

INDIA'S DEMOCRATIC GOVERNMENT.

As you read in the Preamble to the Constitution, India is a democracy. It is a form of government in which a constitution guarantees Fundamental Rights to all the people. There are fair and free elections and courts where people can go if there is any disagreement.

DIVISION OF STATE POWERS IN INDIA.

The word 'state' has several meanings. You already know that India has 29 states—this is one meaning. State also means a country that is controlled by one government.

The Indian state has many responsibilities or duties. The Constitution gives the state several powers to carry out these duties. The Constitution has divided these between three different branches.

THE LEGISLATURE-This makes the laws. These have to be fair and should follow the Directive Principles of State Policy.

THE EXECUTIVE-This makes sure that the laws are properly followed. It also makes policies, which must follow the Directive Principles.

THE JUDICIARY-These are the courts. They make sure that laws are properly understood. They also use the laws to decide any disputes that are taken to them for settling.

CHECKS AND BALANCES.

To check means to correct something. Balance means that things exist in equal amounts. The Indian system is designed in such a way that the three branches of the Indian state, and also the Indian people, can act as a check on each other. This makes sure that power is not misused. This is called a system of checks and balances and is a very important part of a democracy.

INDIA HAS A FEDERAL STRUCTURE.

India's central or union government has its offices at New Delhi. Each state also has a government. This is a federal structure of government. 'Federal' means a system of government in which the states in a country look after their affairs, but a central government also looks after some things. The President of India, or the Rashtrapati, is the head of the country. Similarly, the Governor, or Rajyapal, is the head of the state.

THE LEGISLATURE.

There are legislatures at the centre and in the states.

I) At the Centre

1) The central legislature is called Sansad or Parliament. It has two 'houses' (groups of people). These are the Lok Sabha and the Rajya Sabha.

2) Members are elected to the Lok Sabha and Rajya Sabha from every part of the country. They are called Members of Parliament or MPs.

3) Parliament has important powers. It:

i) makes laws for the whole country .

ii) keeps a check on how the executive' branch at the centre functions. This is done by asking questions or by discussions.

iii) controls how the executive branch will get and spend money. The executive branch presents a budget (a money plan for the year) in Parliament. The Lok Sabha discusses it and agrees to it through a vote.

II) In the States

1) In most states the legislature has only one house, called the Legislative Assembly or the Vidhan Sabha. Seven states have a second house called the Vidhan Parishad or the Legislative Council.

- 2) Members are elected from all Over the state. They are called MLAs (Members of the Legislative Assembly).
- 3) The state legislatures have similar powers. They:
 - i) make laws for their states.
 - ii) keep a check on the functioning of the executive branch through questions and discussions.
 - iii) approve the state budget, which the executive branch presents to the Vidhan Sabha. It is only agreed to after a discussion and a vote.

THE EXECUTIVE.

The executive branch at the centre or at the states is usually referred to as the 'government'. After an election to the Lok Sabha or the Vidhan Sabha, the party that has the largest number of MPs or MLAs forms the government. Though the President is the head of the country and the Governor is the head of a state, the actual power is with the government because its members have been elected by the people.

The executive branch is similar at the centre and in the states. The head of government at the centre is the Prime Minister and in the states it is the Chief Minister. They choose their Council of Ministers-ministers responsible for different areas of government work. The government- the executive branch at the centre and in the states-has important functions:

- 1) Ministers make sure that the policies of the governments are carried out.
- 2) Governments plan and present laws for discussion and approval-to the Parliament or to the Vidhan Sabha.
- 3) Governments also prepare the budget and decide the taxes that people have to pay.

THE JUDICIARY.

Unlike the legislature and the executive, the judiciary of the entire country is one system. It is like a pyramid.

At the top of the pyramid is the Supreme Court. It is the highest court and is located at New Delhi. Its head is the Chief justice of India.

High Courts are the middle level. There are 21 High Courts and each has a Chief justice as its head.

At the lowest level of the pyramid are the District Courts. There are several hundred district courts in India.

The responsibilities of the judiciary are:

- 1) to protect the rights and freedoms of Indians
- 2) to explain the meaning of the constitution when it is not clear
- 3) to deliver justice-to make sure that people get fair treatment
- 4) to settle disputes according to the law

DIVISION OF POWERS BETWEEN THE CENTRE AND THE STATES.

The Constitution explains how power should be shared between the union and state governments.

I) A FEDERAL STRUCTURE.

UNION LIST-Responsibilities of the union government,for example,the railways, the defence of India and foreign affairs

STATE LIST- Responsibilities of the states,for example,the police, law and order within the state and transport and roads within the state.

CONCURRENT LIST- Responsibilities that are shared by the states and the union government,like education, electricity or forests and wildlife.

UNION TERRITORIES.

The union territories are governed directly by the union government in the name of the President of India, through an administrator (someone who runs an organization) for each union territory. Two union territories-Puducherry and the National Capital Territory of Delhi-have legislatures. India is a huge and functioning democracy. A major reason for this is the care, discussions and wisdom of the members of the Constituent Assembly.

SUMMARY.

- 1) The powers of the Indian state are divided between the legislature, the executive and the judiciary.
- 2) A system of checks and balances ensures that democracy functions smoothly.
- 3) India has a federal structure where power is shared by the union and state governments.
- 4) The legislatures and executives at the centre and in the states are similar in many ways.
- 5) The judiciary is one unified system throughout the country.
- 6) Power is divided between the centre and the states according to three lists.
- 7) Legislatures are known by different names in different countries: Parliament (the UK), Congress (the USA), Jatiya Sangsad (Bangladesh), Diet (Japan), Le Parlement (France) and Majlis (Maldives).