

5

WORKING OF INSTITUTIONS

QUESTIONS AND ANSWERS

(Points have to be explained if necessary)

1. "The judges of Supreme Court are not supposed to act on the direction and wish of the executive". What values are promoted through it? **(2016)**

Ans. It is an independent body. It is an essential provision to maintain the supremacy of the Constitution because court is working as a guardian of the Constitution and fundamental rights of citizens.

2. Explain the role of the Judiciary in India. **(2016)**

Ans.

1. The first and foremost role of the judiciary is to provide justice.
2. To resolve disputes between citizens, between citizens and the government, between two state governments and between the center and state government
3. Upholding the law and enforcing the fundamental rights. Every citizen of India can approach the Supreme Court or the High Court if they believe that their fundamental rights are being violated.

3. What is meant by judicial review? Who has the power to interpret the Constitution of India? **(2016,2014,2012)**

Ans. The Supreme court and the High Court have the power to interpret the constitution of the country or to declare any law invalid.

To determine the constitutional Validity of any legislation of the executive in the country is known as the judicial review.

Supreme court and the high courts have the power to interpret the constitution of the country.

4. Why do we need a Parliament? How does it exercises political authority on behalf of the people. **(2016)**

Ans. a) 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.

- b) *
- * It is the final authority for making laws in any country.
 - * It controls over those who run the government.
 - * It controls all the money that governments have.

* It is the highest forum of discussion and debate on public issues.

5. Which of the two Houses of Parliament is more powerful ? Explain. **(2016)**

Ans. Although our constitution gives some special powers to Rajya Sabha, but in most matters, the Lok Sabha exercises supreme power.

- 1) Any ordinary law needs to be passed by both the Houses. In case of dispute /difference between the two houses, the final decision is taken in a joint session of both the Houses together. Because of the large number of members in Lok Sabha, it is likely to prevail.
- 2) Lok Sabha exercises more powers in money matters. Firstly, money bills can be introduced in Lok Sabha only. Secondly, Rajya Sabha can keep it for not more than 14 days after which it is taken as passed.

6. Explain any five powers of the Prime Minister of India. **(2016)**

Ans. Powers of the Prime Minister

- 1) Chairs the cabinet meetings.
- 2) Coordinates the work of different Departments.
- 3) His/her decisions are final in case of a disagreement between different departments.
- 4) Exercises general supervision of different ministries.
- 5) All ministers work under his leadership.
- 6) Distributes and redistributes work to the ministers.
- 7) He has the power to dismiss ministers.

7. Write about the process of appointment and removal of a judge of Supreme Court. **(2016)**

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.

8. Explain any three powers of the President of India ? **(2016,2012)**

- Ans.**
- 1) **Legislative powers** : To dissolve Lok Sabha, to summon or prorogue the parliament, acceptance to a bill to become law, to pass ordinance when parliament is not in session.
 - 2) **Executive powers** : Administration is carried out on his name, makes appointments of supreme commander of defense forces.

- 3) **Judicial powers** : Has power to grant pardon, suspend a sentence, appointing the chief justice and other judges.
- 4) **Emergency powers** : Can impose emergency when there are internal disturbances, a war or financial crisis.

9. Explain any three differences between permanent and political Executives in India. **(2016)**

- Ans.**
- a. The political executive comprises of those elected by the people for a specific period of time. The permanent executives comprises of the officers of the civil services appointed on a long term basis.
 - b. The political leaders are more powerful than the civil servants as they are in power by the will of people whereas the later are selected on the basis of knowledge of the subject and merit.
 - c. The political leaders take key decisions and decide the overall framework on policy making while the permanent executive assists the political executive in carrying out the day-to-day administrative functions.

10. 'The Prime Minister of a coalition government faces certain constraints'. Explain. **(2016,2015)**

- Ans.**
- The Prime Minister of a coalition government cannot take decisions as he likes.
 - 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.

11. Differentiate between the Head of the State and Head of the Government. Name the two Houses of Indian Parliament ? **(2016,2013)**

- Ans.**
- * The President of India is called the Head of the State, where as the Prime Minister is called the Head of the Government.
 - * The two Houses of the Indian Parliament are Lok sabha and Rajya Sabha.

12. What power does the Lok Sabha exercises in the matter of money ? **(2016)**

- Ans.** The Lok Sabha exercises supreme power in the matter of money. 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.

13. What is Parliament ? State any three powers of the Parliament of India ? **(2016)**

- Ans.** Parliament is the National Assembly of elected representatives and exercises supreme authority on behalf of the people.

