

Working Of Institutions

Q.1) Expand and explain 'SEBC'.

Socially and Economically Backward Classes (SEBC). SEBC is another name for all those people who belong to castes that are considered backward by the government. The benefit of job reservation was till then available only to Scheduled Castes and Scheduled Tribes. Now a new third category called SEBC was introduced. Only persons who belong to backward castes were eligible for this quota of 27 per cent jobs. Others could not compete for these jobs.

Q.2) Who are the important functionaries in the government of India?

The important functionaries in the government of India are as follows:

1. President is the head of the state and is the highest formal authority in the country.
2. Prime Minister is the head of the government and actually exercises all governmental powers. He takes most of the decisions in the Cabinet meetings.
3. Parliament consists of two Houses, Lok Sabha and Rajya Sabha. The Prime Minister must have the support of a majority of Lok Sabha members.

Q.3) What was Mandal commission? Why was it appointed? What was the major Recommendation of this Commission?

1. It was asked to determine the criteria to identify the socially and economically backward classes in India and recommend steps to be taken for their advancement.
2. The Commission gave its Report in 1980 and made many recommendations. One of these was that 27 per cent of government jobs be reserved for the socially and economically backward classes.

Q.4) State an important promise in the election manifesto of the Janata Dal (party) in 1989 .

In its election manifesto, the Janata Dal promised that if voted to power, it would implement the Mandal Commission report. The Janata Dal did form the government after this election. Its leader V. P. Singh became the Prime Minister.

Q.5) What was the reaction of the people when the government decided to reserve 27% of the seats for backward classes?

1. Some felt that existence of inequalities among people of different castes in India necessitated job reservations. They felt, this would give a fair opportunity to those communities who so far had not adequately been represented in government employment.
2. Others felt that this was unfair as it would deny equality of opportunity to those who did not belong to backward communities. They would be denied jobs even though they could be more qualified.
3. Some felt that this would perpetuate caste feelings among people and hamper national unity.

Q.6) what was the 'Indira Sawhney and others Vs. union case' and how was it settled?

1. Some persons and associations opposed and filed a number of cases in the courts regarding the reservation of jobs for backward classes. They appealed to the courts to declare the order invalid and stop its implementation.
2. The Supreme Court of India bunched all these cases together. This case was known as the 'Indira Sawhney and others Vs Union of India case'.
3. Eleven judges of the Supreme Court heard arguments of both sides. By a majority, the Supreme Court judges in 1992 declared that this order of the Government of India was valid.
4. At the same time the Supreme Court asked the government to modify its original order. It said that well-to-do persons among the backward classes should be excluded from getting the benefit of reservation.
5. Accordingly, the Department of Personnel and Training issued another Office Memorandum on September 8, 1993. The dispute thus came to an end and this policy has been followed since then.

Q.7) what are political institutions?

Some persons have to take decisions on how to go about governmental activities. Others have to implement these decisions. If disputes arise on these decisions or in their implementation, there should be some one to determine what is right and what is wrong. To attend to all these tasks, several arrangements are made in all modern democracies. Such arrangements are called institutions.

Q.8) what is the need for political institutions in a country?

1. Some persons have to take decisions on how to go about governmental activities. Others have to implement these decisions. If disputes arise on these decisions or in their implementation, there should be some one to determine what is right and what is wrong.
2. To attend to all these tasks, several arrangements are made in all modern democracies. Such arrangements are called institutions.
3. Governing a country involves various such activities. For example, the government is responsible for ensuring security to the citizens and providing facilities for education and health to all. It collects taxes and spends the money thus raised on administration, defense and development programmes. It formulates and implements several welfare schemes.

Q.9) Mention some of the political institutions in India. What is their main role?

1. The Prime Minister and the Cabinet are institutions that take all important policy decisions.
2. The Civil Servants, working together, are responsible for taking steps to implement the ministers' decisions.
3. Supreme Court is an institution where disputes between citizens and the government are finally settled.

Q.10) What do institutions involve?

1. Institutions involve rules and regulations. This can bind the hands of leaders.
2. Institutions involve meetings, committees and routines. This often leads to delays and complications.

Q.11) Why do democratic governments insist on institutions?

They provide an opportunity for a wider set of people to be consulted in any decision. Institutions make it difficult to have a good decision taken very quickly. But they also make it equally difficult to rush through a bad decision. That is why democratic governments insist on institutions.

Q.12) What is parliament?

It is the law making body of a government. In all democracies, an assembly of elected representatives exercises supreme political authority on behalf of the people. In India such a national assembly of elected representatives is called Parliament. It is the body that makes law for the country. At the state level this is called Legislature or Legislative Assembly.

