

UNIT 2

Union Government: Overview with Powers and Roles

The **Union Government of India** functions under the framework of the **Indian Constitution** and governs the entire country. It consists of the **Executive**, **Legislature**, and **Judiciary**, each playing a vital role in ensuring smooth governance. Below is a comprehensive view of the Union Government, focusing on the **President**, **Prime Minister**, **Council of Ministers**, **Lok Sabha**, and **Rajya Sabha**.

Structure of the Union Government

1. The Executive

The Executive is responsible for implementing and enforcing laws. It consists of:

- **President of India** (Nominal Head)
- **Vice President of India**
- **Prime Minister** (Real Head)
- **Council of Ministers**

2. The Legislature

The Legislature makes laws for the nation. It consists of:

- **Lok Sabha (House of the People)**
- **Rajya Sabha (Council of States)**

3. The Judiciary

The Judiciary interprets the laws. It includes:

- **Supreme Court**
- **High Courts**
- **Subordinate Courts**

1. The President of India

The President is the **head of state** and the **Supreme Commander of the Armed Forces**. The position is largely ceremonial, with most powers exercised on the advice of the Prime Minister and the Council of Ministers.

Eligibility Criteria

- Must be a **citizen of India**.
- Must be at least **35 years old**.
- Must be qualified to be a member of the **Lok Sabha**.
- Must not hold any office of profit under the government.

Election Process

- The President is elected by an **electoral college** comprising:
 - Elected members of **Lok Sabha and Rajya Sabha**.
 - Elected members of the **Legislative Assemblies of States and Union Territories** (Delhi and Puducherry).
- Election is conducted via **proportional representation and single transferable vote system**.

Term and Re-election

- Term: **5 years**.
- Can be re-elected for multiple terms.

Powers of the President

1. Executive Powers:

- Appoints the Prime Minister, Council of Ministers, Governors, and key officials like the Chief Justice, Judges of the Supreme Court and High Courts, and the Chief Election Commissioner.

2. Legislative Powers:

- Summons and prorogues sessions of Parliament.
- Dissolves the Lok Sabha.
- Gives assent to bills, including **Money Bills** and **Ordinances**.
- Nominates 12 members to the Rajya Sabha and 2 members of the Anglo-Indian community to the Lok Sabha (before the 104th Amendment).

3. Judicial Powers:

- Grants **pardons**, reprieves, respites, or remissions of punishment under Article 72.

4. Emergency Powers:

- Declares **National Emergency** (Art. 352).
- Declares **President's Rule** in states (Art. 356).

- Declares **Financial Emergency** (Art. 360).
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2. The Prime Minister of India

The Prime Minister is the **head of government** and the most powerful individual in the Union Government.

Eligibility Criteria

- Must be a **citizen of India**.
- Must be a member of either the **Lok Sabha** or the **Rajya Sabha**.
- Must be at least **25 years old** (for Lok Sabha) or **30 years old** (for Rajya Sabha).

Powers and Roles of the Prime Minister

- 1. Leader of the Government:**
 - Heads the Council of Ministers and allocates portfolios.
 - Guides and coordinates government policy.
 - 2. Adviser to the President:**
 - Advises the President on key appointments and legislative matters.
 - 3. Representation:**
 - Represents India in international forums and negotiations.
 - 4. Parliamentary Role:**
 - Acts as the leader of the Lok Sabha or Rajya Sabha.
 - Ensures the passage of bills and policies.
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3. The Council of Ministers

The Council of Ministers, headed by the Prime Minister, assists in running the government.

Composition

- 1. Cabinet Ministers:** Senior ministers in charge of major departments.
- 2. Ministers of State:** Junior ministers, may or may not hold independent charge.
- 3. Deputy Ministers:** Assist Cabinet or State Ministers.

Collective Responsibility

- The Council of Ministers is **collectively responsible** to the Lok Sabha. If a no-confidence motion is passed in the Lok Sabha, all ministers must resign.

Individual Responsibility

- Each minister is responsible for their department's performance and decisions.
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4. Lok Sabha (House of the People)

The Lok Sabha is the **lower house** of Parliament, representing the people of India.

Composition

- Maximum **552 members**:
 - 530 from states.
 - 20 from Union Territories.
 - 2 nominated by the President (no longer applicable after the 104th Amendment).

Eligibility Criteria

- Must be a **citizen of India**.
- Must be at least **25 years old**.
- Must be registered as a voter in any parliamentary constituency.
- Must not hold an office of profit under the government.

Term

- 5 years, unless dissolved earlier by the President.

Powers and Functions

1. **Legislative Powers:**
 - Passes laws on Union and Concurrent subjects.
2. **Financial Powers:**
 - Controls the Union Budget.
 - Approves money bills (can only originate in the Lok Sabha).
3. **Control Over Executive:**
 - Can pass a no-confidence motion to dismiss the Council of Ministers.

5. Rajya Sabha (Council of States)

The Rajya Sabha is the **upper house** of Parliament, representing the states and Union Territories.

Composition

- Maximum **250 members**:
 - 238 elected by state legislatures.
 - 12 nominated by the President for contributions to art, literature, science, or social services.

Eligibility Criteria

- Must be a **citizen of India**.
- Must be at least **30 years old**.
- Must be registered as a voter in a parliamentary constituency.

Term

- Permanent body; **1/3 of members retire every 2 years**.

Powers and Functions

1. Legislative Powers:

- Reviews and suggests amendments to bills passed by the Lok Sabha.
- Can introduce and pass bills (except Money Bills).

2. Financial Powers:

- Limited; can only discuss Money Bills but cannot amend or reject them.

3. Special Powers:

- Can authorize Parliament to make laws on State List subjects in the national interest (Art. 249).
 - Approves the proclamation of emergency under certain conditions.
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Key Differences Between Lok Sabha and Rajya Sabha

Feature	Lok Sabha	Rajya Sabha
Members	552 (Max)	250 (Max)
Tenure	5 years	Permanent, 1/3 members retire every 2 years
Money Bills	Can introduce	Cannot introduce
Control over Executive	Direct	Limited
Dissolution	Can be dissolved	Cannot be dissolved