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Working of Institution

Institutions are essential components of a democratic government. They consist of established procedures, meetings, committees, and routes that ensure the smooth functioning of governance. While institutions may introduce delays and complications, these processes allow for wider consultation and prevent hasty decisions. This balance helps in making well-considered policies and protects against the passage of poor decisions.

Political institutions such as the Prime Minister, Cabinet, civil servants, and the Supreme Court play distinct roles in policy-making, implementation, and dispute resolution respectively.

How is a Major Policy Decision Taken? Parliament

A Government Order

On August 13, 1990, the Government of India issued an Office Memorandum that introduced a 27% job reservation for a new category called Scheduled Castes and Educationally Backward Classes (SEBC), in addition to the existing reservations for Scheduled Castes (SC) and Scheduled Tribes (ST). This government order was the result of a long process involving various political institutions.

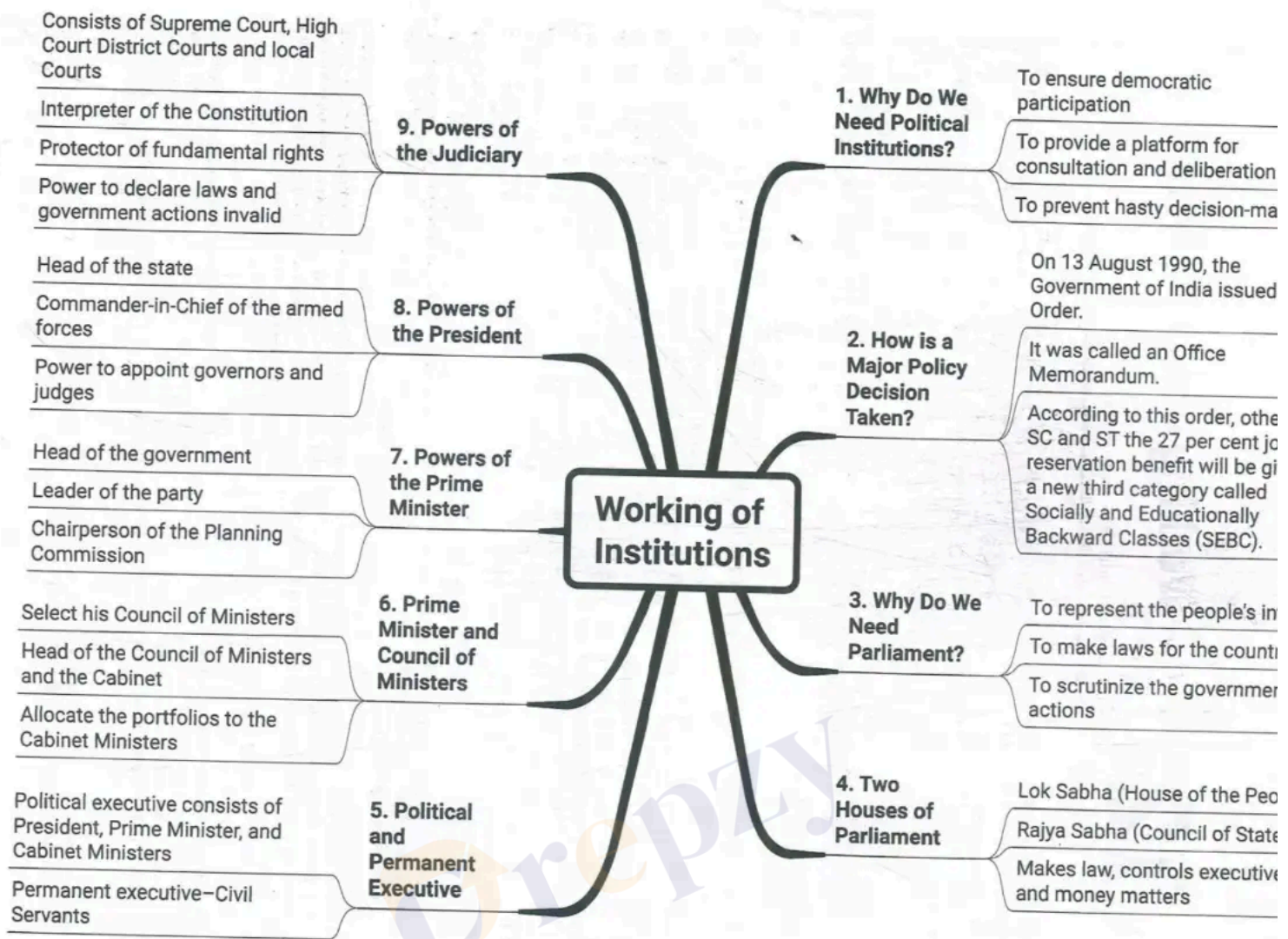
The Decision Makers

In a democracy, decision-making power is divided among three organs: the legislature, the executive, and the judiciary. The legislature enacts laws, the executive implements them, and the judiciary resolves disputes arising from these decisions.

The Mandal Commission, established in 1979, recommended the 27% reservation for SEBC. This policy decision was formalized through a government order, which faced significant public protests due to its impact on job opportunities.

Need for the Political Institution

Political institutions ensure that democracy functions effectively by performing assigned roles. Although they may cause delays, these institutions provide opportunities for broader consultation and prevent rash decisions. Key institutions include the Prime Minister and Cabinet (policy decision makers), civil servants (policy implementers), and the Supreme Court (dispute resolvers).



Why Do We Need Parliament

The Parliament is the national assembly of elected representatives responsible for enacting, amending, and abolishing laws. It debates national policies and important public issues.

Two Houses of Parliament

The Parliament consists of the President of India and two houses: the Rajya Sabha (Council of States) and the Lok Sabha (House of the People).