Q.13) What are the various ways by which parliament exercises authority?

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. Parliaments all over the world can make new laws, change existing laws, or abolish existing laws and make new ones in their place.
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. Those who run the government can take decisions only so long as they enjoy support of the Parliament.
3. Parliaments control all the money that governments have. In most countries the public money can be spent only when the Parliament sanctions it.
4. Parliament is the highest forum of discussion and debate on public issues and national policy in any country. Parliament can seek information about any matter.

Q.14) Give examples to prove that, Lok Sabha exercises supreme power.

1. Any ordinary law needs to be passed by both the Houses of Parliament. But if There is a difference between the two Houses, the final decision is taken in a joint Session in which members of both the Houses sit together. Because of the larger Number of members, the view of the Lok Sabha is likely to prevail in such a Meeting.
2. Lok Sabha exercises more powers in money matters. Once the Lok Sabha passes the budget of the government or any other money related law, the Rajya Sabha cannot reject it. The Rajya Sabha can only delay it by 14 days or suggest changes in it. The Lok Sabha may or may not accept these changes.
3. Most importantly, the Lok Sabha controls the Council of Ministers. Only a person who enjoys the support of the majority of the members in the Lok Sabha is appointed the Prime Minister.
4. If the majority of the Lok Sabha members say they have 'no confidence' in the Council of Ministers, all ministers including the Prime Minister, have to quit, the Rajya Sabha does not have this power.

Q.15) What do you mean by the term 'executive' in democracy?

At different levels of any government we find functionaries who take day-to-day decisions- but do not exercise supreme power on behalf of the people. All those functionaries are collectively known as the executive. They are called executive because they are in charge of the 'execution' of the policies of the government. Thus, when we talk about 'the government' we usually mean the executive or the Council of ministers.

Q.16) Differentiate between political and permanent executive in a democracy OR What are the 2 categories of executives in a democracy?

1. The first category is the elected representatives, elected for a specific period. They are called the political executive. Political leaders, who take the big decisions fall in 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 party changes. These officers work under political executive and assist them in carrying out the day-to-day administration.

Q.17) The political executive have more power than the non-political Executive. Why? OR Why is the minister more powerful than the civil servant?

In a democracy the will of the people is supreme. The minister is elected by the people and thus empowered to exercise the will of the people on their behalf. She is finally answerable to the people for all the consequences of her decision. That is why the minister takes all the final decisions.

Q.18) How is the Prime Minister appointed? What is the term of his office?

1. The President appoints the Prime Minister. But the President cannot appoint anyone she likes.

2. The President appoints the leader of the majority party or the coalition of 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. The Prime Minister does not have a fixed tenure. He continues in power so long as he remains the leader of the majority party or coalition

Q.19) How is the council of ministers appointed?

1. 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.

2. The Prime Minister is free to choose ministers, as long as they are members of Parliament. Sometimes, a person who is not a Member of Parliament can also become a minister. But such a person has to get elected to one of the houses of the Parliament within six months of appointment as minister

Q.20) Describe the composition of council of ministers.

Council of Ministers is the official name for the body that includes all the Ministers.

It usually has 60 to 80 Ministers of different ranks.

1. Cabinet Ministers are usually top-level leaders of the ruling party or parties who are in charge of the major ministries. Usually the Cabinet Ministers meet to take decisions in the name of the Council of Ministers. Cabinet is thus the inner ring of the Council of Ministers. It comprises about 20 ministers.
2. Ministers of State with independent charge are usually in-charge of smaller Ministries. They participate in the Cabinet meetings only when specially invited.
3. Ministers of State are attached to and required to assist Cabinet Ministers

Q.21) Why is parliamentary democracy also known as cabinet government in most countries?

Since it is not practical for all ministers to meet regularly and discuss everything, the decisions are taken in Cabinet meetings. That is why parliamentary democracy in most countries is often known as the Cabinet form of government. The Cabinet works as a team. The ministers may have different views and opinions, but everyone has to own up to every decision of the Cabinet.

Q.22) What are the functions and powers of the Prime Minister?

Ans. Prime Minister has wide ranging powers.

1. He chairs Cabinet meetings. He coordinates the work of different Departments.
2. His decisions are final in case of any dispute arises between Departments.
3. He exercises general supervision of different ministries. All ministers work under his leadership.
4. The Prime Minister distributes and redistributes work to the ministers. He also has the power to dismiss ministers. When the Prime Minister quits, the entire ministry quits.
5. The Prime Minister controls the Cabinet and Parliament through the party.

