

There are three organs of the Government. The Legislature, the Executive and the Judiciary. We shall study in detail the formation of all these three organs of the Government, their powers, their functions and their interpersonal relations.

One of the main objectives of the nation is to maintain law and order and thereby achieve the welfare of the nation, and at the same time to nurture and to protect the freedom and fundamental rights of the citizens. For the progressive development of the State it is necessary that all the three organs of the Government viz the Legislature, the Executive and the Judiciary work in mutual unity, co-operation and co-ordination, so that the Government can run its administration effectively and efficiently. The Legislature frames the laws, the Executive implements the framed laws and the Judiciary maintains law and order by punishing the people who violate the law.

The Legislature as per the Constitution of India consists of a Parliament at the Centre and Legislative Assemblies at the State level. The Executive as per the Constitution of India consists of the President, the Prime Minister and Cabinet Minister and their administrative system at the centre and the Governor, the Chief Minister and his cabinet and administrative system at the State level. Whereas in the Judiciary the Supreme Court is at the top, in the middle are the High Courts of the States and at the bottom there are Subordinate courts, District courts and Special Courts. Thus the Judiciary is a separate, independent and organized whole, which is completely apart from the Legislature and the Executive.

India is a Union of States. No State is completely independent and sovereign. The Indian parliamentary system has divided the powers according to the principle of division of powers between the Centre and the State such that the Legislature and the Executive is totally interdependent on each other. Whereas the Judiciary is separate, independent and impartial organ.

The Principle of Division of Power

The Government carries out the functions of the States and these are different from one another. The function of all the three organs of the Government are different and all the functions require a certain expertise. All the three organs of the Government should be administered by different people and each organ should carry out its own functions. By division of powers misuse can be avoided. It is necessary to divide the powers among the three organs of the Government in order to make the function of the Government easy and efficient. For example, the Legislature has the power to formulate laws but some powers are so given to the Executive and the Judiciary that the Legislature cannot misuse its powers. Similarly the Executive is controlled by giving powers to the Legislature and the Judiciary and the Judiciary is controlled by giving powers to the Legislature and the Executive.

(1) Legislature : India is a republic having a parliamentary democracy. The representation of the people at the centre is seen at the Parliament and of the State is seen in the Legislative Assembly. The Parliament is an important and apex organization of the nation. The Indian Parliament consists of the President, the Vice-President, Rajyasabha and Loksabha. Legislature is of two types :

(A) Unicameral Legislature : When the legislature is consisting of one house, it is called Unicameral Legislature.

(B) Bicameral Legislature : When the legislature is consisting of two houses, it is called Bicameral Legislature.

At the Central level, the Upper House of the Legislature is called the Rajya Sabha and the Lower House is called the Lok Sabha. At the State level, the Legislature consists of the Legislative Assembly and the Legislative Council. Most of the States have only Legislative Assembly. States like Bihar, Uttar Pradesh and Maharastra also have Legislative Councils too.

(1) Legislature at the Central Level - Parliament - Lok Sabha : Lok Sabha is the Lower House of the Parliament. The members of the Lok Sabha are the representatives of the people who are elected through direct election. There are in all 545 Members of the Lok Sabha. Out of the 545 members, 2 members are selected by the President from the Anglo-Indian community.

President is a part of the Parliament (Lok Sabha and Rajyasabha). The President addresses the first meeting of the Parliament and the joint session of the Parliament. Besides these two occasions, the President never attends the Parliament. The President can summon both the Houses of the Parliament, can withhold the proceedings of both the Houses of the Parliament and can even dissolve the Parliament. A Bill which has passed through three readings in both the houses of the Parliament can become an Act only after the President signs it. Lok Sabha is not a Permanent House. Its term is of five years. If it is not dissolved before the completion of the term.

Constitution of India is supreme and not the Parliament. Hence, the Parliament has to enjoy its power within the limits prescribed by the Constitution. If the laws framed by the Parliament violates the Constitution, they can be challenged in the court. If the court finds the framed laws against the provision of the Constitution the court can nullify the laws.

Qualification for membership of Lok Sabha : To be qualified as a candidate and to be elected as a member of Lok Sabha he/she must be a citizen of India, should be 25 years of age or more. He/she should not be having unsound mind or insolvent. He/she should not be an employee of the Central or the State Government. He must not be a proven criminal. There should be a period of six months between two sittings of the Parliament. A President can dissolve the Lok Sabha on the counsel of the Prime Minister. A member of any of the House of the Parliament can attend the proceeding of that House and can vote in the same House, but a member of the Cabinet Ministry can attend the proceedings of both the Houses of the Parliament even if he/she is not a member of the Lok Sabha, but if he/she is a member of the Upper House then he/she can vote in that House only. State of Gujarat has a representation of 26 members in the Lok Sabha. The term of Lok Sabha is of 5 years, but the President can dissolve it before that if needed. In case of national emergency the term of the Lok Sabha can be extended for 1 more year. If the President dissolves the Parliament it cannot be challenged in court.

