

GENERAL KNOWLEDGE ABOUT GOVERNMENT OF INDIA

There are always questions based on General Knowledge about Government of India in all government exams in India. The Union Government of India has a defined structure and consists of a hierarchical rank structure with each seat with a defined set of powers.



We are providing a summary of the functioning of Indian Government and how the machinery works in general. We will talk about The President, The Vice President, The Prime Minister and other ministers of the union government. We will also explain the various parts of state governments.

THE UNION GOVERNMENT OF INDIA

THE PRESIDENT OF INDIA

The President of India is the constitutional head of a parliamentary system of government. He represents the nation but does not rule it. The real power vests with the council of ministers. The President is elected by an electoral college consisting of

- (i) elected members of the Parliament (both Houses), and
- (ii) elected members of the state legislature.

PRESIDENT OF INDIA - QUALIFICATIONS

- (i) He must be a citizen of India.
- (ii) He must not be less than 35 years of age.
- (iii) He must be qualified to be an elected member of the Lok Sabha but shall not be a sitting member.
- (iv) He must not be holding any office of profit under the Government of India or any other governments.

TENURE OF THE PRESIDENT

Elected for five years but is eligible for immediate re-election and can serve any number of terms.

POWERS OF THE PRESIDENT

(I) EXECUTIVE AND ADMINISTRATIVE POWERS:

He appoints the senior officials of the state including the Prime Minister. All Union Territories are under the President of India.

(II) LEGISLATIVE POWERS

- (a) Appoints 12 members to the Rajya Sabha and two Anglo-Indian members to the Lok Sabha;
- (b) Dissolves the House of People;
- (c) Assents or withholds his assent to any Bill passed by the Parliament;

(d) Issues ordinances.

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(III) FINANCIAL POWERS

- (a) Causes the budget to be laid before the Parliament;
- (b) Sanctions introduction of money bills;
- (c) Apportions revenue between the Centre and the States.

(IV) JUDICIAL POWERS

Empowered to grant pardons, reprieve, remit the sentences, or suspend, remit or commute punishments.

(V) EMERGENCY POWERS

Article 352 empowers the President to proclaim an emergency and take under his direct charge the administration of any State. The President cannot be questioned by any court for the action taken by him in the discharge of his duties. No criminal proceedings can be launched against him. He may be removed from office for violation of the Constitution by impeachment

(Article 61).

THE VICE-PRESIDENT OF INDIA

ELECTION OF THE VICE-PRESIDENT

The Vice-President is elected by members of an electoral college consisting of the members of both Houses of Parliament. However, his election is different from that of the President as the state legislatures have no part in it.

TENURE OF THE VICE-PRESIDENT

Five years and is eligible for immediate re-election.

Functions

1. Acts as ex-officio Chairman of the Rajya Sabha.
2. Officiates as President in case of death, resignation or removal of the latter.
3. Functions as the President when the President is unable to discharge his functions due to illness, absence or any other cause.

THE PRIME MINISTER OF INDIA

The Prime Minister of India heads the council of ministers. He is the leader of the party that enjoys a majority in the Lok Sabha. He is appointed by the President.

TENURE OF THE PRIME MINISTER

Five years and holds the office with the consent of the President till a new Lok Sabha is formed.

RESIGNATION OF THE PRIME MINISTER

If the government is defeated in the Lok Sabha (not in Rajya Sabha), the cabinet as well as the Prime Minister have to resign.

THE COUNCIL OF MINISTERS

The Constitution provides for a council of ministers headed by the Prime Minister. It is a policy-making body and the government in the real sense. The Prime Minister is appointed by the President and the other ministers are appointed by the President on the advice of the Prime Minister. Any person who is not a member of the legislature, can also be appointed as a minister, but he cannot continue in that capacity for more than six months unless he secures a seat in either House of Parliament.

THE PARLIAMENT

The Parliament is the Union legislature of India which comprises:

- (i) The President of India
- (ii) The Council of States
- (iii) Rajya Sabha
- (iv) The House of People
- (v) Lok Sabha

RAJYA SABHA (UPPER HOUSE)

It is the Council of States which is also known as the Upper House. It is made up of representatives from the states and members nominated by the President, who have distinguished themselves in literature, arts, science or social service.

STRENGTH (NUMBER OF MPS):

The strength is limited to 250 members (238 members representing the States and Union Territories who come through election and 12 members who are nominated by the President).

