

IX CIVICS CHAPTER-5 WORKING OF INSTITUTIONS

CONCEPTS:

Need for Political Institutions

A government has to perform various duties, formulate policies and implement them.

Some have to formulate schemes, some have to take decisions, and some have to implement the decisions. Hence the need for institutions to do all the above. The Constitution of a country lays down basic rules on powers and functions of each institution. The institutions are the Legislative (Parliament), the Executive (the Government) and the Judiciary.

The Parliament: (i) It is needed as final authority to make laws in the country. (ii) To exercise control over the workings of the government. (iii) To control the expenditure of the government, and control public money. (iv) As the highest forum of discussion and debate it decides public Issues and national policies.

Two Houses of Parliament. Lok Sabha and Rajya Sabha. The former has elected representatives and is the House of People.

The Rajya Sabha elected by the elected members of each State Assembly is called the Council of States.

Lok Sabha is more important in money matters; control over the executive Lok Sabha is elected for a period of five years. The Rajya Sabha is a permanent House, with one third members retiring every two years. The term of each member is for six years.

Political Executive

The President, the Prime Minister and his Council of Ministers and the civil servants form the executive.

The Political Executive consists of political leaders elected by the people, who act on their behalf and are responsible to the public who elected them. They take all the decisions, understand the overall picture.

The second category is called the permanent executive consisting of civil servants. They help the political executive in carrying out the day to day work. They are experts but do not take the final decision.

Prime Minister has three kinds of ministers to help him: (i) Cabinet Ministers, (ii) Ministers of State and (iii) Deputy Ministers.

The Prime Minister's position is supreme. He chooses his Cabinet and his decision is final, except in a coalition government where he has to listen to other party members. When the Prime Minister quits, the entire ministry quits. **The President** is the nominal head in India. He is not directly elected by the people as in USA.

All the Members of Parliament and Members of the State Legislatures elect him. Since he is elected indirectly, he does not have the same powers as the Prime Minister.

The President exercises all his legislative, executive, financial, judicial, military powers only on the advice of the Prime Minister and his Council of Ministers.

The President can only delay a bill. If the Parliament passes it again, he has to sign it.

President has the power to appoint the leaders when there is a coalition on his own discretion.

The Judiciary: India has one of the most powerful judiciaries.

The Judiciary is independent of both the Executive and the Legislature.

The Chief Justice of the Supreme Court is appointed by the President on the advice of the Prime Minister and his Council of Ministers.

The other judges of the Supreme Court and the State High Courts are appointed in the same way but on the advice of the Chief Justice.

Once appointed, the Judges can be removed only by impeachment.

The Judiciary is the custodian of the Constitution, and the Supreme Court and the High Courts have the power to interpret the Constitution.

It can declare any law passed by the Legislature as invalid, if it violates the Constitution.

It safeguards the Fundamental Rights of the people of India, and checks malpractices and misuse of power by the Executive or the Legislatures, and has more members.

Rajya Sabha is more important in matters concerning the states.

Some examples of policy making

Government of India appointed a Commission in 1979, headed by B.P. Mandal, called second backward commission

Commission gave a report in 1980. One of the suggestions was to reserve 27 per cent of Government jobs for socially and Economically Backward Classes (SEBC).

Parliament discussed this for many years.

Janata Dal won elections in 1989. V.P. Singh, the Prime Minister, decided to implement Reservations.

The President announced it in his address to the Parliament.

On 6 August 1990, the Cabinet decided to implement and the Prime Minister announced it in both Houses of Parliament.

The senior officers drafted an order, signed by an officer and it became the Memorandum issued on 13 August 1990.

There was a heated debate on the issue and it was finally taken to the Supreme Court. The case was known as "Indira Sawhney and others vs. Union of India case."

1992 Supreme Court declared the Mandal order as valid but asked for some modifications

SOME IMPORTANT M.C.Qs.

Q.1. When was the Second Backward Class Commission appointed?

- (a) 1989 (b) 1979 (c) 1999 (d) 2001

Q.2 what is meant by 'Office Memorandum'?