Quorum : Quorum is the number of members present in the House of the Parliament. It is the number of members present and working in the House out of the total number of members of that House. The minimum quorum of the Lok Sabha should be $\frac{1}{10}$ th i.e. out of 545 members, 55 should be present similarly the minimum quorum of the Rajyasabha too should be $\frac{1}{10}$ th i.e. out of 250 members, 25 should be present.

(2) Rajyasabha : Rajyasabha is the Upper House of the Parliament. It is a representative house of all the States and Union territories of India. There are in all 250 members in the Rajyasabha. The members of the Rajyasabha are indirectly elected by the members of the Legislative Assemblies of the state and the Union territories through a method of equivalent representation. In all 238 members of the Rajyasabha are elected. Rest 12 members are nominated by the President of India. These nominated members should be having special knowledge or practical experience with respect to literature, science, arts, culture, sports and social service.

No person can be a member of both the houses simultaneously.

Qualification for Membership of Rajyasabha : To be qualified as a candidate and to be elected as a member of the Rajyasabha he/she must be a citizen of India. He/She should be 30 years of age or more. He/she must not of unsound mind, insolvent or criminal. He/she should not be a Government employee taking salary or holding any office of profit. State of Gujarat has the representation of 11 seats in the Rajyasabha. Rajyasabha is the permanent House. It cannot be dissolved. But $\frac{1}{3}$ rd of its members retire every two years and the same number of members are elected. Thus the tenure of the member of the Rajyasabha is of 6 years. However, the members are eligible for re-election and re-nomination.

Generally both the Houses of the Parliament, meet for three times a year. These meetings are called sessions. That is the Budget Session, Monsoon Session and the Winter Session. The Vice President of India by virtue of his office, holds the office of Chairman of Rajyasabha. Whereas the Vice Chairman of the Rajyasabha is elected by the members of the Rajyasabha from among themselves only. The first Chairman of the Rajyasabha was Dr. Sarvapalli Radhakrishnan.

The speaker of Loksabha

The main function of the Speaker is to see that the proceedings of the Loksabha gets organised in a prescribed form, to maintain discipline, order and dignity of the Houses are the top most functions of the Speaker. The members of the Loksabha elect their Speaker and Deputy Speaker from among themselves. The Speaker presides over the Session of the Loksabha and maintains and controls its functioning. The Speaker expects discipline from the members in the Loksabha. The Speaker is the protector of the dignity of the House. His decisions in the House are final and conclusive.

Speaker can belong to any of the political party or can even have a strong support of any political party; but after being appointed as the Speaker of the Loksabha it is expected that the Speaker carries out the proceedings of the Parliament in a firm and impartial manner. By gaining a majority of the members of the Loksabha on a resolution to remove the Speaker, with this a Speaker can be removed from his post by giving a 14 days notice period. All the speeches and criticism in the Loksabha are done by addressing the Speaker only. The working in both the Houses of the Parliament can be carried out in either Hindi or English. But a Speaker can permit any member of the Loksabha to speak in his own language in case he does not know English or Hindi. If any member of the Loksabha remains absent for a continuous period of 60 days without informing the Speaker then his seat is declared vacant.

Casting Vote : During any proceedings of the house there arises any question, matter or problem, or discussion on any Bill or Act; and decision upon it is to be taken especially when the number of votes in favour or against the matter are equal in number then in such condition, the Speaker can give his deciding vote which is known as 'Casting vote'. Apart from such situations the Speaker cannot vote. Shri Ganesh Vasudev Mavlankar was the first Speaker of Loksabha.

In the absence of the speaker, the proceedings are conducted by the Deputy Speaker. In the absence of the Speaker and the Deputy Speaker, the proceedings of the Loksabha are conducted by a 'Speaker's Panel' consisting of senior, experienced and who are familiar with the proceedings of the Parliament experts from different political parties.

When can a Bill Become an Act ?

The Proposal is called a Bill

The Parliament does the important work of augmenting the old laws, framing new laws and nullifying obsolete laws. Any of the Bills either Ordinary Bill, Money Bill or the Bill to amend Constitution can become an Act by passing through the following process. Any Bill can be presented in either House of the Parliament. The Bill can be presented by a Minister or any member of the Parliament. If any dispute arises between the two Houses of the Parliament regarding any Bill, the President can call a joint sitting of both the Houses of the Parliament. The proceedings of both the Houses of the Parliament in a joint sitting is chaired by the Speaker, wherein the Bill can be passed by majority. Then the Bill becomes an Act if it is passed by a Majority of the members of both the Houses.

