

1**The Union Legislature/ The Union Parliament****Exercises****Multiple Choice Questions**

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|---------|---------|---------|---------|---------|
| 1. (a) | 2. (c) | 3. (b) | 4. (b) | 5. (d) |
| 6. (a) | 7. (d) | 8. (b) | 9. (b) | 10. (a) |
| 11. (d) | 12. (d) | 13. (a) | 14. (d) | 15. (b) |
| 16. (b) | 17. (b) | 18. (b) | 19. (c) | 20. (a) |

Short-Answer Questions

1. What do you understand by the term 'Parliament'?

Ans. Parliament is the supreme legislative organ of the government. It is a representative body which makes new laws and amends old ones. It controls the Union Council of Ministers and the national budget.

2. Which are the three constituents of the Indian Parliament?

Ans. The Lok Sabha, The Rajya Sabha and the President.

3. Name the two Houses of the Indian Parliament.

Ans. The Lok Sabha and the Rajya Sabha.

4. What is the maximum strength of the members of the Lok Sabha or the House of the People?

Ans. 550 members

5. How are the members of the Lok Sabha elected?

Ans. Members of the Lok Sabha are directly elected by the people on the basis of universal adult franchise.

6. What are the qualifications which an individual should possess to become the member of the Lok Sabha?

Ans. **Qualifications for the members of the Lok Sabha :** In order to seek election to the Lok Sabha, a person must possess the following qualifications :

- (i) He should be a citizen of India.
- (ii) He should be at least 25 years old.
- (iii) He should not be a proclaimed offender.
- (iv) He should have his name in the electoral rolls in any part of the country.
- (v) He or she should possess such other qualifications as may be specified by Parliament from time to time.
- (vi) He should not hold any office of profit under the State or Central Government.

7. What is the normal term of the Lok Sabha?

Ans. 5 years

8. Who is empowered by the Constitution to summon and to dissolve the Lok Sabha?

Ans. The President

9. By whom and on whose advice can the Lok Sabha be dissolved?

Ans. On the advice of the Prime Minister the President can dissolve the Lok Sabha.

10. Who presides over the meetings of the Lok Sabha?

Ans. The Speaker presides the meetings of the Lok Sabha.

11. How is the Speaker of the Lok Sabha elected?

Ans. The Speaker is elected by the Lok Sabha from among its members.

12. What is an Adjournment Motion?

Ans. Daily business of the House is programmed well in advance and is conducted accordingly. But if a question of immense public importance crops up, the members can demand adjournment of the discussion on slated business and discuss that matter immediately.

13. What is a No-Confidence Motion?

Ans. In a Parliamentary set-up the Council of Ministers works till it enjoys the confidence of the Legislature. If a successful motion of no-confidence is passed in the Lok Sabha, the Council of Ministers has to resign and if, on

the other hand, the majority votes against the motion, the Government survives. No-confidence motions are very important because when a debate is held on the no-confidence motion, members discuss the general policies of the Government in detail and not the matter of a particular bill. In such a way much light is shed on different problems and the attitude of different parties towards them.

14. What do you mean by Question Hour?

Ans. Every member of the House has the privilege to ask questions from the Government on matters of public interest. Such questions are addressed to the Chair and, if admitted, the Government is obliged to answer them. First hour of every working day of the House is reserved for questions unless otherwise decided by the Speaker.

15. Mention any two privileges of the Members of Parliament.

Ans. (i) **Freedom of Speech :** The members of the Parliament have the freedom to speak out their views within as well as outside the Parliament. They have also the right to get their views published in the press. No proceedings can be initiated against them for whatever they say in the Parliament.

(ii) **Freedom of Movement :** The members of the Parliament have a special freedom of movement during the session of the Parliament. No member of the Parliament can be kept in detention even if any case of criminal nature is going on in a Court of Law against him. If, at all, the law demands his detention, it can only be done with the prior permission of the Chairman of the House of which he happens to be a member.

16. What is the quorum to hold the meetings of the Lok Sabha?

Ans. The quorum to hold the meetings of the Lok Sabha is one-tenth of the total members of the House i.e. 55 members.