- (a) Order issued by the Government of India (b) Memoirs of the leaders of the past
(c) Important defence documents (d) none of the above

Q.3 What do the Civil Servants do?

- (a) They take important policy decisions (b) They implement the ministers' decisions
(c) They settle the disputes (d) none of the above

Q.4. Why did people react strongly to the Mandal Commission Report?

- (a) It left out many backward communities opportunities
(b) It affected thousands of job opportunities
(c) Some high castes wanted to be included in it
(d) Both (a) and (c)

Q.5. What is 'Parliament'?

- (a) Assembly of elected representatives at the national level
(b) A body consisting of appointed ministers
(c) Body comprising judges
(d) Assembly of only appointed members

Q.6. Which of these is correct so far as powers of the Parliament are concerned, apart from Making laws?

- (a) Exercising control over the government
(b) Controlling finance of the country
(c) Serving as the highest forum of discussion and debate
(d) All the above

Q.7. Apart from Lok Sabha and Rajya Sabha, who else constitutes the Parliament?

- (a) Prime Minister
(b) Chief Minister
(c) Governor
(d) President

Q.8. What happens if there is a difference of opinion between Lok Sabha and Rajya Sabha over an ordinary bill?

- (a) The President decides the matter
(b) The will of Rajya Sabha prevails
(c) There is a joint sitting of the two Houses
(d) the bill is cancelled

Q.9. For how long can the Rajya Sabha delay a Money Bill?

- (a) 15 days
(b) 1 month
(c) 3 months
(d) 14 days

Q.10. Which of these disputes can the Supreme Court take?

- (a) Between citizens of the country
(b) Between citizens and the government
(c) Between two or more state governments
(d) All the above

Q.11. Who appoints the judges of the Supreme Court and High Courts?

- (a) President, according to his own wishes
(b) President, on the advice of the PM
(c) President on the advice of the PM in consultation with the Chief Justice of India
(d) None of the above

Q.12. Who is the presiding officer of the Lok Sabha?

- (a) Speaker
(b) Vice President
(c) President
(d) Prime Minister

Q.13. Two features of Indian judicial system are:

- (a) Independent Judiciary
(b) Integrated Judiciary
(c) Dependent Judiciary
(d) Both (a) and (b)

Q.14. How can a judge of the Supreme Court be removed?

- (a) By the Supreme Court itself
(b) By the Parliament through impeachment
(c) By the President alone
(d) By the Police

Q.15. Which of the following institutions can make changes to the existing law of the country?

- (a) The Supreme Court
(b) The President
(c) The Prime Minister
(d) The Parliament

Q.16. What does the Supreme Court say over the Parliament's power of amendment of the Constitution?

- (a) Parliament can amend the entire Constitution
- (b) Parliament can amend only the basic structure of the Constitution
- (c) Parliament cannot amend the basic structure of the Constitution
- (d) None of the above

Q.17. Which body acts as the guardian of Fundamental Rights?

- (a) District Courts
- (b) Supreme Court
- (c) Election Commission
- (d) Legislature

Q.18. What is a Public Interest Litigation?

- (a) Filing a case in the court in the interest of the public judgements
- (b) Reviewing of Supreme Court judgements
- (c) Procedure of removal of a judge
- (d) None of the above

Q. 19. Why does the political executive have more powers than the permanent executive?

- (a) Because hardly any expertise is required in taking policy decisions
- (b) Because political executive consists of the direct representatives of the people
- (c) Political leaders are more educated
- (d) None of the above

Q.20. Who holds the most important and powerful position in the government?

- (a) President
- (b) Vice President
- (c) Prime Minister
- (d) Speaker

Q.21. Whom does the President appoint as the Prime Minister?

- (a) Anyone he likes
- (b) Leader of the majority party
- (c) MP who has secured the largest number of votes
- (d) None of the above

Q.22. What is the tenure of office of the Prime Minister?

- (a) 5 years
- (b) 6 years
- (c) As long as he wants
- (d) He does not have a fixed tenure

Q.23. What is the government formed by an alliance of two or more political parties called?

- (a) Cooperation government
- (b) Coalition government
- (c) Consensus government
- (d) Cooperative government

Q.24. Which organ of the government has the power to interpret the Constitution?