(1) Procedure of an Act from Bill-Ordinary Bill (Non-Financial) : The procedure of presenting a Bill in the House of the Parliament by Minister is called first reading of the Bill, where in the title, objectives and the reasons of the Bill are described. Before presenting any Bill in the State Legislature Assembly the recommendation of the Chairman of the House and before presenting any Bill in the centre the recommendation of the President is required. In the first reading of the Bill the general information of the Bill is discussed upon. Objections must be with reasons and voting is done if necessary.

Section wise discussion is done for every point. Its objectives and its repercussions are examined. Amendments are done in it on the basis of public, groups, associations, institutions or opinion of the opposition Party. Voting is carried out on that.

Sometimes due to the work load of the House a Bill cannot be discussed in detail. Therefore it is handed over to a committee comprising of subject experts and members having special knowledge to examine the Bill. Then keeping in view the public opinion they undergo necessary discussion and suggest required changes therein. The report of the committee is submitted to the House. Then the Bill is sent for the third reading.

The third reading is only formal. After presenting the logic in terms of acceptance or rejection of the changes in the Bill, voting is carried out. If it gains majority then the Bill is declared passed. The passed Bill is signed by the Chairman of the first House and then it is sent to the second House. The Bill goes through the same process in second House. If the Bill passes in the second House with its necessary amendments, it is sent to the President's signature and after receiving President's assent the Bill becomes an Act.

But if the Bill is not passed in the second House of the Parliament, it is again sent to the first House. If the second House keeps the Bill for more than six months, it is understood that Bill is rejected. If both the Houses disagree or have a dispute over a Bill, a joint session of both the Houses is summoned. In the joint session of the Parliament the disputes are tried to be resolved through gaining majority..

When a Bill is sent for President's signature, there are three options with the President :

- (1) He signs the Bill thereby approving it or
- (2) He keeps the Bill with him or
- (3) He sends the Bill back to the Parliament for reconsideration.

The Bill becomes an Act is published in Government gazette, then there is enforcement from the date given therein.

(B) When any Bill to amend the Consitution is presented in any of the House of Parliament it has to be passed by a majority number of the members of that house and by 2/3rd of the members present and voting. If a bill pertains to any matter related to the Centre or the State, it requires permission of more than half the Legislative Assemblies of the States. This bill also goes through the same process as the Ordinary Bill.

(C) Procedure Subject to Money Bill : Whether the Bill is Money Bill or not is decided by the Speaker of the Loksabha. A Bill containing the recommendations of the budget or financial matters is called a Money Bill. The budget of the Centre is presented around 28th February in the Loksabha mostly by the Finance

Minister. All the Money Bills are first presented in the Lok Sabha which passes through the following process.

- (i) A preliminary discussion is carried out on the Money Bill presented in the Lok Sabha.
- (ii) The expenses mentioned in the budget are discussed upon. The finance minister presents all the numeric details of the budget in the Parliament.
- (iii) All the ministers like Agriculture, Science, Defence, Trade Business and Human Resource Department etc. put forth their demands in front of the Lok Sabha and then the voting is carried out to get permission of demands.
- (iv) Sources of income and taxes are separately presented in the budget and both are to be separately approved.

The Bill approved in the Lok Sabha first is sent to the Rajya Sabha for recommendations. The Rajya Sabha has to return it to the Lok Sabha with necessary recommendations within 14 days. Lok Sabha can either accept or reject the total or partial recommendations of the Rajya Sabha. If a Money Bill is not returned to the Lok Sabha within 14 days by the Rajya Sabha, the Bill is considered to have been passed by the Rajya Sabha. If the Lok Sabha accepts the recommendations of the Rajya Sabha, the Bill is considered to have been passed by both the Houses of the Parliament. But if the Lok Sabha rejects the recommendation of the Rajya Sabha and the Bill is again passed in the Lok Sabha, the Money Bill is deemed to have been passed by both the Houses of the Parliament. Hence, in the matter of the Money Bill the Rajya Sabha has limited powers.

After the Money Bill is passed by both the Houses of the Parliament, it is sent to the President for his assent. The President has to sign the Money Bill. If the budget is not passed in the house then the government has to resign.

Apart from this in both the houses of the Parliament the social, economic, political, defence and foreign matters are discussed. The Lok Sabha monitors and controls the workings of Executive, Cabinet of Ministers and the Bureaucrats. It is the work of the elected members to see that the funds of the public are utilized properly. Lok Sabha has a direct control over the use of public funds. Without the consent of the houses of the Parliament no new taxes can be levied or any improvement in the existing taxes can be done. The Houses of the Parliament are called as the custodians of public funds as it controls the functioning of the Executive. Besides this the Parliament has the power to remove President, Vice President, Chief Justice of the Supreme Court as well as the High Court, Chief Election Commission, Auditor General or Attorney General under the charge of proven misbehaviour or inefficiency or violation of the Constitution, through the process of Impeachment.