17. What is the maximum period which can intervene between two sessions of the Parliament?

Ans. Six months

18. Who presides over the joint sitting of both the Houses of the Parliament?

Ans. The Speaker of the Lok Sabha.

19. What is the maximum number of members of the Rajya Sabha or the Council of States?

Ans. 250 members

20. State two essential qualifications required for election of the Rajya Sabha?

Ans. (i) He must be a citizen of India.
(ii) He should be at least 30 years of age.

21. How are the members of the Rajya Sabha elected?

Ans. The representatives of each State in the Council of States (or Rajya Sabha) are elected by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of a single transferable vote for a period of six years.

22. Who is the Presiding Officer of the Rajya Sabha?

Ans. The Vice-President of India.

23. Who presides over the meetings of the Rajya Sabha in the absence of the Vice-President of India?

Ans. The Deputy Chairman

24. What is the tenure of the members of the Rajya Sabha?

Ans. Six years

25. What are the qualifications which an individual should possess to be elected to the Rajya Sabha?

Ans. Qualifications of the Members : To be a member of the Rajya Sabha, a candidate must possess the following qualifications :

- (i) He must be a citizen of India.
- (ii) He should be at least 30 years of age.
- (iii) He should not be a proclaimed offender.
- (iv) He should not hold any office of profit under the Government.
- (v) Like the member of the Lok Sabha he or she should

possess such other qualifications as may be specified by Parliament from time to time.

26. What is the difference between a Money Bill and Non-Money Bill?

Ans. Ordinary Bills : An Ordinary Bill can originate in either House of the Parliament and must be passed by both the Houses of the Parliament before going for the President's signature.

Money Bills : In case of Money Bills, the Rajya Sabha has been given virtually no powers. Firstly, a Money Bill can originate only in the Lok Sabha. Secondly, when any Money Bill is passed by the Lok Sabha, the Rajya Sabha has no power whatsoever to make a change in it against the will of the Lok Sabha. It can, at the most, delay a Money Bill by sitting over it for fourteen days. After the expiry of the period, the Bill is supposed to be passed by the Rajya Sabha and can be sent for the President's assent.

27. In what two respects is the Lok Sabha more powerful than the Rajya Sabha?

Ans. (i) In case of Money Bills, the Rajya Sabha has been given virtually no powers. When any Money Bill is passed by the Lok Sabha, the Rajya Sabha has no power whatsoever to make a change in it against the will of the Lok Sabha.

(ii) The Council of Ministers is primarily responsible to the Lok Sabha. A vote of no-confidence passed in the Rajya Sabha does not oblige the Government to resign but a similar vote passed in the Lok Sabha makes it obligatory for the Government to quit.

28. What is the procedure that should be followed if there is a deadlock between the two Houses of the Parliament on a Non-Money Bill?

Ans. In the case of a deadlock between the two Houses over a bill, it is to be resolved in a joint session of the Houses with the Speaker of the Lok Sabha in the chair. As the membership of the Lok Sabha is more than double the

membership of the Rajya Sabha, it is the will of the Lok Sabha that prevails on the strength of its majority in the joint session.

29. What happens to a Money Bill, which having been passed by the Lok Sabha and sent to the Rajya Sabha, but is not returned within 14 days?

Ans. After the expiry of 14 days, the Money Bill is supposed to be passed by the Rajya Sabha and can be sent for the President's signatures.

30. What can the President do if he does not wish to sign a Non-Money Bill passed by the Parliament?

Ans. The President may withhold the Bill or send it back to the House for reconsideration with his suggestions or recommendations.

31. Mention the body or bodies that have been granted exclusive power to make laws on subjects in the Concurrent List.

Ans. Both the Centre and the States can legislate on the subjects in the Concurrent List. However, in case of a conflict between the two laws, the law made by the centre prevails.

32. What happens if the Lok Sabha and Rajya Sabha fail to agree on a Non-Money Bill?

Ans. In the case of a deadlock between the two Houses over a bill, it is to be resolved in a joint session of the Houses with the Speaker of the Lok Sabha in the chair. As the membership of the Lok Sabha is more than double the membership of the Rajya Sabha, it is the will of the Lok Sabha that prevails on the strength of its majority in the joint session.