Powers : i) Final authority for making laws.

ii) To amend the Constitution when needed.

iii) Exercises control over the executive those who run the government.

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

(2015,2013)

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.

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

(2015)

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

- a. Increase of external aggression or armed rebellion.
- b. If the government machinery of a state breaks down.
- c. If there is a threat to the financial stability of the country, Under these circumstances the President can impose a state of emergency.

16. Mention any three legislative powers of the President of India.

(2015)

Ans. Legislative powers of the President :

- a) The President summons and addresses the session of both the Houses of Parliament.
- b) He can dissolve the Lok Sabha.
- c) President inaugurates the new Parliament by making an address on its opening day.

17. In which three ways is Lok Sabha more powerful than Rajya Sabha ?

(2015)

Ans. Lok Sabha is more powerful than Rajya Sabha :

- a) A money bill can be introduced only in the Lok Sabha.
- b) The Rajya Sabha can't reject a money bill.
- c) The Council of Ministers is collectively responsible to the Lok Sabha.
- d) Lok Sabha can pass a vote of no confidence. In that case, the Council of Ministers, including Prime Minister have to resign. But the Rajya Sabha doesn't enjoy such power.

18. Explain the significance of Parliament in a democratic country.

(2015,2012)

Ans. Significance of the Parliament in a democratic country.

- a) Parliament is the final authority for making laws in any country.
- b) It can also change existing laws or abolish existing laws and make new ones in their place.
- c) No decision can be taken without the support of the parliament.
- d) It controls the money matters of the country.
- e) It is the highest forum of discussion and debate on public issues and national policy in any country.

19. Explain any five powers of the Supreme Court of India. (2015)

- Ans.**
- 1) The Supreme Court can take up disputes between governments, citizens and government, and governments at the union and state level.
 - 2) Highest Court of justice and hears appeals against High Court decisions, civil and criminal cases.
 - 3) Guardian of our constitution and fundamental Rights.
 - 4) It can declare any law of the legislature or executive invalid.
 - 5) People can approach Supreme Court if their rights are violated.

20. Describe the powers and the functions of the judiciary in India. (2015)

- Ans.**
- * The Supreme Court and High courts have the power to interpret the Constitution of the country.
 - * They can declare invalid any law of the legislature, whether at the union level or state level, if they find that such a law or action is against the constitution.
 - * Thus, they 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 Judicial review.
 - * The powers and the independence of the Indian Judiciary allows it to act as the guardian of the Fundamental Rights.
 - * They check malpractices on the part of the public officials. That is why the Judiciary enjoys a high level of confidence among the people.

21. What is meant by Council of Ministers ? In what way are Cabinet Ministers different from other ministers ? (2015,2014)

Ans. Council of Ministers : It is the official name for the body that includes all the ministers including the PM or CM. It usually has 60 to 80 ministers of different ranks in the Union Council of ministers.

Difference : Cabinet Ministers are usually top-level leaders of the ruling party who are in charge of major ministries. It is inner ring of the Council. They meet to take decisions in the name of Council of Ministers.

22. How far is it correct to say that the President of India exercises all the powers only on the advice of the Council of Ministers ? (2015)

- Ans.** 1) The indirect process of election ensures that the president can be seen to represent the entire nation. But the president can never claim the kind of direct popular mandate. The president exercises all the powers only on the advice of the council of ministers.
- 2) A bill passed by the parliament becomes a law only after the president gives assent to it. If the president waits then he / she can delay the same and send the bill back to the parliament for reconsideration. But if the parliament passes the bill again the president has to sign it.

23. Differentiate between Political and Permanent Executive. (2015)

Ans. Political Executive

- a) Elected by the people for a specific period.
- b) They take all b decisions.

Permanent Executive

- a) People are appointed on a long term basis, working in civil services, called civil servants.
- b) They remain in office even when the ruling party changes.
- c) They work under political executives and assist them in the day to day administration.

24. 'On most matters the Lok Sabha exercises supreme powers' - Justify the statement by describing the powers vested with both the houses of the Parliament. (2014)

- Ans.**
- a) The two Houses of parliament are The Council of States (Rajya Sabha) and the House of the people (Lok Sabha).
 - b) It might appear that the Rajya Sabha is more powerful because it is called the Upper Chamber and Lok Sabha the Lower Chamber.
 - c) Rajya Sabha looks after the interest of various states, regions or federal units.
 - d) In the joint session the view of the Lok Sabha prevails.
 - e) Money Bill can be introduced only in the Lok Sabha.
 - f) The Rajya Sabha cannot reject the Money Bill.
 - g) The Lok Sabha controls the council of ministers.