Legislature at the State Level

(A) Legislative Assembly : Each State has a Legislature and it is called Legislative Assembly. Legislative Assembly is the Lower House.

(B) Legislative Council : The other House of the Legislature is called the Legislative Council. Bihar, Maharashtra, Karnataka, Uttar Pradesh, Tamil Nadu etc. States have two Houses. There the Legislative Council is the Upper House and the Legislative Assembly is the Lower House. Gujarat State does not have a Legislative Council.

Various States have different numbers of members of the Legislative Assembly. As per the provision in the constitution the minimum number of members of Legislative Assembly is 60 and the Maximum number of members is 500. The number of members of Gujarat Legislative Assembly is presently 182.

Qualification for membership of the State Legislature : Any person who is a citizen of India and is of 25 years or more and is not in a State of unsound mind, insolvent or criminal can contest the elections of Legislative Assembly.

Time Period : The Legislative Assembly is not a permanent House. Its time period is of 5 years. After the given period the Legislative Assembly is dissolved. In unusual situations, wherein the Government cannot function as per constitutional provision or if Government cannot be formed then the Governor can send a recommendation to the President of India to dissolve the Government. The President then dissolves the Legislative Assembly and imposes 'President Rule' in that State. During that time period the Governor

administers the State. For the purpose of smooth functioning of the Legislative Assembly Speaker and Deputy Speaker are elected by the members from amongst themselves.

The members of the Legislative Council are elected from among the institutions of Local Self Governance, registered graduates, teachers of secondary and higher secondary by electorates. To be eligible as a member of the Legislative Council, the candidate should be of 30 years or more and must be a citizen of India. The Legislative Council is a permanent House. Like the Rajyasabha each of its members gets elected for a term of 6 years. Its 2/3rd members retire every 2 years. A State has to decide whether to keep a Legislative Council or not. Gujarat does not have a Legislative Council. Like the Lok Sabha the Legislative Assembly has more power. Ordinary as well as Money Bills can be presented in it. After the Bills pass through various steps they are sent to the Governor for his assent. After the Governor signs the Bill it becomes an Act.

(2) Executive : The most efficient, effective and central organ of the Government is the Executive. Union Executive means a Central Government, Political, Executive comprising Administration of the Prime Minister and Cabinet of Ministers, President, Vice-President and Bureaucrats. Political and Administrative Executive officers and employees are in direct contact of the people. The people are influenced by their work. The Executive implements the laws framed by the Legislature. The administrative executive carries out the work of implementing the policies, programmes and planning done by the Government keeping in view the aspiration and expectation of the people.

The Political Executive changes every five years or if the power is given up. Whereas the administrative executive is formed by permanently appointed bureaucrats and hence it is permanent. However the retirement age of the Administrative Bureaucrats is different in different states. Before their retirement, if they misbehave, or shows lack of efficiency to work, they can be removed from their post after following prescribed inquiry procedure. The Political Executives are the members belonging to any political party. Their main qualification is to get elected based on their individual honesty to the party, public choice and public opinion whereas Administrative Executive requires educational qualifications, quality, experience as well as passing competitive examination to be appointed permanently. The service of the administrative officers is known as the Civil Service. At the Centre, the Political Executive consists of President, Vice President, Prime Minister and Cabinet of Ministers as per the Constitution.

President

President is the Constitutional Head of India. All the executive powers of the federal Government is given to the President by the Constitution. All the administration of the Central government is carried out in the name of the President. He is the Head of the nation and the first citizen of Republic of India.

Qualification : A Presidential candidate should be a citizen of India and should be 35 years of age or above. He should not be a salaried employee of the Government or hold any office of profit. He should not be a member of any of the Houses of the Parliament or State Legislative Assembly. The Presidential election is indirectly carried out by the members of both the Houses of the Parliament and the members elected to the State Legislative Assembly. A President is elected for a term of 5 years and he can contest the election after the completion of his term. When the President is in power neither criminal case can be framed against him nor an order of arrest or improvement can be issued..