The Rajya Sabha is the Upper House with 250 members, including 12 nominated by the President. Members are elected by state legislatures for 6-year terms, with one-third retiring every two years. The Vice President is the ex-officio Chairman.

The Lok Sabha is directly elected by the people, with up to 550 members including 20 from Union Territories. The Speaker presides over sessions. Lok Sabha holds supreme powers, including the ability to pass money bills that the Rajya Sabha cannot reject.

Key Words

Office Memorandum: A communication issued by an authority stating government policy or decisions.

Reservations: Policies reserving government jobs and educational seats for disadvantaged communities.

Rajya Sabha: The Upper House of Parliament, indirectly elected by state assemblies.

Speaker: The presiding officer of the Lok Sabha responsible for conducting its business efficiently.

Example

'Parliament is the supreme legislature of India' justify the statement.

Answer:

Step 1: In democracies, elected representatives exercise supreme political authority on behalf of the people.

Step 2: In India, this assembly is called Parliament; at the state level, it is the Legislature.

Step 3: Parliament is the final authority for making laws in the country.

Step 4: Parliaments can make new laws, amend existing laws, or abolish laws and replace them.

Political Executive

Political and Permanent Executive

The executive branch consists of political and permanent executives. The political executive includes elected leaders serving fixed terms, while the permanent executive comprises civil servants appointed for long terms.

Prime Minister and Council of Ministers

The Prime Minister, appointed by the President as the leader of the majority party or coalition in the Lok Sabha, is the most important political institution. The Council of Ministers, appointed on the Prime Minister's advice, includes Cabinet Ministers, Ministers of State with independent charge, and other Ministers of State.

Powers of Prime Minister

The Prime Minister chairs cabinet meetings, assigns work to ministers, and can dismiss ministers. The Prime Minister leads the government, the ruling party, and the planning commission. The role has grown powerful in recent decades, making parliamentary democracies sometimes described as Prime Ministerial governments.

The President

The President is the Head of State with nominal powers, overseeing political institutions to achieve state objectives. Elected indirectly by an Electoral College of MPs and MLAs, the President appoints the Prime Minister and other key officials.

Powers of President

The President issues major government decisions and laws based on the Council of Ministers' advice. The President appoints the Prime Minister and must have majority support in the Lok Sabha.

Key Words

Executive: A body of senior ministers controlling important ministries.

Collective responsibility: The Council of Ministers is collectively responsible for decisions; if a decision is rejected by Parliament, the entire Council must resign.

The Judiciary

The judiciary comprises courts at various levels: the Supreme Court, High Courts, and District Courts. The Supreme Court is the highest legal authority.

Indian courts are divided into civil courts (handling disputes over land, property, and rights) and criminal courts (handling cases like murder and riots).

The Supreme Court oversees judicial administration, resolves disputes between citizens and government, between states, and between states and the union government. It is the highest court of appeal.

The judiciary is independent and non-partisan. Judges are appointed by the President on the Prime Minister's advice and consultation with the Chief Justice. Removal of judges is difficult, requiring impeachment by a two-thirds majority in both houses of Parliament.

Powers of Judiciary

The Supreme Court and High Courts interpret the Constitution and can declare laws or government actions invalid if unconstitutional. The judiciary can review laws and government actions and protect public interest through Public Interest Litigation.

Key Word

Impeachment Motion: A parliamentary procedure to remove the President or judges for constitutional violations.

Solved Examples

Example 1: Explain the role of the Parliament in policy-making.

Answer: Parliament enacts, amends, and repeals laws. It debates national policies and public issues, representing the people's interests through elected representatives.

Example 2: What is the difference between political and permanent executive?

Answer: The political executive consists of elected leaders serving fixed terms, while the permanent executive comprises civil servants appointed for long-term service.

Practice Set

Easy

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

Moderate

- Explain the concept of collective responsibility in the Council of Ministers.
- What are the main functions of the judiciary in India?

Challenging

- Discuss the significance of the Mandal Commission's recommendations and the resulting government order.
- How does the judiciary maintain its independence from the executive and legislature?

Answer Key

- **Easy 1:** The two houses are the Rajya Sabha and the Lok Sabha.
- **Easy 2:** The President appoints the Prime Minister.
- **Moderate 1:** Collective responsibility means the Council of Ministers is collectively accountable to Parliament; if a decision is rejected, the Council must resign.
- **Moderate 2:** The judiciary interprets laws, resolves disputes, protects rights, and ensures laws comply with the Constitution.
- **Challenging 1:** The Mandal Commission recommended 27% reservation for SEBC to promote social justice; the government order implemented this led to widespread debate and protests.
- **Challenging 2:** The judiciary is independent due to secure tenure of judges, appointment procedures, and powers to review laws and government actions without interference.

Quick Reference

- **Parliament:** National assembly with two houses, enacts laws.
- **Political Executive:** Elected leaders including Prime Minister and Council of Ministers.
- **Permanent Executive:** Civil servants implementing policies.
- **Judiciary:** Courts interpreting laws and resolving disputes.
- **Office Memorandum:** Government order communicating policy decisions.
- **Reservation:** Policy for affirmative action in jobs and education.

Glossary

A formal communication issued by the government stating policy or decisions.

Reservation

A policy reserving certain positions for disadvantaged groups.

Rajya Sabha

The Upper House of the Indian Parliament, indirectly elected.

Lok Sabha

The Lower House of the Indian Parliament, directly elected by the people.

Speaker

The presiding officer of the Lok Sabha.

Executive

The branch of government responsible for implementing laws and policies.

Collective Responsibility

The principle that the Council of Ministers is collectively accountable to Parliament.

Impeachment Motion

A parliamentary procedure to remove the President or judges for constitutional violations.

