UNIT - 3 : THE UNION EXECUTIVE

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3.1 LEARNING OBJECTIVES

After going through this unit you will be able to

- describe the process of election and powers of the President, and
- discuss the election and role of Vice President of India

3.2 INTRODUCTION

This unit introduces you to the Central and State Government of India. In the previous unit you have read about the Directive Principles of State Policy provided in the Indian Constitution. Under a federal form of government there are two sets of governments- the central government at the centre and the state or provincial governments in the states.

In the parliamentary form of government, the Executive i.e. the government is accountable to the Legislature i.e. the Parliament in the case of India. In a parliamentary form of government there are two heads: the Head of the State and the Head of the Government. In India the Head of the State is the President and the Head of the Government is the Prime Minister. The Prime Minister is assisted by his Council of Ministers. The Council of Ministers is accountable to the Parliament for its activities. Under the federal government, there are provincial or state governments apart from the Union or Central Government. In India, the states have been created mainly on the

basis of the dominant language.

Apart from the Union and State Governments, we also have governments at the grassroots level in India.

3.3 EXECUTIVE OF THE GOVERNMENT

3.3.1 President of India

The President of India is the constitutional Head of the State or the nominal executive. The Government of the country is run in the name of the President. In actual practice, however, he/she runs it in accordance with the advice given by the Council of Ministers headed by the Prime Minister.The Head of the Government, that is, the Prime Minister of India is the real executive.

Nominal Executive : the executive who does not exercise real power

Real Executive : the executive who exercises the real power

The President of India is indirectly elected for a tenure of five years. Ordinary citizens do not take part in this election. He/she is elected by the elected MLAs and MPs. The nominated members of the Parliament do not take part in the election. There is a special procedure to elect the President in India. The procedure is known as proportional representation with single transferable vote.

Nominated members: 12 members are nominated to the Rajya Sabha by the President for their services to the nation. 2 members from the Anglo-Indian Community are nominated to the Lok Sabha by the President

Powers and Functions of the President

Under a parliamentary form of government, the President is the nominal executive.The Indian Constitution also provides for a parliamentary form of government. With regard to the powers of the President of India, the following points are worth mentioning.

- The President of India is a nominal executive
- He/she exercises power in accordance with the advice given by the Council of Ministers headed by the Prime Minister
- President may advise the Council of Ministers to reconsider any ad vice tendered to him. But, if the Council of Ministers sends back its original advice, the President is bound to abide by it.

The Constitution of India has vested wide ranging legislative, executive, judicial and emergency powers in the President. However, all these are used only on the advice of the Council of Ministers headed by the Prime Minister. The President of India appoints all important officials including the

Prime Minister and the Council of Ministers of India, Governors to the States; Chief Justice of India, Chiefs of Army, Naval and Air Forces, Ambassadors and High Commissioners etc. All Bills passed by the Parliament need the assent of the President to become a law. All financial bills presented in the Parliament need the prior consent of the President.



LET US KNOW

To become the President of India, a person must be

- A citizen of India
- above 35 years of age
- qualified to become a Member of Parliament
- Must not hold any office of profit under the Government of India or of a state.



Emergency Powers : the President of India enjoys three types of emergency powers, declaration of which makes him all powerful.

Discretionary powers of the President

The general impression is that the President cannot exercise any real power. However, there are certain areas where the President exercises his/her powers in real terms.

- The President has the right to know all important matters and deliberations of the Council of Ministers. The Prime Minister is bound to furnish all these to the President.
- The President has a limited veto power by which he/she can withhold or refuse to give assent to a bill passed by the Parliament and send it back to the Parliament. If the Parliament passes it again and sends it to the President the President is bound to give his assent.
- The President enjoys his discretion in an extraordinary situation. You must know that the Union Government is formed by the Party or Alliance which enjoys majority in the lower House of Parliament i.e. Lok Sabha. When no party or alliance enjoys the majority the President exercises his/her discretion in appointing the Prime Minister and the Council of Ministers.



The First President of India - Dr. Rajendra Prasad



ACTIVITY 3.1

Why is the President of India called a nominal head?

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ACTIVITY 3.2

Mention the name of the first woman President of India.

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3.3.2 VICE-PRESIDENT OF INDIA

One of the important offices which is not very visible in Indian politics is the office of the Vice-President. But this office has been occupied by many important personalities and some of them have also been elected as the President of India. Important among them are Dr. Sarvepalli Radhakrishnan, Dr. Zakir Hussain; Dr. Shankar Dayal Sharma and K. R. Narayanan.

The Vice-President of India is elected by the members of the both Houses of Parliament for a tenure of five years. The most important assignment of the Vice-President is to act as the ex-officio Chairman of the Council of States, i.e. Rajya Sabha. The Vice-President acts as the President of India in the event of the death, resignation, and removal of the President. The Vice-President also discharges the functions of the President due to the absence or illness of the President.



CHECK YOUR PROGRESS

Q 1: The President of India is elected by the people directly. (True/ False)

Q 2: The Vice-President of India is the ex-officio Chairman of the Rajya Sabha. (True/ False)

Q 3: Money Bills can be introduced in the Parliament only with the prior approval of the President. (True/ False)

Q 4: The President is the Real Head of India. (True/ False)

Q 5: The President of India is elected for a tenure of

a). 4 years b). 5 years c). 3 years d). 6 years

Q 6: Write two important functions of the President of India.



3.4 LET US SUM UP

In this unit you have read about the central and the state governments in India. From this unit you have come to know about the election procedure of the President and the Vice-President and their Powers. You have also learnt that in Indian parliamentary government the President is the nominal head and the Council of ministers headed by the Prime Minister is the real head of the government. The Indian Parliament has two chambers: the Lok Sabha or the House of the People and the Rajya Sabha or the Council of the States.



3.5 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: False

Ans to Q No 2: True

Ans to Q No 3: True

Ans to Q No 4: False

Ans to Q No 5: b) 5 years

Ans to Q No 6: a) Appoints all important officials including PM, council of ministers, etc.

(b) All bills passed by the parliament needs the assent of the President to become LAW.



3.6 FURTHER READINGS

1. SHARMA, B.K. (2015). Introduction to the Constitution of India (8th ed.). New Delhi, Delhi : PHI Learning PVT.



3.10 MODEL QUESTIONS

A. Very Short Questions

Q.1: Who is a Real Executive?

Q.2. Mention the names of some important previous vice Presidents of India.

B. Short Questions (Answer each within 150 words):

Q.1. What are the functions of the President?

Q.2. Who elects the vice President of India?

C. Long Questions (Answer each in about 300-500 words) :

Q.1. Discuss the electoral process of the President of India. Explain his powers and duties.

Q.2: Who is the real executive of the central govt.? Discuss his powers and functions.

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