33. Name the lists which distribute the subjects of legislation between the Union and the States.

Ans. The subjects can be distributed between Union and States through three lists, i.e. The Union list, The State List, The Concurrent List.

Structured Essay-Type Questions

1. With reference to the Lok Sabha, explain the following :

(a) What is the total membership?

(b) What are the qualifications of the members of the Lok Sabha?

(c) Who presides over the meetings of the Lok Sabha?

Ans. (a) 543 members

(b) **Qualifications for the Members of the Lok Sabha :**

In order to seek election to the Lok Sabha, a person must possess the following qualifications :

(i) He should be a citizen of India.

(ii) He should be at least 25 years old.

(iii) He should not be a proclaimed offender.

(iv) He should have his name in the electoral rolls in any part of the country.

(v) He should not hold any office of profit under the State or Central Government.

(vi) He or she should possess such other qualifications as may be specified by Parliament from time to time.

(c) The Speaker presides the meetings of the Lok Sabha.

2. Throw light on the Rajya Sabha under the following headings :

(a) What is the total membership of the Rajya Sabha?

(b) How are the members of the Rajya Sabha elected?

(c) Why is the Rajya Sabha known as a permanent house?

(d) How many members are nominated by the President to the Rajya Sabha?

Ans. (a) 245 members

(b) The representatives of each State in the Council of States (or Rajya Sabha) are elected by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of a single transferable vote for a period of six years.

(c) The Rajya Sabha is known as permanent house since it cannot be dissolved.

(d) 12 members

3. With reference to Rajya Sabha, answer the following questions :

- (a) What are the qualifications necessary to become a member of the Rajya Sabha?
- (b) Describe the legislative and financial powers of the Rajya Sabha.

Ans. (a) Qualifications of the Members : To be a member of the Rajya Sabha, a candidate must possess the following qualifications :

- (i) He must be a citizen of India.
 - (ii) He should be at least 30 years of age.
 - (iii) He should not be a proclaimed offender.
 - (iv) He should not hold any office of profit under the Government.
 - (v) Like the member of the Lok Sabha he or she should possess such other qualifications as may be specified by Parliament from time to time.
- (b) The Rajya Sabha can declare any of the subjects in the State List to be a subject of national interest and thereby empower the Union Parliament to legislate on that subject. All bills (except a Money Bill) have to be passed by the Rajya Sabha to become an Act or a law. It is the privilege of Rajya Sabha alongwith Lok Sabha to decide the salaries and allowances of its own members and also those of the Ministers and the Chief Justices and Judges of the Supreme Court and High Courts.

4. Compare the Lok Sabha and the Rajya Sabha in the following fields :

- (a) In which matters does the Rajya Sabha enjoy equal powers with the Lok Sabha?
- (b) What procedure must be followed in the event of disagreement between the two Houses of the Parliament over amendments to be made in a Bill?

Ans. (a) Impeachment : In matters of impeachment of the President of India or the Chief Justice or a Judge of the Supreme Court or of a High Court, both Houses have absolutely equal powers. Impeachment can be initiated in either House and the other House has an equal say in the judgement.

Election of the President and the Vice-President : Every elected member of the Parliament stands on, equal footing in the election of the President or the Vice-President of India.

All non-Money Bills have to be passed separately by both the Houses to become a law.

(b) In the case of a deadlock between the two Houses over a bill, it is to be resolved in a joint session of the Houses with the Speaker of the Lok Sabha in the chair. As the membership of the Lok Sabha is more than double the membership of the Rajya Sabha, it is the will of the Lok Sabha that prevails on the strength of its majority in the joint session.

5. The Speaker is an important arch of the Parliamentary edifice. Keeping this in view, describe the following :

- (a) His election as the Chairman of the Lok Sabha.
- (b) Any five of his functions.
- (c) His removal from office.

Ans. (a) The Speaker is elected by the Lok Sabha from among its members.

- (b) (i) He/she presides over the meetings of the House. He allots time for discussion. All speeches and remarks are addressed to the Speaker.
- (ii) The Speaker has the final say regarding all rules and procedures of the House.
- (iii) All bills passed by the House are signed by the Speaker before they are sent to the Upper House or to the President for assent.
- (iv) The Speaker maintains order and decorum in

the House. He can suspend a member in case of misconduct. In case of disorder or unruly behaviour by a group of Members, he can adjourn the House.