- (a) Supreme Court
- (b) District Court
- (c) High Court
- (d) Both (a) and (c)

Q.25. Which of these options is/are correct regarding the powers of the Prime Minister?

- (a) He chairs the Cabinet meetings
- (b) He distributes work to the different departments
- (c) He can dismiss ministers
- (d) All the above

Q.26. What is the position of the President?

- (a) Nominal head of the state
- (b) Real head of the state
- (c) Hereditary head of the state
- (d) None of the above

Q.27. Which of the following statements is not true?

- (a) The Judiciary safeguards the laws
- (b) The Legislature implements the laws
- (c) The political executives are more powerful than the permanent executives
- (d) The permanent executives comprises the civil servants

Q.28. The Council of Ministers at the centre is responsible to

- (a) The President
- (b) the Prime Minister
- (c) The Rajya Sabha
- (d) the Lok Sabha

Q.29. The president of India is elected by

- (a) Direct Election by citizens ... 18 years of age
- (b) Indirect Election by the Electoral College
- (c) The Prime Minister and the Council of Ministers
- (d) None of the above

Q.30. President of India is

- (a) Head of the Government
- (b) Head of the State
- (c) Head of the parliament
- (d) None of the above

Q.31. The judges of Supreme Court are appointed by

- (a) President
- (b) Prime Minister
- (c) Chief Justice
- (d) Law Minister

SHORT ANSWER TYPE QUESTIONS [3 MARKS]

Q.1. Who appoints the Prime Minister and the Council of Ministers, and on what basis?

Ans. The Prime Minister is appointed by the President. But he cannot appoint anyone he likes. He appoints the leader of the majority party or the coalition of the parties that commands a majority in the Lok Sabha, as Prime Minister. In case no single party or alliance gets a majority, the President appoints the person most likely to secure a majority support.

Q.2. In which way do the cabinet ministers exercise more powers than the other ministers?

Ans. Cabinet ministers are the top-level leaders of the ruling party or parties, and are in charge of the major ministries. Ministers of state with independent charge are on the other hand usually in charge of smaller ministries. The decisions are taken in cabinet meetings and the other ministers have to follow these decisions. They attend the cabinet meeting only if they are invited.

Q.3. State how the delays and complications introduced by the institutions are very useful in a democracy?

Ans. Working with institutions involves rules and regulations, meetings, committees and routines, often leading to delays and complications. But some of these delays are very useful as they provide an opportunity for a wider set of people to be consulted in any decision. They make it difficult to rush through a bad decision.

Q.4. How has the rise of coalition politics imposed constraints on the power of the Prime Minister?

Ans. The Prime Minister of a coalition government cannot take decisions as he likes. He has to accommodate different groups and factions in his party as well as among alliance partners. He also has need to the views and positions of the coalition partners and other parties, on whose support the survival of the government depends.

Q.5. Why is an independent and powerful judiciary considered essential for democracies?

Ans. Independence of the judiciary is essential in a democracy so that it does not act under the control and direction of the legislature or the executive. The judges do not act according to the wishes of the government, i.e. the party in power. Indian Judiciary is powerful in the sense that it can declare only law invalid if it is against the constitution. Thus Indian judiciary acts as a guardian of the Fundamental Rights which is essential for a democracy.

.Q6. Discuss the powers and functions of the Parliament.

Ans. Parliament is the final authority for making laws in the country. It can also change laws and make new ones in their place. It exercises control over those who run the government. In India this control is direct and full. It also controls all the money that the government has. It is the highest forum of discussion and debate on public issues and national policies.

Q.7. Explain the composition of the council of ministers.

Ans. After the appointment of the Prime Minister, the President appoints other ministers on the advice of the Prime Minister. The ministers are usually from the party or the coalition that has the majority in the Lok Sabha. The Prime Minister is free to choose ministers as long as they are members of parliament. Council of ministers is the official name for the body that includes all the ministers. It usually has 60 to 80 ministers of different rank.

Q.8. Write about the process of appointment and removal of a judge of Supreme Court.

