

4

How Our States are Governed

Lesson Plan

Contents

- ▶ An overview of the organs of India's State governments
- ▶ Understanding how the State governments function

Objectives

- ▶ To understand the organs of the State governments and their role
- ▶ To learn about the interactions between the various organs of the State government
- ▶ To know about the roles and functions of each organ of the State government
- ▶ To appreciate the processes of the government under which we are governed

■ Teacher's Aids

- ▶ Globe
- ▶ Pictures, charts, atlas and newspapers
- ▶ Blackboard
- ▶ Internet

■ Tips for Teacher

- ▶ Explain the organs of the Central government briefly and those of the State governments in greater detail.
- ▶ Use role play by students to understand the interaction between the different organs.
- ▶ Students should be encouraged to know the people, organs, their roles and their 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 processes by which the State governments operate.

Introduction

- ▶ India called a Union of States–28 states and 8 union territories.
- ▶ Two levels of government–Centre and States–called a federation.
- ▶ India has a federal form of government–Constitution has distributed the powers and functions between the two.
- ▶ All governments have three organs: the legislature, the executive and the judiciary.

State Legislature

- ▶ Some states have unicameral legislature [only one house]; some have bicameral legislature [two houses]–Legislative Council [Vidhan Parishad] and Legislative Assembly [Vidhan Sabha]–four states have bicameral legislature: Bihar, Uttar Pradesh, Maharashtra and Karnataka.

Legislative Council

- ▶ Upper House–Vidhan Parishad–each member’s term 6 years–One-third retire every two years–Minimum 40 members or more than one-third of the members of the Vidhan Sabha–elected by Vidhan Sabha members, members of the local bodies, secondary school teachers and graduates–Governor nominates some who are distinguished in fields of art, literature, science and social service.
- ▶ Chairman and Deputy Chairman–presiding officers–carry out function and control the proceedings of the house.

Legislative Assembly

- ▶ Members in proportion to State population–Member of Legislative Assembly [MLA]–elected by the people–all states have a Vidhan Sabha–term is 5 years–according to Constitution not more than 500 and not less than 60.
- ▶ State divided into areas called constituencies–one representative from each constituency elected by people–from any party or an independent candidate.
- ▶ Political party which gets half the majority is declared the ruling party–by a simple majority system.
- ▶ Qualifications to be members of either of the two houses–same except age:
 - A citizen of India; MLA–25 years old, MLC–30 years old; not hold any office of profit under Government of India; be of sound mind and free from any legal proceedings.
- ▶ Speaker and Deputy Speaker–elected from among the members–holds office till house in power–conducts meetings of the Assembly.
- ▶ Assembly’s term is 5 years but Governor can dissolve it before that.

Powers and Functions of the Legislative Assembly

- ▶ Two types of powers: (a) Legislative (b) Financial
- ▶ Legislative: Subjects of administration divided into three lists–Union, State and Concurrent Lists–Legislative Assembly make laws for subjects in the State and Concurrent Lists.

- ▶ Financial: Passes State budget, money bills, permission for levying taxes, fixing salaries of MLAs/MLCs.

How does a Bill become a Law

- ▶ Two types of Bills: (a) Money Bills (b) Non-Money Bills.
- ▶ Money Bills–introduced in Legislative Assembly.
- ▶ Non-money Bills–can be introduced in either house.
- ▶ First Stage–Bill introduced, title read out.
- ▶ Second Stage–House refers Bill to select committee for discussion–second reading.
- ▶ Third Stage–Third reading–passed to second house for same procedure.
- ▶ Three months–bill considered passed by both houses.
- ▶ Then goes to Governor for consent.
- ▶ Money Bills–Legislative Council can only make recommendations–can delay only for 14 days–after that, Legislative Assembly can pass it.

Control over the Council of Ministers

- ▶ State Council of Ministers controlled by State Legislative Assembly–members may question ministers and they must answer–otherwise members may pass a no confidence motion against the Council of Ministers; forcing entire ministry to resign.

The State Executive

- ▶ Governor–Head of State.
- ▶ Responsibility lies with Chief Minister and Council of Ministers to take care of the administration.
- ▶ Governor appointed in one state–sometimes more than one.
- ▶ Qualifications: a citizen of India; not less than 35 years of age; must not be MLA/MLC; must not hold any government office.
- ▶ Appointed for term of 5 years–President can ask him/her to resign before term is over.

Powers of the Governor

- ▶ **Executive Powers:** Leader of the majority party appointed as the Chief Minister by the Governor–appoints the other ministers–other top officials like the Advocate General, Members of the State Public Service Commission.
- ▶ **Discretionary Powers:** Governor works on the advice of the Council of Ministers–sometimes has to take independent decisions–called his/her discretionary powers when state under President's rule.
- ▶ **Legislative Powers:** Inaugurates the first session of Assembly after elections–approves every Bill passed by the Assembly–can pass an ordinance or law when Assembly not in session.

- ▶ **Financial Powers:** No money Bill or budget can be introduced in the house without the Governor's approval.
- ▶ **Judicial Powers:** Can grant pardon or reduce punishment of people convicted under the State laws.

The Chief Minister and Council of Ministers

- ▶ All powers regarding the administration of a State are vested in the Chief Minister and his/her ministry—he/she remains in power as long as his/her ministers support him/her.

Powers and Functions of the Chief Minister

- ▶ Chief Minister—leader of the ruling party—vital link between Governor and the Council of Ministers—Ministers individually and collectively answerable to him and to Governor.
- ▶ Powers: Determines the policies; supervises the State administration; allocates portfolios to ministers; coordinates the work of the ministries.

Powers and Functions of the Council of Ministers

- ▶ Administration through the various departments under the different ministers' portfolios—run departments according to the policies laid down by the Council of Ministers—bring bills to the assembly for discussion and approval.

Civil Services

- ▶ Brain behind the Ministers' decisions are the officers of the civil service—IAS, IPS—State Public Service Commission also selects a number of officials—Chief Secretary heads the civil service in a State.

The Advocate General

- ▶ An official who gives advice to the Executive regarding legal matters and performs other legal functions assigned by the Governor—only a person eligible to be a High Court judge eligible for this post.

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–F. 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

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