(v) If words used by a Member are obscene or indecent or unparliamentary, the Speaker may order that such words be expunged from the proceedings of the House.

(c) **Removal :** The Speaker can resign his post on health ground or on other grounds by submitting a letter of resignation to the Deputy Speaker. He can also be removed by the Lok Sabha if a majority of the members pass a resolution to this effect. But before moving such a resolution the Constitution provides for 14 days' prior notice. During this period the Deputy Speaker shall preside over the meetings of the House.

6. The Indian Parliament has vast powers. In this context explain the following :

(a) Legislative powers of the Parliament.

(b) Describe any two judicial powers of the Parliament.

(c) How does the Parliament exercise control over the Cabinet?

Ans. (a) Legislative Powers :

(i) The Parliament is the supreme law-making body at the central level. It frames new laws and amends or repeals them, if necessary, on all the 100 Subjects of the Union List and all the Residuary Subjects which have not found a place in any of the Lists.

(ii) As far as the 47 Subjects in the Concurrent List are concerned, both the Parliament and the State Legislatures have got the right to make laws. But if any State Law comes into conflict with the Central Law, the Central Law shall prevail.

(iii) It can enact laws on any of the 61 Subjects of the State List also if :

- (a) The Rajya Sabha passes a resolution with a two-third majority to the effect that the particular subject of the State List has come to assume national importance.
 - (b) Two or more States request the Centre to pass a law for them on one or more subjects mutually agreed upon by them.
 - (c) A state of national emergency is proclaimed by the President.
 - (d) President takes over the administration of a State on the breakdown of the Constitutional machinery in the State. Such laws will concern only the State for which they are passed.
- (iv) The Union Parliament has the sole right to amend the Constitution although in certain cases these amendments should also be ratified by a majority of the States. The States can, in no case, initiate an amendment to the Constitution.
- (b) (i) The Parliament has the right to remove the Judges of the Supreme Court and the High Courts, the Chief Election Commissioner and the Comptroller and Auditor General of India if they are found guilty of violating any clause of the Constitution. For this purpose, the motion can be moved if supported by one-fourth members of either House and carried only if two-third members of each House vote in favour of the motion.
- (ii) Parliament can condemn any person if he is found guilty of defamation and contempt of either House of the Parliament.
- (c) **Control over the Cabinet :** The Government is directly responsible to the Parliament for its acts of omission and commission. The members of the Government, *i.e.*, the Ministers, are chosen from among the members of the majority party in the

Parliament and they hold office only till they enjoy the confidence of the Parliament, to be more precise, that of the Lok Sabha. The Parliament, in this way, is a controlling body of the Government.

7. With reference to the Union Parliament, give the definition of the following :

- (a) Constituency (b) Quorum
- (c) Universal Adult Franchise (d) Reservation of Seats

Ans. (a) Each State and Union Territory is divided into a number of areas called constituencies for election purpose. From one constituency one member is elected. A Constituency has well-marked boundaries for the smooth holding of the elections.

(b) **Quorum** : Quorum is the minimum number of members to be present in the House before it could transact any business. As per rule, 1/10 of the total membership of each House constitutes the quorum. The present strength of Lok Sabha is 543. Hence, 55 members constitute the quorum. The present strength of Rajya Sabha is 245. Hence, 25 members constitute the quorum.

(c) Members of the Lok Sabha are directly elected by the people. The principle of Universal Adult Franchise means that all citizens of the age of 18 and above have the right to vote without any discrimination on the basis of gender, class, caste, religion or wealth.

(d) **Reservation of Seats** : The Indian Constitution has made provisions for the socially and educationally backward classes of citizens. As such, many seats have been reserved for the Scheduled Castes (84) and Scheduled Tribes (47) in the Lok Sabha.

Exercises**Multiple Choice Questions**

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|---------|---------|---------|---------|---------|
| 1. (d) | 2. (d) | 3. (b) | 4. (c) | 5. (d) |
| 6. (c) | 7. (d) | 8. (c) | 9. (b) | 10. (c) |
| 11. (d) | 12. (c) | 13. (a) | 14. (a) | 15. (c) |
| 16. (d) | 17. (b) | 18. (b) | 19. (b) | |

Short-Answer Questions

1. Who is at present the President of India?

Ans. Ram Nath Kovind.