Ans. The judges of the Supreme Court and the High Courts are appointed by the President on the advice of the Prime Minister and in consultation with the Chief Justice of the Supreme Court.

In practice the senior judges of the Supreme Court select the new judges of the Supreme Court. A judge can be removed only by an impeachment motion passed separately by two-third members of the two houses of the Parliament.

.Q.9. Which house of the parliament is more powerful in India and why? Give any four reasons.

Ans. Rajya Sabha is called the Upper House but that does not mean that it is more powerful than Lok Sabha. Our constitution does not give Rajya Sabha same special powers over the states. But on most matters the Lok Sabha exercises supreme power.

(i) Any ordinary law needs to be passed by both Houses. The final decision is taken in a joint session but as number of Lok Sabha members is greater, the view of the Lok Sabha prevails.

(ii) Lok Sabha exercises more power in money matters. Once the Lok Sabha passes the budget the Rajya Sabha cannot reject it. It can hold it only for 14 days.

(iii) Lok Sabha controls the council of ministers. A person who enjoys the support of the majority members in the Lok Sabha is appointed the Prime Minister.

(iv) If majority members of the Lok Sabha say they have no confidence in the council of ministers all ministers including the Prime Minister have to quit.

Q.10 Why are political institutions important? Give any three points.

Ans. Governing a country involves various activities. For attending to all these activities/tasks several arrangements are made. Such arrangements are called institutions. A democracy works well when these Institutions perform these functions.

(i) The Prime Minister and the cabinet are institutions.

(ii) The civil servants working together are responsible for taking steps to implement the minister's decisions.

(iii) Supreme Court is an institution where disputes between citizens are finally settled.

Q.11. Give three differences between the Lok Sabha and the Rajya Sabha.

Ans. Members of the Lok Sabha are directly elected by the people. Lok Sabha exercises the real

power on behalf of the people. Rajya Sabha is elected indirectly and performs some special functions. Like looking after the interests of various states, regions or federal units. In some ways Lok Sabha is more important as it has more members and in any decision making, its opinion prevails – it controls council of ministers.

Q.12 What is the tenure of the President in India? Mention the qualifications for President of India.

Ans. The President in India is the head of the state. He has only nominal powers. The President of India is like the Queen of Britain whose functions are to a large extent ceremonial. The President supervises the overall functioning of all the political institutions in the country. The President exercises all his powers on the advice of the council of ministers. His tenure is for five years.

Q.13. Under what circumstances does the President exercise his discretion in the appointment of the Prime Minister? Who appoints the other ministers?

Ans. When a party or coalition of parties secures a clear majority in the elections; the President has to appoint the leader of the majority party or the coalition that enjoys majority support in the Lok Sabha. When no party or coalition gets a majority in the Lok Sabha President exercises his/her discretion and appoints a leader who in his/her opinion can muster majority support in the Lok Sabha within a specified time.

Q.14 What is a coalition government? Why the Prime Minister of a coalition government cannot take decisions as he likes?

Ans. The rise of coalition politics has imposed certain constraints on the power of the Prime Minister. The Prime Minister of a coalition government cannot take decision as he likes. He has to accommodate different groups and factions in his party as well as among alliance partners. He also has to heed to the views and positions of the coalition partners and other parties on whose support the survival of the government depends.

Q.15 What is the powers of the Prime Minister? Describe any three.

Ans. As the head of the government the Prime Minister has wide-ranging powers.

- (i) He chairs cabinet meetings
 - (ii) He coordinates the work of different Departments.
 - (iii) He exercises general supervision of different ministries. He can and does dismiss ministers.
- When the Prime Minister quits the entire ministry quits.

LONG ANSWER TYPE QUESTIONS [5 MARKS]

Q.1. Write about some of the activities involved in governing a country.

Ans.1- Governing a country involves various activities. For example, the government is responsible for ensuring security to the citizens and providing facilities for education and health to all.

2-It collects taxes and spends the money thus raised on administration, defence and development programmes.

3-It formulates and implements several welfare schemes. Some persons have to take decisions on how to go about these activities. Others have to implement these decisions.