Q.23) What makes the president in India a nominal executive?

1. 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. All the major decisions are taken by the council ministers headed by the Prime minister- the role of the president is only to accept it or sign it.

Q.24) How is the president of India elected?

1. The President is not elected directly by the people. All the Members of Parliament (MPs) and Members state Legislative Assemblies (MLAs) elect her.
2. A candidate standing for President's post has to get a majority of votes to win the election. This ensures that the President can be seen to represent the entire nation.
3. The President can never claim the kind of direct popular mandate that the Prime Minister can. This ensures that she remains only a nominal executive.

Q.25) State the powers and functions of the president of India

1. All governmental activities take place in the name of the President. All laws and major policy decisions of the government are issued in her name.
2. Executive power: All major appointments are made in the name of the President. These include the appointment of the Chief Justice of India, the Judges of the Supreme Court and him High Courts of he states, the Governors of the states, the Election commissioners, ambassadors to other countries, etc. All international treaties and agreements are made in the name of the President. The President is the supreme commander of the defense forces of India.
3. Legislative power: A bill passed by the Parliament becomes a law only after the President gives assent to it. If the President wants, she can delay this for some time and send the bill back to the Parliament for reconsideration. But if the Parliament passes the bill again, she has to sign it.
4. Discretionary power: 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, the President exercises her discretion. The President appoints a Prime Minister who in her opinion can muster majority support in the Lok Sabha. In such a case, the President can ask the newly appointed Prime Minister to prove majority support in the Lok Sabha within a specified time.

Q.26) Why do we consider an independent and powerful judiciary necessary for democracies?

We consider an independent and powerful judiciary necessary for democracies because of the following reasons:-

1. Settling disputes at national level.
2. To judge the actions of the government.
3. To give fair judgment that everyone will trust
4. To accept appeal of people.

Q.27) What is judiciary? What does it consist of?

1. All the courts at different levels in a country put together are called the judiciary.
2. The Indian judiciary consists of a Supreme Court for the entire nation, High Courts in the states, District Courts and the courts at local level.

Q.28) What are the functions of the Supreme Court?

1. It can take up any dispute between citizens of the country
2. It can take up any dispute between citizens and government;
3. It can take up any dispute between two or more state governments; and
4. It can take up any dispute between governments at the union and state level
5. It can determine the Constitutional validity of any legislation or action of the executive in the country, when it is challenged before them. This is known as the **judicial review**.
6. The Supreme Court and the High Courts have the power to interpret the Constitution of the country. They can declare invalid any law of the legislature or the actions of the executive, whether at the Union level or at the state level, if they find such a law or action is against the Constitution.

Q.29) What do you understand by independence of judiciary?

Independence of the judiciary means that judiciary 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. That is why all modern democracies have courts that are independent of the legislature and the executive. India has achieved this.

Q.30) What are the various provisions to make Indian judiciary independent and impartial?

1. 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. But once appointed they are free to pass judgment
2. In practice it now means that the senior judges of the Supreme Court select the new judges of the Supreme Court and the High Courts. There is very little scope for interference by the political executive.
3. The senior most judge of the Supreme Court is usually appointed the Chief Justice. Once a person is appointed as judge of the Supreme Court or the High Court it is nearly impossible to remove him or her from that position.
4. A judge can be removed only by an impeachment motion passed separately by two-thirds members of the two Houses of the Parliament. It has never happened in the history of Indian democracy.

Q.31) What is judicial review?

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Q.32) How does judiciary act as a guardian of fundamental rights?

1. The citizens have a right to approach the courts to seek remedy in case of any violation of their rights.
2. In recent years the Courts have given several judgments and directives to protect public interest and human rights.

Q.33) What is public interest litigation?

Anyone can approach the courts if public interest is hurt by the actions of government. This is called public interest litigation.

Q.34) Why does the judiciary enjoy a high level of confidence among the people?

The courts intervene to prevent the misuse of the government's power to make decisions. They check malpractices on the part of public officials. It is the guardian of fundamental rights. That is why it is said that the judiciary enjoys a high level of confidence among the people.

Q.35. What was the Office Memorandum issued on 13th August 1990 by the Government of India?

This Order announced a major policy decision. It said that 27 per cent of the vacancies in civil posts and services under the Government of India are reserved for the Socially and Economically Backward Classes (SEBC). SEBC is another name for all those people who belong to castes that are considered backward by the government. The benefit of job reservation was till then available only to Scheduled Castes and Scheduled Tribes.