Functions and Powers : He appoints the leader of the party who has gained majority in the general election as the Prime Minister. Then with the consultation of the Prime minister, he appoints the other ministers of the cabinet. He administers the oath and distributes the portfolios to the ministers. As long as the cabinet enjoys the support of the majority members of Lok Sabha the President cannot dissolve the cabinet. President is the Head of the defence forces of the country. The President has the power to declare war, cease the war or conclude treaties with other countries. He appoints the Judges of the Supreme Court and High courts, Governors of the State, Attorney General, Comptroller and Auditor General. He appoints the Head of the defence forces. He appoints the Chairman of the Union Public Service Commission and Ambassadors to various nations. Thus, vast authorised executive and administrative powers are vested in the President. He can grant pardon, or reduce the sentence of any convicted person, or can postpone its implementation, or can change the nature of the punishment. He summons the sessions of both the Houses of Parliament and

prorogues them. He can even dissolve the Lok Sabha. If the President is satisfied that the security of India or any part of its territory is threatened by a war or external aggression or armed rebellion, he can declare a state of emergency for the whole of India or any of its parts. The declaration of emergency cannot be challenged in court. Based on report of the Governor the President can declare Constitutional Emergency in that state. He can establish 'President rule' by dissolving the State Cabinet Ministry. In case of financial emergency the President can reduce salaries of all government officials, including Judges of the Supreme Court and the High court. Though the President has vast executive and administrative powers and though all the administration can be considered in the hands of the President only and done in his name only, in reality, the Prime Minister and the Council of Ministers enjoy these powers.

The Vice President

In the absence of the President, the Vice President performs the functions of the President. The Vice Presidential election is carried out by the members of both the Houses of the Parliament. The term period of the Vice President is of 5 years. The Vice President is the Chairman of the Rajya Sabha. The President submits his resignation to the Vice President.

Prime Minister

The Prime Minister is the real head of the Central Government. The Prime Minister is the head of the party who has achieved a majority in the general elections. He is appointed formally by the President. The Ministers to the Cabinet are appointed as per the counsel of the Prime Minister. He distributes the portfolios. Any Minister either to be taken, left or continued in the cabinet is decided by the Prime Minister. He presides over the meetings of the Cabinet and also looks after the functioning of various departments of the cabinet. He takes pivotal decisions. The Prime Minister is the head of the Planning Commission which is now known as Policy Commission. There are three level of ministers under the Prime Minister. The Cabinet Ministers, the State Ministers and the Deputy Ministers. The Prime Minister should be a member of any one House of the Parliament. The Ministers are individually responsible for their Ministries and departments. The Council of Ministers is collectively responsible and accountable to the Lok Sabha. If the Lok Sabha rejects the Policy of the government on a particular issue, it is not only the responsible Minister for that subject, but the whole Council of Ministers must accept the responsibility and resign.

The State Executive

The Governor

The Governor is appointed by the President of India on the advice of the Council of Ministers headed by the Prime Minister. The President can appoint a person as the Governor of more than one state. Any citizen of India who is 35 years of age or above may be appointed as the Governor. The term of the Governor is for five years. However, he holds office during the "Pleasure" of the President and can be removed from office even before the expiry of his term or he can also be transferred to any other State as the Governor.

The Governor is the Constitutional and formal head of the State. All executive powers of the State government are vested in him. He appoints the chief Minister who has a clear Majority. He also appoints other members of the Council of Ministers on the advice of the Chief Minister. He appoints the Advocate General, the Chairman, the members of the State Public Service Commission. He is consulted by the President of India for the appointment of judges of the High Court.

The Governor has significant legislative powers. He summons and prorogues the sessions of the State Legislature. He can dissolve the state Assembly before the expiry of its full term. He can also issue ordinances. A Bill passed by the state Legislature can become a law only after the Governor assents to it.

The position of the Governor in a State is similar to that of the President at the Centre. His powers are actually exercised by the Council of Ministers headed by the Chief Minister. But the Governor can exercise certain powers independently also. Normally, the Governor of a state is Ex-officio Chancellor of all the universities of the State. A Governor can belong to any political party. But after assuming his post the Governor has to perform his duties firmly and impartially.

The Chief Minister and Council of Ministers :

The Chief Minister is appointed by the Governor. The Governor appoints the leader of the majority party as the Chief Minister. If no single party gets the majority, the leader of the combination of parties constituting the majority or the leader of the largest party having the support of the majority is appointed as the Chief Minister. Other members of the Council of Ministers are also appointed by the Governor on the advice of the Chief Minister though the administration of the State is carried out in the name of the Governor, in reality, the Chief Minister and the Council of Ministers enjoy most of the powers of the Governor. In Gujarat the office of the Chief Minister and the Cabinet Ministers is situated in the New Secretariat - Swarnim Sankul, Gandhinagar. The Governor administers the oath of secrecy to the Chief Minister and the Council of Ministers orally and there after they sign the same. In the State Cabinet Ministry there are four types of Ministers : (A) Cabinet (B) State Level (C) Deputy Level (D) Parliamentary Secretary. The Chief Minister distributes the portfolios to the Cabinet Ministers, He also presents the issues of policy making, transparent administration, questions of people of the Central Government. During the time of calamity he provides basic amenities, love and care to the people. He provides a strong leadership to the State Legislature. The Chief Minister is the torch bearer and path finder of the government policies regarding the growth of the State.