4-It is also important that these activities keep taking place even if the persons in key positions change.

Q.2. In which ways does the Parliament exercise political authority on behalf of the

people?

Ans. (i) Parliament can make new laws, change existing laws, or abolish existing laws and make new ones in their place.

(ii) Those who run the government can take decisions only so long as they enjoy support of the Parliament.

(iii) Parliament controls all the money that government has. Public money can be spent only when the Parliament sanctions it.

(iv) Parliament is the highest forum of discussion and debate on public issues and national policy.

Q.3. Describe the ways in which Lok Sabha is more powerful than Rajya Sabha.

Ans. (i) An ordinary law has to pass through both Lok Sabha and Rajya Sabha. In case of differences, a joint session is held. Since Lok Sabha has larger number of members will prevail.

(ii) Lok Sabha exercises more powers in money matters. Once it passes the budget or the money bills, the Rajya cannot reject it. It can delay it by 14 days or suggest changes in it. The Lok Sabha may or may not accept these changes.

(iii) Lok Sabha controls the Council of Ministers. If the majority of Lok Sabha members say they have no confidence in the Council of Ministers, all ministers including the Prime Minister, have to quit. Rajya Sabha does not have this power.

Q.4 How can you say that the President occupies the position of a nominal head of the State?

Ans.1-The President is not elected directly by the people. She or he can never claim the kind of direct popular mandate that the Prime Minister can.

2- This ensures that she or he remains only a nominal executive.

3- The Constitution gives vast powers to the President. But the latter exercises them only on the advice of the Council of Ministers.

4- The President can ask the Council of Ministers to reconsider its advice. But if the same advice is given again, she or he is bound to act according to it. Similarly, when a bill comes to the President for signatures she or he can return it to the Parliament with her or his advice.

5- But when the bill comes for her signatures again, she or he has to sign it, whether the Parliament agrees to her / his advice or not.

Q.5. Write the powers of the Prime Minister?

Ans. The Prime Minister is the most important political institution in the country. He/ She have wide ranging powers.

(i) He chairs cabinet meetings.

(ii) His decisions are final in case of disagreement between departments.

(iii) He distributes and redistributes work to ministers

(iv) He also has power to dismiss ministers.

(v) When the Prime Minister quits, the entire ministry quits. Thus within the cabinet the Prime Minister is the most powerful so much so that

parliamentary democracies are sometimes seen as prime ministerial form of government.

Q.6. Explain the difference between Political Executive and Permanent Executive.

Ans.1- In a democratic country two types of executives are there. "One that is elected by the people

for a specific period, it is called the political executive. Political leaders who take big decisions fall into this category.

2- In the second category people are appointed on a long-term basis. This is called the permanent executive or civil services. Persons working in civil services are called civil servants. They remain in office even when the ruling changes. These officers work under political executive.

Q.7. In what ways does the Parliament exercise political authority? Explain.

Ans.1- Parliament is the final authority for making laws in any country. This task of law making or legislation is so crucial that these assemblies are called legislatures.

2- Parliaments all over the world exercise some control over those who run the government. In some countries like India this control is direct and full.

3- Those who run the government can take decisions only, so long as they enjoy support of the Parliament.

4-Parliaments control all the money that governments have.

5- The Parliament is the highest forum of discussion.

Q.8. Explain any four constitutional provisions for making judiciary independent.

Ans. Independence of the judiciary means that it is not under the control of the legislature or the executive. The judges do not act on the direction of the government or according to the wishes of the party in power. There is very little scope for the ruling party to interfere.

(i) The appointment of judges of Supreme Court and High Courts is done by the President on the advice of the Prime Minister and in consultation with the Chief Justice of the Supreme Court.

(ii) Once a person is appointed as judge of the Supreme Court or the High Court, it is impossible to remove him.

(iii) The judiciary in India is one of the most powerful in the world. The Supreme Court and the High Courts have the power to interpret the constitution of the country.

(iv)They can declare invalid any law of the legislative or the actions of the executive whether at the Union level or at the State level.

Q.9. State the powers of the Supreme Court?

Ans.1-The Supreme Court controls the judicial administration of the country

.2- Its decisions are binding on all other courts of the country.