25. "Judiciary is independent of the Executive". Give any five examples. (2014)

- Ans.** i) Independence of Judiciary means that it is not under the control of legislature or the executive.

- ii) The judges do not act on the direction of the government or according to the wishes of the party in power.
- iii) All modern democracies have courts that are independent of the legislature and the executive.
- iv) 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 of Chief Justice of the Supreme Court.
- v) There is very little scope for interference by the political executive.
- vi) Once the 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.

26. "Working with institutions is not easy". Justify. **(2014,2012)**

Ans. Working with institutions is not an easy task, there are various problems working with institutions like :

- 1) The well-framed rules and regulations can bind the hands of leaders.
- 2) Institutions often involve meetings, committees and routines which sometimes leads to delay and complication in decision-making.
- 3) Complications and delay in decision-making further leads to frustration among leaders and people as well.
- 4) Institutions provide an opportunity for a wider set of people to be consulted in any decision.
- 5) Although institutions make it difficult to have quick and good decisions they make it equally difficult to rush through a wrong and ineffective decision.

27. What do you mean by independence of the judiciary ? How far is it correct to say that Indian judiciary is independent ? Give any three arguments to support your answer. **(2014,2012)**

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. India has got an independent judiciary. This can be understand from the following :

- 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.
- 2) The senior judges of the supreme court selects the new judges of the supreme court and the High Courts. There is very little scope for interference by the political executive.
- 3) Once a judge is appointed, it is nearly impossible to remove him or her from that position. He can be removed only by a difficult procedure of removal called impeachment.

28. How is the Prime Minister of India appointed ? Briefly explain any three functions of the Prime Minister. **(2014,2013)**

Ans. The Prime Minister is the most important political institution in the country. Yet there is no direct election to the post of the Prime Minister. The President appoints the Prime Minister. The president cannot appoint any one he likes. He appoints the leader of the majority party or the coalition of parties that commands a majority in the Lok Sabha as Prime Minister

FUNCTIONS OF THE PRIME MINISTER :

As head of the government, the Prime Minister has wide ranging power :

- 1) He chairs the cabinet meetings.
- 2) He co-ordinates the work of different departments.
- 3) His decisions are final in case disagreements arise between departments.
- 4) He exercises general supervision of different ministers. All ministers work under his leadership.
- 5) The PM distributes and redistributes work to the ministers.
- 6) He has the power to dismiss ministers.

29. Give reasons to explain why parliamentary democracy in most countries is often known as the cabinet form of government. **(2014)**

- Ans.**
- * In a parliamentary system the council of minister headed by cabinet is collectively responsible to the parliament.
 - * The cabinet works as a team.
 - * No minister can openly criticize any decision of the government, even if it is about another Ministry or Department.
 - * Every ministry has secretaries, who are civil servants. The secretaries provide the necessary background information to the ministers to take decisions. The cabinet as a team is assisted by the cabinet secretariat.

30. What is meant by Council of Ministers ? Explain the different category of ministers. **(2014)**

Ans. 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.

Cabinet Ministers : are usually top senior 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.

Council of Ministers : Consisting of about 20 ministers. Ministers of State with independent charge - are usually in-charge of smaller Ministries. They participate in the cabinet meetings only when specially invited.

Ministers of state are attached to and required to assist Cabinet Ministers.

31. How does the Lok Sabha exercise supreme power in most matters as compared to that of Rajya Sabha ? Explain. **(2013)**

- Ans.**
- Our constitution does give the Rajya Sabha some special powers over the states. But in most matters, the Lok Sabha exercises supreme power. Any ordinary law needs to be passed by both the Houses. 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.
 - 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. Rajya Sabha can only delay it for 14 days or suggest changes in it. The Lok Sabha may or may not accept these changes.
 - 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 as the Prime Minister. If the majority of the Lok Sabha members say they have 'no confidence' in the council of Ministers, all ministers including the PM have to quit, the Rajya Sabha does not have this power

32. What is meant by Integrated Judiciary ? Explain the Jurisdiction of the Supreme Court of India. Mention any three points. **(2013,2012)**

Ans. All the courts at different levels in a country put together are called the Judiciary. 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. India has an integrated Judiciary. It means the Supreme Court controls the Judiciary administration in the country. Its decisions are binding on all other courts of the country.

Jurisdiction of the Supreme Court :

It can take up any dispute :

- a) Between citizens of the country.
- b) Between citizens and governments.
- c) Between two or more state governments and.
- d) Between governments at the union and state governments.