Administrative System (Administrative Executive) : The Political Executive frames various policies in different fields. The detailed and efficient implementation of these policies is done by the Administrative Executive. The Administrative Executive advises and guides the state executives in the matters of policies. It provides required information and figures. However, the Political Executive is not bound to follow the advice of it.

No matter how important or welfare oriented are the policies, laws if they are not effectively implemented by the Administrative Executive then its purpose is marred. Thus the Administrative system provides the necessary back up to the Executive in the formulation and implementation of policies. Expert and professionally efficient and experienced public servants in the field of foreign relations, defence, security forces, international trade and commerce, nuclear energy, energy, production, distribution, banking, insurance, foreign exchange are the backbone of the Government. Collector is appointed as an Administrative Head at District Level and his office is at "Jilla Seva Sadan". Their expertised knowledge, administrative insight, broad experience, prediction, administrative efficiency helps them to carry out the administration effectively. From the organs of the Government the State Executive acts as the brain behind the welfare of the people. Whereas the Administrative Executive is like the limbs. An amicable relation between the Political Executive and the Administrative Executive is the prerequisite for the smooth governance of the State.

The power and influence of the government is becoming more centered in the bureaucracy. Nepotism, corruption, dishonesty, inefficiency, misconduct, escapism are the evils of bureaucracy. So to control such evils Lokpal or Lokayukt is needed. To stop the corruption Gujarat State Government has Started an entire separate department by the name of Anti Corruption Bureau. Its toll free number is 1800 2334 4444. People can contact the number to file their complaints.

Political stability is expected from the Administrative System as there is a Government comprising of different political parties. The Administrative System helps to excel the development of the Government by implementing various developmental schemes and programmes.

Governance at the Local Level

It is extremely difficult to carry out the Governance of the entire nation from a single place as the Central Government has too many responsibilities. The power is decentralised with the objective to timely solve various problems, needs, expectations and aspirations of the people. By decentralizing the power, the administration can be carried out easily and efficiently. At the local level the Institute of Local Self Governance have emerged. When the administration of a village, town or city is carried out by the representative of the people elected by the locals in the local institutions then such organisations are called Institutes of Local Self Governance. For administrative efficiency of geographical regions the responsibility and functions of the Government are divided to the local organisations. Similarly the municipality, municipal corporation are the Institutes of Local Self Governance of urban area and for villages one can find Gram Panchayat, Taluka Panchayat and District Panchayat.

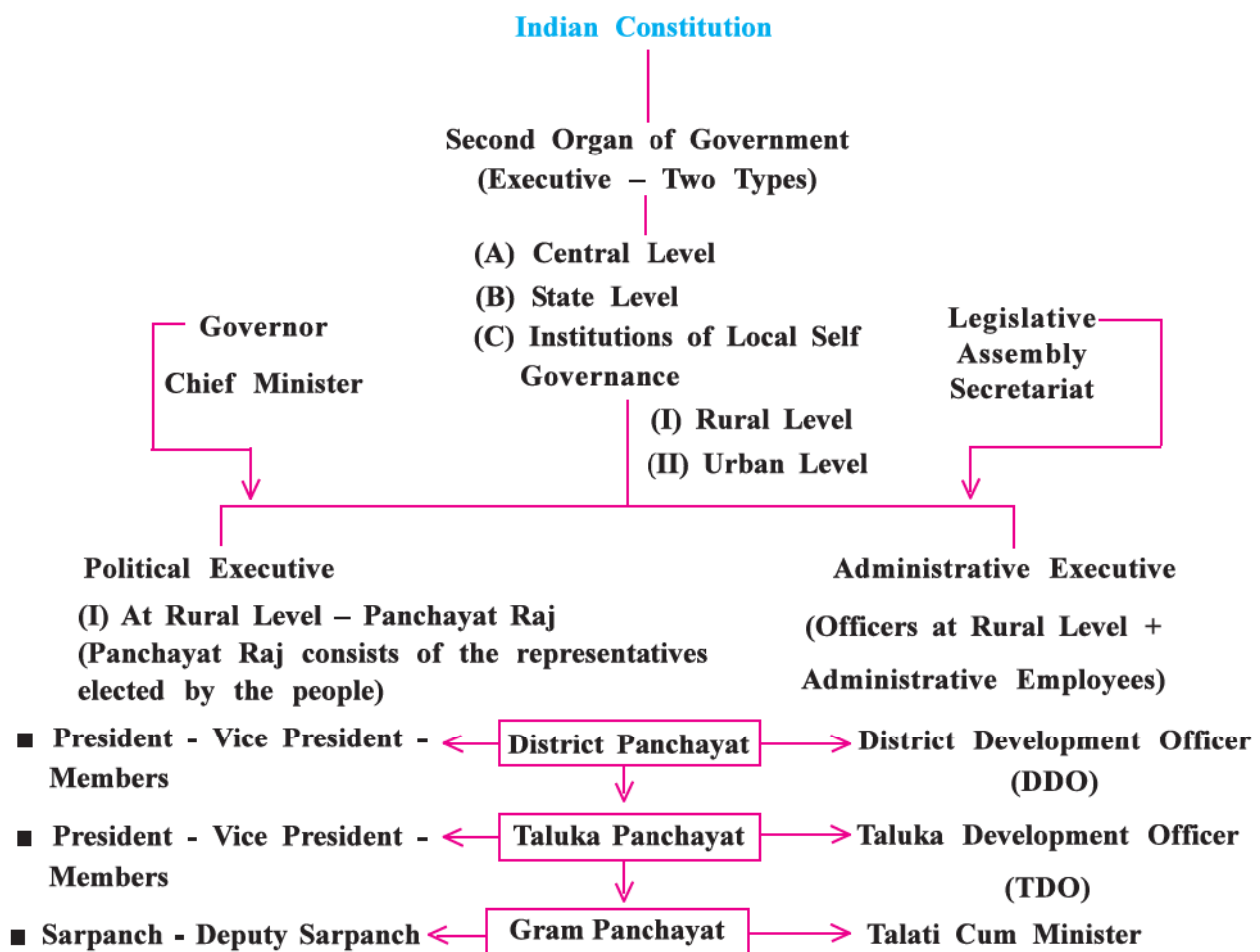
Institutions of Local Self Governance give the training which is available for election, voting, duties, responsibilities, administration and ruling; and opposing parties. It gives an opportunity of self development. As all the policies are implemented at the local level first, it gives a chance to improve the lacunas at the upper levels too. Therefore Local Self Rule Organisations are known as the training schools and laboratory of constitutional improvement in a democracy.

