

Table of Contents

1. The Parliamentary System: Legislature and Executive
2. Functions of the Parliament
3. Structure and Functions of the Executive
4. Differences Between the Legislature and the Executive
5. The Judiciary and Separation of Powers
6. Legislative and Executive Functions at the State Level
7. Functioning and Challenges of the Legislature
8. Citizen Participation and Democracy
9. Solved Examples
10. Practice Set
11. Answer Key
12. Quick Reference
13. Glossary

The Parliamentary System: Legislature and Executive

India's independence was achieved through great sacrifices by many people of the country after years of struggle against colonial rule. The citizens of a free country could now make decisions about their own governance. The first important step in this new epoch in the life of our nation was the drafting of the Constitution of independent India. This comprehensive document laid foundational principles for the nation, including that of Universal Adult Franchise which guarantees all adult citizens of the country the right to vote irrespective of their social or economic background, gender, race, or religion.

The people of India directly elect their representatives who become members of the Lok Sabha. A majority group from among these elected representatives forms the government. The Parliament is the supreme legislative body of the government (it makes laws for the country). It comprises all elected representatives of the people and controls and guides the work of the government. The government can therefore be seen as

functioning with the people's consent. There have been 17 Lok Sabhas since the first one in 1952. The 18th Lok Sabha was constituted in June 2024.

The Indian Parliament is composed of the President and two houses: the Lok Sabha (House of the People / Lower House) and the Rajya Sabha (Council of States / Upper House). This structure with two houses is called a 'bicameral' system ('bi' means two, 'cameral' means chamber / house).

The people of India choose their representatives for the Lok Sabha through a direct election (based on universal adult suffrage). The maximum number of members of this House envisaged by the Constitution is 550. The Members of Parliament (MPs) in the Rajya Sabha are elected indirectly by the electoral college. Both, the number of Rajya Sabha seats allocated and the number of MPs represented in the Lok Sabha, are based on the population of each state.

India practices federalism, which is a form of government where power is distributed between the centre, states, as well as local governments. This system helps to keep the balance between national unity and local interests.

Exam Questions

- **Q:** What is the composition of the Indian Parliament?
A: The Indian Parliament consists of the President, the Lok Sabha (Lower House), and the Rajya Sabha (Upper House).
- **Q:** How are members of the Lok Sabha and Rajya Sabha elected?
A: Lok Sabha members are directly elected by the people through universal adult suffrage, while Rajya Sabha members are elected indirectly by an electoral college.

Functions of the Parliament

The Constitution lays down the key functions that the Parliament needs to fulfil. They can be broadly classified under the following heads:

1. Constitutional functions
2. Lawmaking
3. Executive accountability
4. Financial accountability

1) Constitutional Functions

The Parliament is directly entrusted with upholding the core values of the Indian Constitution, including:

- Enabling parliamentary democracy through universal adult suffrage,
- Following the separation of powers between the legislature, executive, and judiciary,
- Ensuring federalism, and
- Upholding Fundamental Rights and Directive Principles of State Policy by framing laws and policies.

2) Lawmaking

Among the primary responsibilities of the legislature is to make laws. The Constitution has laid out an elaborate and rigorous process for lawmaking. A law is generally brought into force through an instrument called an act. A bill, which is a draft of a proposed law, is introduced in Parliament and goes through a long and effortful journey before it becomes an act.

For example, the Right of Children to Free and Compulsory Education Act, 2009 (RTE) was introduced as a bill, studied by a committee, debated, and finally passed by both Houses of Parliament before receiving the President's assent and becoming law.

Bill: A draft of a proposed law that needs to be approved by the Parliament before it can be enacted into law.

Process of Lawmaking

1. A bill is introduced in either House of Parliament.
2. The bill is read aloud for members to hear.
3. It may be sent to a Standing Committee for detailed examination.
4. The bill is then considered and discussed for approval.
5. Members discuss each part (clause) and vote on any changes.
6. The entire bill is then voted on.
7. If passed, the bill goes through the same process in the other House.
8. After both Houses approve it, the bill is sent to the President for assent.
9. Once the President agrees, the bill is officially notified in the Gazette and becomes law.

Standing Committee: A permanent committee consisting of MPs that scrutinises government activities, makes recommendations, and asks questions on actions taken by the government.

Clause: Parts of a bill that explain the specific details of the bill.

Gazette: An official government publication that announces legal documents and official information.