2. Who is the chief executive authority of the Indian Union?

Ans. The President.

3. What is the term of office of the President of India?

Ans. Five years.

4. Mention the qualifications which a person seeking election to the office of the President must possess.

Ans. Qualifications :

To seek election to the high office of the President of India, a candidate should possess the following qualifications :

- (a) He should be a citizen of India.
 - (b) He should be at least thirty-five years of age at the time of election.
 - (c) He must be qualified for election as a member of the Lok Sabha but shall not be a member.
 - (d) He should not hold any office of profit under the Central or State Government. If he holds, he should vacate such a post before seeking the election.
 - (e) He should not be a proclaimed offender or a sentenced criminal under the law of the land.
5. How many electors should propose and second a Presidential candidate?

Ans. A prospective presidential candidate is required to get his nomination paper proposed by 50 electors and seconded by another 50 electors.

6. Who elects the President of India?

Ans. The President of India is elected indirectly by an Electoral College.

7. What is an Electoral College?

Ans. A group of people who come together to elect President or Vice-President or any other office-bearer constitute an Electoral College.

8. Who constitutes the Electoral College for the election of the President?

Ans. (a) The Elected members of the Legislative Assemblies of all the Federating States.

(b) The Elected members of the Lok Sabha and the Rajya Sabha.

9. How is the voting power of an elected member of the Vidhan Sabha worked out in the election of President?

Ans. Value of the vote of each member of the Vidhan Sabha (Legislative Assembly) is determined by dividing the population of the State concerned by the total number of the elected members of the Assembly. The quotient so obtained is divided by one thousand.

$$\frac{\text{Total Population of the State}}{\text{Total number of elected members of the Legislative Assembly}} \div 1000$$

10. How is the voting power of an elected member of the Parliament worked out in the election of President?

Ans. The voting power of an elected member of the Parliament is worked out as per the formula given below :

$$\frac{\text{Total Voting Power of All the States}}{\text{Elected Members of the Parliament}}$$

This ensures that the voting power of all the elected members of Parliament is made equal to the voting power

of all the elected members of the Legislative Assemblies in the country.

- 11.** What is the procedure when none of the Presidential candidates is able to get the fixed quota of votes as a result of the counting of the first preference votes?

Ans. In case no candidate is able to get the absolute majority, then the candidate who has secured the least votes is eliminated and his second preference votes are added to the other candidates. This process goes on and ultimately the candidate who gets the absolute majority is declared elected.

- 12.** Who settles the dispute arising in connection with the election of the President?

Ans. The Supreme Court of India.

- 13.** Who administers the oath of office to the President?

Ans. The Chief Justice of India.

- 14.** What does the President solemnly undertake to do when he takes the oath of office?

Ans. The President solemnly affirms that he will faithfully execute the office of the President of India and will to the best of his ability, preserve, protect and defend the Constitution and the Law and that he will devote himself to the service and well-being of the people of India.

- 15.** What do you call the official process by which a President who has violated the Constitution is removed from office?

Ans. Impeachment.

- 16.** Mention any two executive powers of the President.

Ans. The President appoints :

(i) The Prime Minister, and the Council of Ministers on his advice. He summons the leader of the majority group in the Parliament and asks him to form the Government.

(ii) The Governors of the States.

- 17.** Mention any two legislative powers of the President.

Ans. (i) The first session of the Parliament after each General election to the Lok Sabha and the first session of each

year is addressed by the President in which he lays emphasis on the internal and external policies of the Government.

(ii) He can summon or prorogue either House of the Parliament.

18. Explain the term Ordinance.

Ans. An Ordinance is a temporary law promulgated at a time when the Parliament is not in session.

19. When can the President issue an Ordinance?

Ans. The President issues Ordinances when the Parliament is not in session.

20. How many members can the President nominate to the Lok Sabha?

Ans. None. Earlier (between 1952 to 2020) the President had the power to appoint 2 members of the Anglo-Indian community to the Lok Sabha.

