speaking truth to power, the judiciary appears to be whispering behind closed doors, offering legitimacy through deference or inaction.

The legislature, designed to embody deliberation and representation, is being hollowed out through procedural manipulation and rushed lawmaking. Laws are bulldozed through Parliament with minimal debate, turning constitutional process into a facade for undemocratic governance. This legislative authoritarianism reinforces executive dominance, bypassing genuine democratic engagement.

Supporting this centralization is a pliant bureaucracy, increasing gubernatorial interference in opposition-ruled states, and the unquestioned autonomy of the Prime Minister's Office (PMO). Federalism, once a safeguard against central overreach, is being dismantled through legal and economic means, reducing states to administrative extensions of the Centre.

The use of emergency powers without actual emergencies, the expansion of draconian laws, and targeted disenfranchisement as seen in the Enemy Property Act and Waqf Board Amendments are tools in this new authoritarian arsenal. These are not isolated abuses but parts of a broader, calculated political project aimed at consolidating a majoritarian, centralized order.

Control over the narrative is equally crucial. Through media capture, regulatory intimidation, digital surveillance, and criminalization of dissent, the government ensures that public perception aligns with state interests. With watchdogs muzzled and critics vilified, the basic democratic function of holding power accountable has been severely compromised.

Even elections, the symbolic pillar of democracy, are increasingly managed. Electoral finance opacity, misuse of investigative agencies, and the perceived bias of the Election Commission of India have raised serious concerns about the fairness of political competition.

This is not a democracy in decline, it is a democracy in disguise. While democratic rituals remain, their substance is being systematically hollowed out. What India faces today is not Emergency 2.0, but a subtler, deeper form of authoritarianism: a consensual, institutionalized collective dictatorship, built on public apathy, manufactured consent, and institutional complicity.

THE PATH FORWARD: REFORMS AND RESISTANCE

Despite the dire picture, the Indian Constitution still holds potential as a living document, capable of self-correction and renewal. For India to reclaim its democratic integrity, several critical reforms and actions are essential:

1. **Judicial Transparency and Accountability**
 - Reform the Collegium system to ensure greater transparency in appointments and timely delivery of justice.
 - Set clear timelines for adjudicating constitutional challenges to prevent indefinite delays in critical matters.
 - Institute a Code of Conduct for judges to guard against conflicts of interest.
2. **Parliamentary Reforms**
 - Mandate minimum debate hours for bills, particularly those affecting constitutional or civil rights.
 - Ensure bipartisan parliamentary committees vet significant legislation.
 - Reinstate robust Question Hour and Opposition rights to hold the executive accountable.
3. **Electoral Finance and Institutional Autonomy**
 - Scrap or overhaul the Electoral Bonds system, ensuring transparency and limits on political donations.
 - Make the Election Commission of India (ECI) appointments bipartisan and its operations autonomous.
 - Cap campaign expenditures and enforce accountability for misuse of state machinery during elections.
4. **Bureaucratic Neutrality and Federal Balance**
 - Reinforce civil service protections against political interference, abolishment of State Cadre for IAS/IPS/IFoS.
 - Respect the federal spirit by ensuring Governors act constitutionally, not politically.
 - Revisit the functioning of agencies like the ED and CBI, establishing independent oversight mechanisms.
5. **Media Freedom and Surveillance Oversight**
 - Protect journalistic freedom through independent media regulatory bodies.
 - Ban or regulate surveillance software like Pegasus, with judicial oversight.
 - Encourage diverse media ownership to prevent narrative monopolies.
6. **Civil Society Empowerment**
 - Stop the targeted harassment of NGOs and activists under FCRA and other restrictive laws.
 - Provide legal aid and institutional support to protect freedom of speech and assembly.

FINAL WORDS

India's democracy is at a pivotal crossroads. What the country faces is not a dramatic dictatorship imposed from the top but a systemic collective autocracy, carried out with institutional complicity, legal justifications, and electoral mandates. The preservation of India's democratic character requires more than resistance. It requires structural reforms, public awareness and a reinvigoration of civic values.

A democracy dies not just when the Constitution is suspended but when its spirit is subdued. For India, reclaiming that spirit is no longer an option. It is an imperative.

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