3) Executive Accountability

The Parliament holds the Executive accountable through various mechanisms such as the Question Hour, where ministers must justify their actions and decisions. Special committees also meet to question ministries about their policies. The Council of Ministers, headed by the Prime Minister, is collectively responsible to the Lok Sabha.

4) Financial Accountability

The Parliament approves and monitors government expenditure through the annual budget and examines the distribution of funds to different ministries. The government is expected to provide necessary information to Parliament in a timely and accurate manner.

Exam Questions

- **Q:** What are the main functions of the Indian Parliament?
A: The main functions are constitutional functions, lawmaking, executive accountability, and financial accountability.
- **Q:** What is the role of the Standing Committee?
A: It examines government activities, makes recommendations, and holds the government accountable.

Structure and Functions of the Executive

The Union Executive consists of the President, the Vice President, and the Council of Ministers headed by the Prime Minister. The Council of Ministers is chosen from among the MPs of both houses of Parliament and is collectively responsible to the Lok Sabha.

The President

The President is the Head of State and the nominal head of the Executive. The President appoints the Prime Minister and other ministers, summons the Parliament, and gives assent to bills. The Council of Ministers aids and advises the President. In specific circumstances, the President can exercise discretionary powers, especially during political crises.

The Prime Minister and the Council of Ministers

The Prime Minister is the de facto executive authority in India's Parliamentary system. The Prime Minister leads the Council of Ministers, advises the President, coordinates the work of different ministries, and shapes national policies. The Prime Minister and the Council of Ministers take decisions and run the government.

Civil servants or bureaucrats assist in implementing laws and policies under the direction of ministers.

Exam Questions

- **Q:** Who is the nominal head of the Executive in India?
A: The President is the nominal head of the Executive.
- **Q:** What are the key functions of the Prime Minister?
A: Leading the Council of Ministers, advising the President, coordinating ministries, and shaping national policies.

Differences Between the Legislature and the Executive

The Legislature (Parliament) and the Executive have distinct roles:

Aspect	Legislature	Executive
Composition	President, Lok Sabha, Rajya Sabha	President, Vice President, Council of Ministers led by Prime Minister
Main Role	Make laws and oversee the Executive	Enforce laws and run the government
Functions	Introduce bills, approve government spending, form committees, question the Executive	Introduce most bills, advise the President, prepare and execute budget, manage daily government tasks

Exam Questions

- **Q:** What is the main role of the Legislature?
A: To make laws and oversee the Executive.
- **Q:** How does the Executive relate to the Legislature?
A: The Executive enforces laws made by the Legislature and is responsible to it.

The Judiciary and Separation of Powers

The Judiciary interprets and applies laws, resolves disputes, and safeguards fundamental rights. It acts as the custodian of the Constitution, ensuring that the Legislature and Executive operate within constitutional limits.

The Constitution assigns the Judiciary the responsibility to check that laws passed by Parliament do not violate the Constitution and that the Executive implements laws properly.

This system of separation of powers and checks and balances among the Legislature, Executive, and Judiciary ensures that no one organ becomes too powerful.

Exam Questions

- **Q:** What is the role of the Judiciary in India?
A: To interpret laws, resolve disputes, safeguard fundamental rights, and ensure constitutional compliance by other branches.
- **Q:** Why is separation of powers important?
A: It prevents concentration of power and protects citizens' rights by ensuring checks and balances.

Legislative and Executive Functions at the State Level

Each state in India has its own legislature and executive, called the State Assembly. Members of Legislative Assembly (MLAs) make laws on subjects listed in the State List and Concurrent List.

Union List, State List, and Concurrent List

The Constitution divides subjects into three lists:

- **Union List:** Subjects on which only the central government can legislate.
- **State List:** Subjects on which only state governments can legislate.
- **Concurrent List:** Subjects on which both the Union and State governments can legislate. If there is a conflict, Union law prevails.

For example, education is in the Concurrent List, so the Right to Education Act applies throughout India.

Structure of State Legislatures

State legislatures can be unicameral (one house) or bicameral (two houses). The legislative assembly is called the Vidhan Sabha, and the legislative council (upper house) is called the Vidhan Parishad. States like Andhra Pradesh, Bihar, Karnataka, Maharashtra, Telangana, and Uttar Pradesh have bicameral legislatures; others have unicameral.

Exam Questions

- **Q:** What are the three lists in the Indian Constitution?
A: Union List, State List, and Concurrent List.
- **Q:** What is the difference between unicameral and bicameral legislatures?
A: Unicameral has one house; bicameral has two houses.