21. How many members can the President of India nominate to the Rajya Sabha and what qualifications, if any, should they possess for nomination to the Rajya Sabha?

Ans. 12 members. These nominations are made from among those persons who have made their mark in the fields of literature, arts, social service, science, etc.

22. What is meant by the Joint Session of Parliament?

Ans. The meeting of members of both Houses together is termed as the Joint Session of Parliament.

23. When does the President address the Houses of the Parliament assembled together?

Ans. The first session of the Parliament after each General election to the Lok Sabha and the first session of Parliament each year is addressed by the President in which he lays emphasis on the internal and external policies of the Government.

24. Whom does the President call upon to form the government after the election to the Lok Sabha?

Ans. Leader of majority party after the elections to the Lok Sabha.

25. What can the President do if he does not wish to sign a Non-Money Bill passed by the Parliament?

Ans. The President can withhold the Non-Money Bill or send it back to the House for reconsideration with his suggestions or recommendations.

26. Under what circumstances can the President proclaim a State of Emergency in the country?

Ans. At the time of external aggression or armed rebellion the President can proclaim a State of Emergency in the country.

27. How has the power of the President to declare an Emergency been subjected to the control of the Parliament?

Ans. Under Article 352, the President can declare national emergency only on the basis of a written request by the Union Cabinet headed by the Prime Minister. Such a proclamation must be approved by the Parliament within one month. National Emergency can be imposed for 6 months at a time. It can be extended by 6 months by repeated parliamentary approvals.

28. State one limitation imposed on the powers of the President by (i) the Parliament and (ii) the Council of Ministers.

Ans. (i) The President has no choice in case of Money Bill passed by the Parliament. He has to give his assent.

(ii) The President can declare war or conclude peace with any foreign power only on the advice of his Council of Ministers.

29. Who is at present the Vice-President of India?

Ans. Venkaiah Naidu.

30. How is the Vice-President elected?

Ans. The Vice-President of the Indian Union is elected jointly by both the Houses of the Parliament. The procedure for his election consists of a secret ballot, proportional

representation and single transferable vote. The proposal for nomination of Vice-President has to be proposed by 20 members and seconded by 20 members of Parliament. An absolute majority of the votes polled is also required for the election of the Vice-President.

31. Mention any one important function of the Vice-President of India.

Ans. Ex-Officio Chairman of the Rajya Sabha: Like the Vice-President of the U.S.A., the Vice-President of the Indian Union acts as the Ex-Officio Chairman of the Rajya Sabha.

32. How can the Vice-President of India be removed from office?

Ans. The Vice-President may be removed from his office by a resolution of the Rajya Sabha passed by a majority and agreed to by the Lok Sabha.

33. When can any State of the Indian Union be placed under the President's rule?

Ans. If the President is fully satisfied, on the basis of the report of the Governor of the concerned State that the constitutional machinery has broken down or the government cannot be carried out according to the provisions of the Constitution, he can proclaim a state of Emergency in the State, under Article 356. It is also referred to as President's Rule.

Structured Essay-Type Questions

1. People of great integrity and eminence have always held the high post of President of the Indian Republic. In this context, explain the following :

- (a) Who is elected as the President of India?
- (b) How is the President of India elected?
- (c) Explain how the President of India can be removed from office?

Ans. (a) To seek election to the high office of the President of India, a candidate should possess the following

qualifications :

- (i) He should be a citizen of India.
 - (ii) He should be at least thirty-five years of age at the time of election.
 - (iii) He must be qualified for election as a member of the Lok Sabha but shall not be a member.
 - (iv) He should not hold any office of profit under the Central or State Government. If he holds, he should vacate such a post before seeking the election. It must be mentioned here that the Governor of a State or a Minister of a Union or State or Vice-President of the Union will not, however, be considered a person holding an office of profit.
 - (v) He should not be a proclaimed offender or a sentenced criminal under the law of the land.
- (b) The President of India is not directly elected by the people. He is elected indirectly by an Electoral College which consists of :
- (i) The Elected members of the Legislative Assemblies of all the Federating States.
 - (ii) The Elected members of the Lok Sabha and the Rajya Sabha.
 - (iii) Value of the vote of each member of the Vidhan Sabha (Legislative Assembly) is determined by dividing the population of the State concerned by the total number of the elected members of the Assembly. The quotient so obtained is divided by one thousand.
$$\frac{\text{Total Population of the State}}{\text{Total number of elected members of the Legislative Assembly}} \div 1000$$
 - (iv) The voting power of an elected member of the Parliament is worked out as per the formula given below :
$$\frac{\text{Total Voting Power of All the States}}{\text{Elected Members of the Parliament}}$$