In 1992 in the entire country similar 'Panchayati Raj' and 'Urban Institutions of Local Self Governance' came into existence.

Three Tier Structure of the Panchyati Raj :

(A) Institutions of Local Self Governance at the Rural Level : Gram Panchayat, Taluka Panchayat and District Panchayat is an administrative structure. Each organisation is mutually joined from top to bottom. At all the levels of the Panchayati Raj in order that the local developmental tasks, schemes and welfare oriented programmes are carried out efficiently these organisations are provided with required funds and means. There is a Chief of the District Panchayat and Variors Chairman of Various committees of the District Panchayat whereas the administrative head is the District Development Officer (DDO) and the main office of the District Panchayat is situated at the District head quarter.

Similarly the leader of the elected wing of the Taluka Panchayat is called the President and the head of the administrative wing is called Taluka Development Officer (TDO). At the lower level Sarpanch is the representative elected by the people, and the administrative head is the Talati-cum-Minister and he handles the administration of the Panchayat. The village in which the election and the Sarpanchs are unanimously elected are declared as 'Samras Villages' and they are honoured by a prize.



Figur 2 (C) - 1

(B) Urban Institute of Self Governance : As per the 74th Constitutional Amendment the urban areas were provided with the Urban Institute of Self Governance as per the population of the area. At the first level there is Municipality, at the second level there is Municipal Corporation and the third level there is Maha Nagar Megacity Nigam. In all the three wings of the Urban Institute of Self Governance, a Mayor is elected from the majority wing, Apart from this there are Chairmen of various Committees and Corporators as per various wards. Ward wise reservation for women and reserved castes are maintained. Various Committees carry out various responsibilities of many fields in a decentralised manner. City Planning, land reforms, roads, bridges, flyovers, bridge construction, water management, sewage management, civil development environmental facility, fire department service, education-health, culture and entertainment, city scape development, development of morgue, crematorium, graveyard, removal of slum, over all development etc are carried out by the Urban Institute of Self Governance. All are managed by funds collected from people under the Public Private Partnership (PPP) as well as the taxes collected from the people and Government Grants. The administrative head of the municipal corporation is known as the 'Municipal Commissionaire'. Under him there are zonal heads having technical and administrative knowledge and various officers. When a cordial relation is established between the elected wing and the administrative wing then many works can be carried out relating to the welfare of the people.

Judiciary :

The Constitution of India has accepted the ideals that all its citizen should get social, economic and political justice thereby a just and equitable social order can be established. If any person breaks any law then he is either punished or fined by the judiciary. The judiciary checks whether the laws are in accordance with the constitutional provision. And if the law is not consistent with the Constitution it declares the law unconstitutional and void.