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

33. What is meant by the term 'executive' ? Why should the ministers have the final say on all important policy matters ? Explain. **(2013)**

Ans. 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 these functionaries are collectively known as the executive. They are called executive because they are in charge of the 'executive' of the policies of the government. Thus when we talk about the government we usually mean the executive.

The reason why ministers should have the final say on all policy matters is simple. 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. They are finally answerable to the people for all the consequences of their decisions. That is why the ministers take all the final decisions. The minister decides the overall framework and objectives in which decisions on policy should be made.

34. Describe the election procedure of the two Houses of Indian Parliament. List three areas where Lok Sabha enjoys supreme powers. **(2013)**

Ans. Election Procedure of the two Houses of Parliament.

- * Lok Sabha is directly elected by the people and enjoys real power on behalf the people.
- * Rajya Sabha is elected indirectly and mainly looks after the interest of the states.

Lok Sabha enjoys supreme powers -

- a. If there is a joint session of the two Houses than the will of the Lok Sabha prevails due to its numerical supremacy.
- b. In money matters Lok Sabha is supreme as Rajya Sabha can only delay a money bill for 14 days or give suggestions. Lok Sabha controls the Council of Ministers through No-Confidence Motion.

35. What is the election process of the President of India ? Mention the main powers and functions of the president of India. **(2013)**

Ans. The President of India is elected indirectly. All the elected members of the both House of Parliament as well as the State Legislative Assemblies elect the President.

Powers and functions of the President

- * The president supervises the overall functioning of all the political institutions.
- * All government activities take place in his/her name.
- * All major appointments are made in his/her name.
- * All international treaties and agreements are made in the name of the president.

36. Give any three functions (or responsibilities) of the government. **(2013)**

Ans. The government is responsible for ensuring security to the citizens and for providing facilities for education and health to all.

It collects taxes and spends money for administration, defense and development programmes.

It formulates and implements several welfare schemes.

37. Distinguish between the political executives and the permanent executives. **(2012)**

Ans.

	Political Executive	Permanent Executive
	Executive that is elected by the people for a specific period is called the political executive.	The permanent executives are salaried civil servants who are appointed on a long term basis.
	They remain in office only so long as they command the confidence of the majority member of Parliament.	They remain in the office even when the ruling party changes. Their tenure of office is permanent.
38.	They are answerable to people for all the consequence of their decisions.	They are not answerable to the people.
	They are more powerful. They take all the final decisions.	They are less powerful. They do not take decisions. Instead they assist political executives in carrying out day to day administration.

Why was the Mandal Commission set up ? What did it recommend to the government ? **(2012)**

Ans. Second backward class commission of 1979 headed by BP Mandal was known as Mandal commission. It was set up to determine the criteria to identify the socially and educationally backward classes. Their work was to identify the educationally backward classes and improve them. To provide jobs to such backward classes 27% reservation in jobs for socially backward. Its recommendations were implemented by the govt. of India with minor amendments.

1 MARK

1. In which year did the Government of India appoint the second Backward Classes Commission ? **(2016)**

Ans. 1979.

2. Who is the ceremonial head or the nominal executive of India ? **(2016)**

Ans. The President.

3. Who is the supreme commander of the defense forces of India ? **(2016,2012)**

Ans. The President.

4. Give the composition of the Indian judiciary. **(2016,2014)**

Ans. 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.

5. Which institution resolves disputes between citizens and government ? **(2016)**

Ans. The Supreme court.

6. Who appoints the judges of the Supreme court and the High courts ? **(2016)**

Ans. The President on the advice of the Prime Minister and in consultation with the Chief Justice of the Supreme court.

7. What was the Mandal commission asked to do ? **(2016)**

Ans. The Mandal commission was asked to determine the criteria to identify the socially and educationally backward classes in India and recommend steps to be taken for their advancement.

PRACTICE CORNER

1. How does Parliament exercise political authority on behalf of the people. Support your answer by giving any five arguments. **(2016)**

2. "The judiciary in India is also one of the most powerful in the world. Explain it. **(2018)**

3. Explain the procedure for the removal of judges of the Supreme Court. **(2016)**

4. In which three ways does the political executive enjoy more powers than the permanent executive in India ? Explain. **(2016)**

5. "Prime Minister is the most important political institution in the country" Justify the statement. **(2016)**

6. Why do we need a Parliament ? Support your answer with arguments. **(2016)**

7. Explain any five powers of the President of India. **(2016)**

o o o o o o