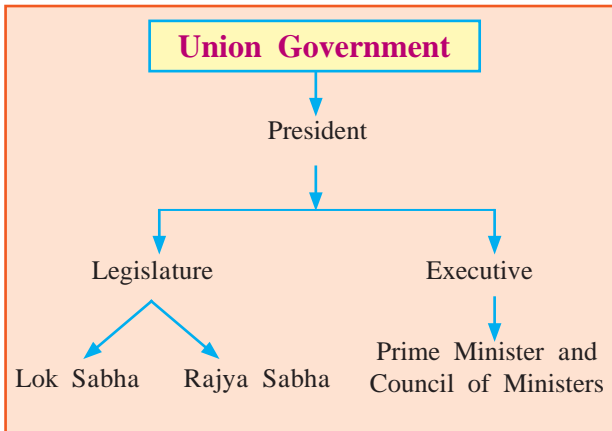


### 3. The Union Executive

In the last chapter, we learnt about the Union legislature which included the structure and functioning of the Parliament. In this chapter, we are going to study the Union Executive.

#### Structure of the Union Government :

The Union government means the Central government. The Union government is made up of the following constituents.



You know that the legislature, executive and judiciary are the three organs of the State and that they work for the welfare of people. In a parliamentary system, the executive is part of the legislature and is responsible to the legislature. When we learn about the Executive, it is important for us to understand who are included in Executive,

**Rama :** The President is the nominal head and the Prime Minister is the executive head. What type of relationship exists between persons holding these posts ?

**Vidya :** I think that the Prime Minister meets the President regularly and informs him about the conduct of administration.

Yes! This is right. The Prime Minister informs the President about the administration of the country and about new laws and policies. Rather, the President has a right to seek such information.

what are the constitutional provisions relating to Executive and what is the process of policy making for public welfare.

India's Union Executive comprises of the President, Prime Minister and the Council of Ministers.

**President :** According to the provisions in the Constitution of India, the President is the Supreme Head of the State. The office of the President has the highest honour and prestige and it represents the Republic of India. All executive powers of the State are vested in the President by the Constitution. The Government carries out its functions in the name of the President. However, in reality, the Prime Minister and the Council of Ministers run the government. Therefore, the President is the nominal and constitutional head whereas the Prime Minister is the executive head.

**Election of the President :** The President is indirectly elected by the people of India. The common people do not vote in the election of the President. He is elected by directly elected representatives of the Central and State legislatures. The group of these parliamentarians and members of the state legislatures is known as the Electoral College.

The tenure of the President is five years. The person contesting the Presidential elections should be an Indian citizen who has completed 35 years of age. The person elected to the position of the President has to take an oath while accepting the post. According to the oath, the President bears the responsibility of protecting the Constitution and ensuring that the government runs as per the constitution. The President governs in accordance with



the advice given by the Prime Minister and the Council of Ministers.

The responsibility of protecting the Constitution is shouldered by the President. But if any act of President violates the Constitution then the Parliament has the authority to remove the President. This process is known as process of Impeachment. Any one House can lay the charge of violation of the Constitution and the investigation of the charge is carried out by the other House. The resolution has to be passed by special (2/3<sup>rd</sup>) majority of both the Houses of Parliament.

**Powers and Functions of the President :** The Constitution has entrusted several powers and functions to the President. A few functions are enumerated as follows:

(1) The President summons the meeting of Parliament, prorogue the session of Parliament, sends messages to both Houses, dissolves the Parliament after the tenure is over or even before the tenure gets over.

(2) Bill passed by the Lok Sabha and Rajya Sabha must be signed by the President. Without his signature, the Bill cannot become a law.

(3) The President appoints the Prime Minister and other ministers on the recommendation of Prime Minister.

(4) The President appoints the judges of the Supreme Court and the High Courts. The President also appoints the Governors of States, Chief Election Commissioner and other important officers.

(5) The President is the supreme commander of the defence forces. Decisions regarding war and peace are made by the President.

(6) The President has some judicial powers too. For instance, the President has the power to reduce the punishment, grant a reduction in punishment or

commute a sentence of a person or in special circumstances grant pardons or reprieves on humanitarian grounds.

(7) The President has the power to declare emergency in case of a crisis situation arising in the country. There are three kinds of emergencies mentioned in the Constitution. (1) National Emergency (2) State Emergency (3) Financial Emergency

In the absence of the President, his functions are carried out by the Vice-President. The Vice-President is elected by members of both the houses of the Parliament.



#### Do it.

Find out the text of the oath taken by the President. Understand its meaning with the help of your teachers.

**Prime Minister and the Council of Ministers :** The President is the constitutional head. However, in reality, his powers are nominal and the Prime Minister along with his Council of Ministers is responsible for the administration. We will now see the role and functions of the Prime Minister.

The party which attains a majority in elections nominates their leader as the Prime Minister. The Council of Ministers is then formed of trustworthy colleagues from within the party. The Prime Minister and the Council of Ministers must be members of the parliament. In case they are not members, they are required to get elected to the Parliament within six months of their appointment. The government in reality is run by the Prime Minister and the Council of Ministers. This means that the real executive powers are vested with the Prime Minister and the Council of Ministers.

