

🌱 **Overview:** This chapter helps us understand how key political institutions in India function: the Legislature, Executive, and Judiciary. It explains:

- How major decisions are made
- Who makes them and how
- How these decisions are implemented
- How disputes are resolved

## 🔑 4.1 How Is a Major Policy Decision Taken?

📌 Example: Office Memorandum (O.M. No. 36012/31/90)

- Issued on: 13 August 1990 by the Department of Personnel
- Announced: 27% reservation in government jobs for Socially and Educationally Backward Classes (SEBC)
- Earlier, only SCs and STs had such reservations

### 📝 Decision-Making Process:

- PM V.P. Singh's government implemented the Mandal Commission's recommendations
- Key steps:
  1. Cabinet decided on the policy
  2. PM announced it in Parliament
  3. Department drafted the official order
  4. Officer signed and issued it

### ⚖️ Role of Judiciary:

- Several people challenged the decision in court
- Supreme Court upheld the order in 1992 with modification (excluded "creamy layer")

📖 Definition: Office Memorandum – A government-issued notice communicating official decisions.

📖 **Mandal Commission** – A commission formed in 1979 to identify backward classes and recommend steps for their welfare.


### 📌 Need for Political Institutions:

- To carry out decisions in a systematic way
- To distribute responsibilities
- To ensure continuity even when governments change

### 💡 Institutions in action:

- PM & Cabinet: Policy decisions
- Civil Servants: Implement policies
- Supreme Court: Resolves disputes

## 4.2 Parliament

 **Definition: Parliament** – A national assembly of elected representatives responsible for making laws, overseeing government functioning, and allocating resources.

### Importance:

1. Law-making body (Legislature)
2. Controls the Executive
3. Controls government spending
4. Highest forum for discussion and debate


### Two Houses:

1. Lok Sabha (House of the People) – Directly elected, more powerful
2. Rajya Sabha (Council of States) – Indirectly elected, represents states

### Powers:

- If both Houses disagree, a joint session is held where Lok Sabha usually prevails
- Lok Sabha has greater control over money matters and the Council of Ministers

## 4.3 Political Executive

 **Definition: Executive** – People responsible for implementing laws and running the administration.

Two types:

1. Political Executive – Elected for a fixed term (e.g., Prime Minister, Ministers)
2. Permanent Executive – Civil servants who assist in day-to-day administration

### Why Political Executive is More Powerful:

- Represents the will of the people
- Accountable to the public
- Makes final decisions with advice from experts

### Prime Minister:

- Appointed by the President (leader of majority party/coalition in Lok Sabha)
- Heads the government and leads the Council of Ministers
- Allocates portfolios and can dismiss ministers

### Council of Ministers:

1. Cabinet Ministers – Top-level leaders, make key decisions
2. Ministers of State (Independent charge)
3. Ministers of State – Assist Cabinet Ministers

## 🔴 Note:

- Parliamentary democracy is often referred to as "Cabinet government"
- PM is central figure, especially powerful when leading majority government

## 👑 President:

- Head of the State, ceremonial role
- Appoints PM, Ministers, Judges, Governors, etc.
- Must act on advice of Council of Ministers

## 📖 Presidential System (e.g., USA) vs. Parliamentary System (India):

- US President is directly elected and holds executive power
- Indian President acts on advice of elected government

## 🧩 4.4 Judiciary

📖 Definition: Judiciary – The system of courts that interprets laws, settles disputes, and protects rights.

## ⚖️ Structure:

1. Supreme Court (National level)
2. High Courts (State level)
3. District & local courts

## 🎯 Key Features:

- Independent of the executive and legislature
- Judges appointed by President with consultation of judiciary
- Cannot be easily removed (requires impeachment by Parliament)
- Has power of judicial review
- Can strike down laws violating Constitution

## 📖 Public Interest Litigation (PIL):

- Citizens can approach courts to protect public interest
- Strengthens accountability and rights protection

📖 Judicial Review – Power of courts to examine constitutionality of laws/actions by government.

## 🔴 Role:

- Protects Fundamental Rights
- Ensures balance of power
- Holds government accountable

🧠 Summary: In a democracy, institutions matter. Power is not concentrated in one hand; it is distributed among:

- Parliament (makes laws)
- Executive (implements laws)
- Judiciary (interprets laws)