(v) In case no candidate is able to get the absolute majority, then the candidate who has secured the least votes is eliminated and his second preference votes are added to the other candidates. This process goes on and ultimately the candidate who gets the absolute majority is declared elected.

(c) **Impeachment / Removal** : If a President begins to act against the provisions of the Constitution or is found guilty of misusing his status and position or found involved in corruption, he may be impeached out of office. Charges can be framed by either of the two Houses of the Parliament by a two-third majority of the total membership of the House. If the charges are also established by the other House by a two-third majority, the President stands impeached and he is at once removed from office.

2. The President of India enjoys vast powers. In this context, explain :

- (a) His executive powers
- (b) His legislative powers
- (c) His judicial powers.

Ans. (a) The President appoints :

- (i) The Prime Minister, and the Council of Ministers on his advice. He summons the leader of the majority group in the Parliament and asks him to form the Government.
- (ii) The Governors of the States.
- (iii) The Lt. Governors and the Chief Commissioners of the Union Territories.
- (iv) The Chief Justices and the Judges of the Supreme Court and the High Courts.
- (v) The Attorney General of India.
- (vi) The Comptroller and Auditor General of India.
- (vii) The chairman and members of the Union Public Service Commission.

- (viii) The chairman and members of the NITI Ayog (earlier Planning Commission)
- (b) (i) The first session of the Parliament after each General election to the Lok Sabha and the first session of each year is addressed by the President in which he lays emphasis on the internal and external policies of the Government.
- (ii) He can summon or prorogue either House of the Parliament.
- (iii) He can dissolve the Lok Sabha and order fresh elections.
- (iv) No bill (except a Money Bill) can become an act or a law without the President's assent, after being passed by the Parliament. The President has no choice, but to sign a Money Bill.
- (c) The President has been given a number of powers in the judicial sphere also :
 - (i) He is not answerable before any Court of Law for the discharge of his duties.
 - (ii) No criminal suit can be initiated against him during his tenure of office.
 - (iii) He has the power to grant pardon, to remit or suspend a sentence of punishment on any appeal for mercy. He can commute even death sentence to imprisonment for life or otherwise in respect of an offender who has been sentenced to death by the Supreme Court.
- 3. Of all the powers vested in the President of India, his emergency powers have the most far-reaching effects. Keeping this theory in view, describe the following :
 - (a) Emergency caused as a result of a threat to the security of India.
 - (b) Emergency caused as a result of the breakdown of the constitutional machinery.
 - (c) Financial Emergency.

Ans. (a) National Emergency : It can be declared in the whole of India or a part of its territory for causes of war or external aggression or armed rebellion. Under Article 352, the President can declare such an Emergency only on the basis of a written request by the Union cabinet headed by the Prime Minister. Such a proclamation must be approved by the Parliament within one month. Such an Emergency can be imposed for 6 months at a time. It can be extended by 6 months by repeated parliamentary approvals. There is no maximum duration for such an Emergency.

(b) Breakdown of the Constitutional Machinery (Art. 356) : If the constitutional machinery in a State is deadlocked or breaks down resulting in constitutional emergency in that State, the following can be the consequences :

(i) Upon the Governor's written report of breakdown in the constitutional machinery of the state. Government of that State is taken over by the President, which he carries on with the help of the Governor of that State.

(ii) The President may dissolve the Vidhan Sabha of the State and dismiss the Council of Ministers or he may keep the Assembly as well as the Council of Ministers in suspended animation. In both the cases, the Union Parliament is entitled to pass laws, even on all the subjects of the State List, for that particular State.

