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Parliamentary Form of Government

Lesson Plan

Contents

- ▶ An overview of the structure and functioning of India's parliamentary system of government
- ▶ Understanding the structure and powers of government functionaries, and method of election followed by the Parliament under the Constitution

Objectives

- ▶ To understand how the federal system operates in India
- ▶ To learn about the structure and function of the Parliament
- ▶ To know about the powers and their exercise by various organs of our Parliament
- ▶ To appreciate the balance and checks in position for running the democratic structures of our country

Teacher's Aids

- ▶ Globe
- ▶ Pictures, charts, atlas and wall maps
- ▶ Blackboard
- ▶ Internet

Tips for Teacher

- ▶ Explain the structure and methods of election first—and then the functions of each organ of the government.
- ▶ Students should be encouraged to know the significance and the sanctity of the Constitution, the Parliament and its functions.

Background and Reading

- ▶ Read the lesson aloud and explain, sharing the aids, etc., pausing to examine and explain the data in the boxes.
- ▶ Particularly focus on the structure, powers and functions of each organ of the government.

What is the Parliamentary Form of Government

- ▶ A nation with rich diversity of language, religion, customs.
- ▶ Difficult for a single government to administer the country—geographically vast and culturally diverse.
- ▶ Constitution provides two governments: At State level and at the Centre—called a federal government.

Need for Two Governments

- ▶ With only one government, people's participation will be imbalanced—hence, two-tier government—federal form has one government at the Centre called the Union or Central Government—and State Governments in the constituent states—structure, functions, powers, clearly defined in Constitution—powers divided on the basis of three lists:
 - (i) The Union List—subjects on which only the Central Government can make laws—99 subjects—Examples: Finance, defence, international issues, banking, etc.
 - (ii) The State List—subjects on which only the State Governments can make laws—61 subjects—Examples: Transport, police, local government, public health, etc.
 - (iii) The Concurrent List—powers to both Centre and State Legislatures—52 subjects—Examples: Education, welfare of labour, social issues, etc.
- ▶ When a dispute arises on a subject, then the decision of the Union Legislature holds supremacy—that is, a law passed by the Union will prevail over any law passed by the State.

The Working of the Parliamentary System

- ▶ India a Republic—head of the Union is the President—elected head who acts on the advice of the Council of Ministers—who are the executive of the Union Government—Parliamentary system—a President, two Houses of the Parliament—the Lok Sabha and the Rajya Sabha—Lok Sabha the lower House—the highest law-making body—Council of Ministers collectively responsible to the Lok Sabha—if government loses its support it has to resign.
- ▶ Constitution framers chose Parliamentary government—if complete power vested in a permanent executive it will hamper nation's growth—Parliamentary system accommodates varied interests of Indian people.

The Union Legislature

- ▶ Called the Parliament—President and the two Houses—the Lok Sabha and the Rajya Sabha—meets twice a year—can have an interval of six months between two sessions.

The Lok Sabha

- ▶ Lower House—representatives directly elected by people on basis of universal adult franchise—powerful house of the people—maximum of 550 members are directly elected—out of them 530 elected from States and 20 from Union Territories.

- ▶ Two Anglo-Indian members to be selected by the President if adequate representation lacking—seats in constituencies reserved for Scheduled castes and Scheduled tribes and women.
- ▶ Qualification to be MP in Lok Sabha—(i) At least 25 years of age (ii) A citizen of India (iii) Not bankrupt or mentally unsound (iv) Must not hold office or post of profit—term period in Lok Sabha is 5 years—House can be dissolved earlier if ruling party loses majority—can be extended by one year during an Emergency.
- ▶ Speaker, Presiding Officer, elected by the elected members—conducts proceedings of House—maintains law and order in House—power to cast vote when there is a tie—Deputy Speaker carries out his work in his absence.