3- It can take up any dispute

Between citizens of the country; between citizens and government; between two or more state governments; between governments at the union and state level.

4-It is the highest court of appeal in civil and criminal cases. It can hear appeals against the decisions of the High Courts.

5-The Supreme Court has the power to interpret the Constitution of the country. It can determine the constitutional validity of any law. This is known as judicial review

Q.10. Why is the Prime Minister the most powerful man in the government? Explain.

Ans.1- The Prime Minister has wide-ranging powers as head of the government.

2-He chairs cabinet meetings, coordinates the work of different departments.

3- His decisions are final. All ministers work under him/his leadership.

4- He distributes and redistributes work to the ministers.

5- He also has the power to dismiss them and when he quits the entire ministry quits. The Prime Minister controls the cabinet and the Parliament through the party.

HOTS

Q.1. Even though civil servants are far more educated and has expert knowledge on various subjects, why does the ultimate power to decide matters lie with the ministers?

Ans.1-A minister is elected by the people and thus empowered to exercise the will of the people on their behalf.

2-They are finally answerable to the people for all the consequences of her/his decision. The Minister is not expected to be an expert in the technical matters of her or his ministry.

3-The civil servants, though far more educated, work under these ministers and the final decisions are taken by the ministers

Q.2 What is the procedure for the removal of the judges?

Ans.1- The procedure to remove a judge is called impeachment. An impeachment motion is passed separately by two thirds members of the two Houses of the Parliament.

2-Thus the judges who are appointed by the President cannot be removed by the President alone.

3-Both Lok Sabha and Rajya Sabha have to pass a resolution by two-thirds majority to remove a judge.

Q.3. Under what condition can a state of emergency be declared in India? Explain.

Ans.A state of emergency can be declared under the following conditions:

(i) Increase of external aggression or armed rebellion;

(ii) If the government machinery of a state breaks down;

(iii) If there is a threat to the financial stability of the country. Under these circumstances the President can impose a state of emergency and this is called President Rule

Q.4 "Parliament is the supreme legislature of India." Justify the statement.

Ans.1-In all democracies, an assembly of elected representatives exercises supreme political authority on behalf of the people.

2- In India, such a national assembly of elected representatives is called Parliament.

3- At the state level, it is called Legislature or Legislative Assembly

4- Parliament is the final authority for making laws in any country.

5-Parliaments all over the world can make new laws, change existing laws or abolish existing laws and make new ones in their place

Q.5. What was the reaction of the people to the implementation of Mandal Commission Report?

Ans.1-The implementation of the Mandal Commission Report led to widespread protests and counter protests, some of which were violent.

2- People reacted strongly because this decision affected thousands of job opportunities.

3-Some felt that job reservations were essential to cope up with the inequalities among people of different castes in India.

4- Others felt that this was unfair as it would deny equality of opportunity to people who did not

belong to the backward communities. They would be denied jobs even if they were more qualified.

Q.6. Write two ways in which it can be proved that the President does not have any real powers. What can the President really do on his/her own?

Ans.1- In our political system the head of the state exercises only nominal powers. The President of India is like the Queen of Britain whose functions are to a large extent ceremonial. The President supervises the overall functioning of all the political institutions in the country so that they operate in harmony to achieve the objectives of the state.

2-The President represents the entire nation but can never claim the kind of direct popular mandate that the Prime Minister can. The same is true of his powers. All government activities do take place in the name of the President. All laws and major decisions of the government are issued in his name, all international treaties and agreements are made in his name but the President exercises these powers only on the advice of the Council of Ministers

Answer to M.C.Qs.

1 (b) **2** (a) **3** (b) **4** (b) **5** (a) **6** (d) **7** (d) **8** (c) **9** (d) **10** (d) **11**(c) **12** (a) **13** (d) **14** (b) **15** (d) **16** (c) **17** (b) **18** (a) **19** (b) **20** (c) **21** (b) **22** (d) **23** (b) **24** (a) **25** (d) **26** (a) **27** (b) **28** (d) **29** (b) **30** (b) **31** (a)