(c) Financial Emergency (Art. 360) : When the President is satisfied that the financial position of the country is in a bad form and there is a threat to India's economic stability, he may declare a state of Financial Emergency in the country. This declaration has the following effects :

(i) The salaries and allowances of the Public servants

under the Union as well as the States can be reduced during its operation.

- (ii) The salaries of even the judges of the Supreme Court and those of the High Courts can be reduced during the operation of the Emergency.
- (iii) The President may order the State to submit Money Bills to him for his assent.
- (iv) The President can issue instructions to the States in regard to the utilisation of funds in the manner he thinks fit.
- (v) He is free to adopt all such measures which he deems necessary for the restoration of the country's financial stability.

4. With reference to the Vice-President of India, explain the following :

- (a) How is the Vice-President of India elected?
- (b) What are his functions?

Ans. (a) The Vice-President of the Indian Union is elected jointly by both the Houses of the Parliament. The procedure for his election consists of a secret ballot, proportional representation and single transferable vote. The proposal for nomination of Vice-President has to be proposed by 20 members and seconded by 20 members of Parliament. An absolute majority of the votes polled is also required for the election of the Vice-President.

- (b) **Ex-Officio Chairman of the Rajya Sabha :** Like the Vice-President of the U.S.A., the Vice-President of the Indian Union acts as the ex-officio Chairman of the Rajya Sabha.

Acting as the President of India : If the office of the President falls vacant due to his resignation, death, impeachment, illness or absence from the country, the Vice-President of India, like his counterpart in the U.S.A., takes over as the President.

Exercises**Multiple Choice Questions**

- | | | | | |
|---------|---------|---------|---------|---------|
| 1. (b) | 2. (c) | 3. (a) | 4. (a) | 5. (b) |
| 6. (b) | 7. (c) | 8. (c) | 9. (b) | 10. (c) |
| 11. (b) | 12. (b) | 13. (c) | 14. (a) | 15. (d) |
| 16. (b) | 17. (b) | 18. (a) | 19. (c) | 20. (a) |

Short-Answer Questions

1. By whom and on whose advice are the Union Ministers appointed?

Ans. By the President on the advice of the Prime Minister.

2. Under what provision can a non-member of the legislature be made a Minister?

Ans. Provided he is elected to the Lok Sabha or the Rajya Sabha within a period of 6 months.

3. Mention one important power of the Prime Minister of India.

Ans. All Union Ministers are appointed and dismissed by the President on the recommendation of the Prime Minister.

4. Mention two important functions of the Union Cabinet.

Ans. (i) The Cabinet is the policy framing organ of the government. It thus, makes or frames all internal and external policies of the government.

(ii) All major appointments at the national level, though made by the President, are actually decided by the Cabinet.

5. Which body formulates the foreign policy of India?

Ans. The Union Cabinet headed by the Prime Minister.

6. What is the difference between the Cabinet and the Council of Ministers?

Ans. (i) The Cabinet consists of a small group of 15-18 senior most Ministers holding important portfolios such as home, finance, defence, etc.

On the other hand council of Ministers comprises Cabinet Ministers, Ministers of State and Deputy Ministers.

(ii) The Prime Minister always consults the Cabinet while making important policies or taking decisions. He may or may not consult the Ministers below the Cabinet rank.

7. What happens when a motion of No-Confidence against the Council of Ministers is passed in the Lok Sabha?

Ans. In such a case, the Council of Ministers immediately resign including the Prime Minister.

Structured Essay-Type Questions

1. While the President is the Head of the State, the Prime Minister is the Head of the Government. In this connection, explain the following :

- (a) Who becomes the Prime Minister after new elections?
- (b) What are his functions or powers?
- (c) Explain his relation with the Council of Ministers.

Ans. (a) The leader of the majority party or a coalition of parties is appointed Prime Minister.

(b) (i) The Prime Minister is the leader of the Lok Sabha and head of the Union government.

(ii) All Ministers are appointed and dismissed by the President on the recommendation of the PM.

(iii) He allocates portfolios to ministers, assigns their ranks and makes transfers.

(iv) He presides over all the meetings of the Union Cabinet.

(v) He represents the country on all international fora and conferences.

(c) The Prime Minister is the head and chief coordinator of the Union Council of Ministers. All ministers are appointed and dismissed by President on his recommendation.