If Federal System powers and functions are divided among Unit States and Centres, it is the function of the Judicial System to see that both the Central and the State government carry out their own work without interfering with each other's work. When any dispute arise between the Centre and the Unit State then they are solved by the Supreme Court. The Indian judiciary is continuous and linear. At the top of the Central Level there is the Supreme Court, at the middle at the State Level there are High Courts and at the bottom level there are Trial Courts, Civil Courts, Criminal Courts and various subordinate Courts.

Exercise

1. Answer the following questions :

- (1) What is the principle of division of power ?
- (2) What is the eligibility of a member of Parliament ?
- (3) What is the Quorum for the Loksabha and the Rajyasabha ?
- (4) How are the members of the Rajyasabha elected ?
- (5) How is the Speaker the protector of the diginity of the House ?
- (6) Describe the emergency powers of the President.

- (7) What is the process of Impeachment ?
- (8) Mention the powers of the Parliament.
- (9) State the Institute of Local Self Governance.
- (10) State the vices of bureaucracy.

2. Explain giving reasons the following statements :

- (1) Indian Parliament is bicameral.
- (2) Rajyasabha is the permanent house.
- (3) Parliament in India is not supreme, but the Constitution is supreme.
- (4) Independent and impartial judiciary is the foundation of democracy.
- (5) The Institutes of Local Self Governance are the training schools and laboratory of constitutional improvement in a democracy.
- (6) The State Legislative Assembly is the representative of the people's desires.
- (7) Governor plays a key role between the Centre and the State.
- (8) Loksabha is the key public organisation of the nation.
- (9) An amicable relation between the Political Executive and the Administrative Executive is a pre-requisite for the smooth governance of the nation.
- (10) Efficient and bold public servants are the backbone of the Government.

3. Write short notes on :

- (1) Position of the Governor and his functions.
- (2) Executive powers of the State Legislative Assembly.
- (3) Position and executive powers of the Prime Minister.
- (4) The Legislative and administrative powers of the President.
- (5) How does a Bill become an Act ? Explain procedure.
- (6) Constitutional provisions regarding the money bill.
- (7) The usefulness and limitations of the Rajyasabha.

4. Choose the correct option :

- (1) What is the decided age for the member of the Legislative Assembly ?

(A) 25 years	(B) 30 years
(C) 35 years	(D) 18 years
- (2) How many members are there in the Loksabha and the Rajyasabha ?

(A) 545;250	(B) 455;350
(C) 182;11	(D) 543;238

- (3) Which Indian State does not have two Houses of the Legislative ?
- (A) Karnataka (B) Andhra Pradesh
(C) Tamil Nadu (D) Rajasthan
- (4) Who appoints the judges of the Supreme Court ?
- (A) Prime Minister (B) Governor
(C) President (D) Vice President
- (5) What is the time period of the members of the Loksabha ?
- (A) 4 years (B) 6 years
(C) 2 years (D) 5 years
- (6) In which house does the President appoint two Anglo Indian members ?
- (A) Rajyasabha (B) Loksabha
(C) Goa Legislative Assembly (D) Planning Commission
- (7) Who administers the oath of secrecy to the Prime Minister ?
- (A) Vice President (B) President
(C) Chief Justice of the Supreme Court (D) Speaker of the Loksabha

- (8) Match the correct pairs :

Administrative Organisations

Administrative Heads

(1) District Sevasadan

(A) Mayor

(2) Municipal Corporation

(B) D. D. O.

(3) District Panchayat

(C) Collector

(D) Commissioner

(A) 1-A, 2-C, 3-D

(B) 1-C, 2-D, 3-B

(C) 1-B, 2-C, 3-D

(D) 1-C, 2-A, 3-B

- (9) How many members are nominated by the President in the Rajyasabha ?

(A) 238

(B) 12

(C) 2

(D) 14

- (10) Who presents the budget in the Parliament ?

(A) Prime Minister

(B) Home Minister

(C) Finance Minister

(D) Member of the Parliament

Activity : (Divide the students in groups and allot the activities)

- Make a handwritten pictorial issue on the Prime Minister and Presidents of India, their work span.
- Prepare a Chart of all the Chief Ministers of Gujarat and their work span.
- Invite a Parliamentarian or a member of the Legislative Assembly or a Corporator or Sarpanch to your school and collect information from them pertaining to functions and schemes of the Government.
- Organize a 'Mock Parliament' in the school and discuss any social, economic or political problem.
- Organize a tour to visit the State Legislative Assembly or the Corporation.
- Organize a quiz contest in the school on the topics of Constitution, Fundamental Rights, duties, Directive Principles of the State Policy and Organs of the Government.
- Organize a debate on the topic, 'Have we been successful in establishing social order by establishing Panchayat Raj ?
- Carryout a project on the Institute of Local Self Governance at the Centre, State and Local level.