#### Functions of the Prime Minister

(1) The foremost task of the Prime



Minister is to form his Council of Ministers. While doing this, the Prime Minister gives priority to trustworthy colleagues while considering their administrative experience, governance skills, efficiency and subject expertise.

(2) After deciding upon the members of the council of ministers, the Prime Minister allocates portfolios to them.

(3) The Prime Minister leads the Council of Ministers. The Prime Minister chairs all the meetings of the Council of Ministers.

(4) After allocation of portfolios, the Prime Minister has to maintain coordination in the working of various departments, facilitate cooperation amongst the departments, supervise the working of these departments in order to maintain efficacy and efficiency etc.

(5) The Prime Minister also has various other responsibilities such as to raise the image of the country in the international arena and work towards achieving a favourable opinion globally, to develop trust among people and to provide strong support to people who are victims of any disaster etc.

### Functions of Council of Ministers

(1) In a parliamentary form of government the Council of Ministers takes



#### Do you know ?

Have you heard about 'Jumbo Ministry' ?

This refers to huge Council of Ministers. There was a trend to keep large Council of Ministers in our country. Later, a constitutional amendment was made to limit the size of the Council of Ministers. As per this amendment, the number of ministers in the council should not be more than 15% of the total number of members in the Lok Sabha.

initiative in the process of Law-making. The scheme, policy plans etc. are drafted and discussed and then introduced in the House. The Council of Ministers discusses important questions before making a decision.

(2) Education, agriculture, industry, health, foreign relations are subjects upon which the Council of Ministers has to decide specific policies or direction of work. The Parliament needs to be taken into confidence about the policy decisions taken by the government. Therefore, the Ministers of respective departments lay their policy plans in the Parliament to bring about a discussion on it, and try to get it approved by the Parliament.

(3) Implementation of policy is the foremost responsibility of the Council of Ministers. Once the Parliament approves the policies or draft proposals, the Council of Ministers implements them.

### How does the Parliament keep a check over the Council of Ministers?

In a parliamentary system of government the legislature tries to keep control over the executive i.e. the Council of Ministers. The control is exercised in the lawmaking or policy making process, implementation of policies and even after that. A few ways of exercising control are:

**(1) Discussions and Debates :** Debate and discussion among the members of the House are an integral part of the law-making process. These debates and discussions help the members to scrutinise the policy proposals and laws and point out the shortcomings. These discussions are essential for creation of flawless laws.

**(2) Question Hour :** During parliamentary sessions, the proceedings of the House begins with questions asked by the members of the House. The concerned ministers are supposed to give satisfactory answers to these questions. Question Hour



is one of the most effective ways of keeping a check over the Council of Ministers. During question hour, members criticise the government and ask questions on various issues. Sometimes, when a member is not satisfied with the answer of the minister, arguments take place. Occasionally, members walk-out of the House or enter into the well of the House and give slogans to record their protest.

**(3) Zero Hour :** During the parliamentary sessions, the period around 12 noon is called 'Zero Hour'. During this period, any question of public importance can be raised and discussed.

**(4) No-Confidence motion :** This is one of the most effective ways to keep a check on the Council of Ministers. The government stays in power till it enjoys

the support of majority in Lok Sabha. If the members of Parliament withdraw the support, it may lead to loss of majority and the government cannot stay in power. The members of the House can move a no-confidence motion by simply expressing 'we do not have confidence in the government'. If the motion is passed with majority support then the Council of Ministers has to resign.



### Can you tell?

What should the members of the Parliament do to participate effectively in debates and discussions?

There is an extensive bureaucracy that works under the executive. We will study this bureaucracy in the 6<sup>th</sup> chapter.

## Exercise

### 1. Choose the correct option and rewrite the statement.

- (1) In India, the executive power is vested with the .....  
(President, Prime Minister, Speaker)
- (2) The tenure of the President is of ..... years.  
(Three, Four, Five)
- (3) The Council of Ministers is led by the .....  
(Party chief, Prime Minister, President)

### 2. Find and write.

- (1) The President, the Prime Minister, the Council of Minister are called the -
- (2) During the parliamentary session the period around 12 noon is known as -

### 3. Write on following concepts in your own words.

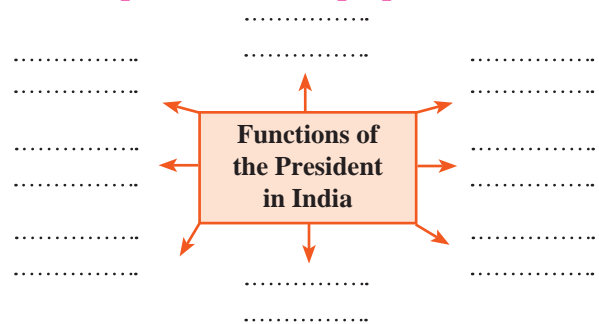
- (1) Impeachment procedure
- (2) No-confidence motion
- (3) Jumbo ministry

### 4. Answer in brief.

- (1) Enumerate the functions of the Council of Ministers.
- (2) How does the Parliament keep a

check on the Council of Ministers?

### 5. Complete the concept picture.



### Project

- (1) If you become the Prime Minister what works will you prioritise? Create a priority-wise list and present it in class.
- (2) Collect pictures and information of India's Presidents since independence.