Functioning and Challenges of the Legislature

The Parliament and State Assemblies are spaces for debates, lawmaking, and oversight. However, challenges include absenteeism, non-cooperation, reduced quality of debates, and disruptions during sessions.

Parliament meets three times a year: Budget Session, Monsoon Session, and Winter Session. Each session has sittings where laws are discussed and government actions are questioned.

Productivity is measured by the number of hours the Houses functioned against scheduled time. There has been a decline in productivity in recent years due to disruptions.

Exam Questions

- **Q:** What are some challenges faced by the Indian Parliament?
A: Absenteeism, disruptions, poor quality debates, and delays in passing bills.
- **Q:** How often does the Parliament meet?
A: Three times a year: Budget, Monsoon, and Winter Sessions.

Citizen Participation and Democracy

Democracy grows stronger when citizens stay informed and engaged by asking questions, sharing views, and participating in public discussions. Young leaders and diverse voices are entering public life, and technology helps people stay connected with governance.

As future voters, your choices and participation will strengthen Parliament and state assemblies, ensuring they serve all people.

Exam Questions

- **Q:** Why is citizen participation important in a democracy?
A: It helps shape better policies and holds leaders accountable.
- **Q:** How can young people contribute to strengthening democracy?
A: By staying informed, engaging in discussions, and voting responsibly.

Solved Examples

Example 1:

Question: Explain the process by which a bill becomes a law in the Indian Parliament.

Answer: A bill is introduced in either House of Parliament and read aloud. It may be sent to a Standing Committee for detailed examination. The bill is then discussed, clauses debated, and voted on. If passed, it goes to the other House for a similar process. After both Houses approve, the bill is sent to the President for assent. Once the President agrees, the bill is published in the Gazette and becomes law.

Example 2:

Question: What are the main differences between the Legislature and the Executive in India?

Answer: The Legislature (Parliament) makes laws and oversees the Executive. It includes the President, Lok Sabha, and Rajya Sabha. The Executive enforces laws and runs the government, consisting of the President, Vice President, and Council of Ministers led by the Prime Minister. The Legislature can introduce bills and question the Executive, while the Executive prepares and implements the budget and manages daily government tasks.

Practice Set

Easy

- What are the two houses of the Indian Parliament called?
- Who appoints the Prime Minister of India?

Moderate

- Describe the role of the Standing Committee in the Parliament.
- Explain the significance of the Right to Education Act, 2009.

Challenging

- Discuss the importance of separation of powers among the Legislature, Executive, and Judiciary.
- Analyze the challenges faced by the Indian Parliament in recent years and suggest ways to improve its productivity.

Answer Key

- **Easy**
 - Lok Sabha and Rajya Sabha.
 - The President of India.
- **Moderate**
 - The Standing Committee examines government activities, makes recommendations, and holds the government accountable.
 - The Right to Education Act provides free and compulsory education to children aged 6 to 14 years, ensuring the right to education as a fundamental right.
- **Challenging**
 - Separation of powers prevents concentration of power, ensures checks and balances, and protects citizens' rights by dividing responsibilities among Legislature, Executive, and Judiciary.
 - Challenges include absenteeism, disruptions, and poor debates. Improving productivity requires better discipline, cooperation among members, and active citizen engagement.

Quick Reference

- **Parliament:** Supreme legislative body of India, consisting of the President, Lok Sabha, and Rajya Sabha.
- **Lok Sabha:** Lower house, members directly elected by the people.
- **Rajya Sabha:** Upper house, members elected by state legislatures.
- **Bill:** Draft of a proposed law.
- **Act:** A bill that has been passed by Parliament and received the President's assent.
- **Standing Committee:** Permanent committee that examines government work.

- **Executive:** Branch responsible for implementing laws, led by the Prime Minister and Council of Ministers.
- **Judiciary:** Branch that interprets laws and ensures constitutional compliance.
- **Federalism:** Distribution of power between central and state governments.

Glossary

Bill

A draft of a proposed law that must be approved by Parliament before becoming law.

Constitution

The supreme law of India that lays down the framework for government and fundamental rights.

Executive

The branch of government responsible for implementing laws and running the administration.

Federalism

A system of government where power is divided between a central authority and constituent units like states.

Legislature

The branch of government that makes laws; in India, the Parliament.

Parliament

The supreme legislative body of India, consisting of the President, Lok Sabha, and Rajya Sabha.

Standing Committee

A permanent committee of Parliament that examines government work and bills.

Universal Adult Franchise

The right of all adult citizens to vote regardless of social or economic status.