The Rajya Sabha

- ▶ Upper House—250 members—12 members nominated by the President from among distinguished personalities in fields of science, art, social services—238 members represent various states—qualifications to be MP Rajya Sabha: (i) A citizen of India (ii) At least 30 years of age (iii) Not be bankrupt or mentally unsound (iv) Not hold any office of profit.
- ▶ Members elected indirectly by the people—by the elected members of the Legislative Assemblies of States.
- ▶ It is a permanent House—cannot be dissolved—two-thirds of its members retire after every two years and an equal number of members are elected in their place—term period of six years.
- ▶ Vice President of India is the ex-officio Chairman of the Rajya Sabha—presides over meetings and proceedings—though Chairman, he/she is not a member of the Rajya Sabha—cannot vote on issues of dispute in the House—Deputy Chairman elected to discharge his/her duties in his/her absence.
- ▶ A comparative chart is given in the book and can be explained by the teacher.

How is the Government Formed

- ▶ Representatives chosen through elections—territory divided into constituencies—on the basis of population—many candidates contest from each constituency—as an independent or representative of a political party.
- ▶ Election conducted by secret ballot system—candidate with highest votes declared elected representative of that constituency—party securing maximum seats in the Parliament is the ruling party—parties on the opposite side are opposition parties—they check the functioning of the ruling party.

The Election Commission

- ▶ Election Commission conducts elections—headed by three Election Commissioners—Functions: (i) Fixes date for election (ii) Allots constituencies (iii) Prepares electoral rolls and sets up polling booths (iv) Provides ballot papers and electronic voting machines (v) Declares results after counting of votes is over [Earlier ballot papers used].

Powers of the Parliament

- ▶ It has legislative, financial and executive powers and also power to amend the Constitution.

Legislative Powers

- ▶ It can pass laws on subjects in the three lists.
- ▶ It passes ordinary Bills, Money Bills and Amendment Bills.
- ▶ All Bills can be introduced in any House except Money Bills, which can only be introduced in the Lok Sabha—approval of both Houses needed for Bill to become law—in case of conflict a joint session of both Houses held to discuss and resolve the issue.

Financial Powers

- ▶ Parliament controls the finances of the country—prepares budget for the year—also prepares Finance Bill with proposal of taxes which has to be approved by the legislatures.

How a Bill Become a Law

- ▶ Stages a Bill passes through:
 - First stage—a minister or MP introduces the Bill and explains its objective—if House accepts it, the Bill passes to the next stage.
 - Second Stage—a general discussion on Bill—clause by clause discussion—then put to vote—then passed to third stage.
 - Third stage—minor errors rectified—Bill put to vote—passed by simple majority.
 - Then Bill goes to next House—same stages repeated—after approval sent to President for signature—He/She cannot withhold assent.
 - In case of deadlock—joint session held to resolve—Money Bill only introduced in Lok Sabha—Rajya Sabha cannot hold it—has to return it in 14 days—then to President for signature—no provision of joint session for clearing Money Bill.

The Executive

- ▶ Council of Ministers collectively responsible to the Parliament—might be questioned about their policies and programmes—In case of amendment to Constitution, it needs two-third majority in both Houses—in this case both Houses have equal rights, especially on international issues.
- ▶ President and Vice President can be removed from office by Parliament through process called impeachment—executive can recommend to President the removal of judges and the Election Commissioners.

Assessment Corner

Oral Assignment

- A. Ask for answers at random from the students. Confirm the right answers. Let them write down the correct answers if they like in their books.

Written Assignment

- B–E. The teacher has two options—(i) Either do these exercises orally first and then ask the students to write them down. OR (ii) Ask the students to write the answers on their own. Then the teacher can announce the correct answers to the students and they can ask their partners to cross-check them.

In either case, the answers can be written as homework and the teacher can check them in the class.

Think Tank

- F. **HOTS questions:** Discuss the questions in the class and let the students write the answers to F and G as homework. Teacher should assess individual work.