

## **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**

<b>Feature</b>	<b>Lok Sabha</b>	<b>Rajya Sabha</b>
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