CHAIRMAN OF THE RAJYA SABHA:

The Vice-President of India is the exofficio Chairman and the Deputy Chairman is elected from the members of the Rajya Sabha.

TENURE OF RAJYA SABHA

The Rajya Sabha is a permanent body, not subject to dissolution. A third of its members retire after every two years. Thus, every member enjoys a six-year tenure.

FUNCTIONS OF RAJYA SABHA

Shares with the Lok Sabha the power of amending the Constitution. It can originate any bill (except a money bill); refer the charge of impeachment against the President. The elected members of the Rajya Sabha take part in the election of the President and the Vice-President.

LOK SABHA (LOWER HOUSE)

Also called the House of People or the Lower House of the Parliament. It consists of members elected by direct election from territorial constituencies in various states and union territories and two members nominated (Anglo-Indian) by the President.

STRENGTH (NUMBER OF MEMBERS)

542 (530 represent states and 12 represent Union Territories) and not more than two members of the Anglo-Indian community to be nominated by the president, only if the President thinks this community is not adequately represented in the house.

PRESIDING OFFICER OF THE LOK SABHA

The Speaker, who is elected by the members, presides over Lok Sabha. The Speaker of the House elects a Deputy Speaker, who discharges the duties of the Speaker in his absence.

WORKING OF THE PARLIAMENT OF INDIA

ORDINARY BILLS

All bills, except money bills, are introduced in either House of Parliament. A bill, after debate, is passed by a majority vote and sent to the other House. In case certain amendments are suggested in the other House, it is sent back to the House which originated the bill for reconsideration. The bill is regarded as passed by both the Houses if the original House accepts the amendments of the other House. It is then Presented to the President for his assent:

- (i) If the President gives his assent to the bill, it then becomes an Act.
- (ii) If the President withholds his assent, the bill is nullified.
- (iii) If the President neither gives his assent nor withholds his assent, he may return it to the Parliament for reconsideration.
- (iv) If, however, the Houses pass the bill again after reconsideration, the President is bound to give his assent.

MONEY BILLS

A money bill can originate only in the Lok Sabha on the recommendation of the President. After it has been passed by the Lok Sabha, it is sent to the Rajya Sabha. The Rajya Sabha is given 14 days to make its recommendation. If it fails to do so within 14 days, the bill is considered as passed by both Houses. If the Rajya Sabha returns the bill with its recommendation, it is up to the Lok Sabha to accept or reject the recommendations. Even if the Lok Sabha rejects the recommendations of the Rajya Sabha, the bill is considered to have been passed. Joint Sitting of Parliament (a joint session of both Houses) is ordered by the President to consider a particular bill in case.

- (i) a bill is passed by one House is rejected by the other.

- (ii) the amendments made by the other House are not acceptable to the House where the bill originated
- (iii) a bill remains pending
- (iv) (unpassed) in a House for more than six months from the date of its receipt from the House where it originated.

THE SUPREME COURT OF INDIA

The Supreme Court stands at the apex of the judicial system of India. Composition The Supreme Court consists of **one Chief Justice and 25 other judges**. The Chief Justice is appointed by the President and the other judges are appointed by the President in consultation with the Chief Justice.

QUALIFICATION OF A JUDGE OF THE SUPREME COURT

Any citizen who has been a judge of a High Court for 5 years or an eminent jurist or who has been a practising advocate of High Court for a period of 10 years, can be nominated as a Supreme Court judge.

TENURE OF THE JUDGES OF THE SUPREME COURT:

They can hold office up to the age of 65 years.

RETIREMENT OF SUPREME COURT JUDGES

After retirement a judge of the Supreme Court shall not plead or act in any court before any authority in India.

THE STATE EXECUTIVE

The executive at the state level consists of:

- (i) The Governor
- (ii) The Chief Minister
- (iii) The Council of Ministers

THE GOVERNOR OF A STATE

The Governor is the nominal executive head of the state and is appointed by the President of India for a term of 5 years. He holds the office with the consent of the President.

POWERS OF THE GOVERNOR

- (i) Executive Powers
- (ii) Legislative Powers
- (iii) Financial Powers
- (iv) Judicial Powers
- (v) Discretionary Powers

PRESIDENT V/S GOVERNOR:

The Governor has no power to appoint judges of the State High Courts but he is entitled to be consulted by the President. Unlike the President, he has no emergency powers.

STATE COUNCIL OF MINISTERS

THE CHIEF MINISTER

The leader of the party that commands a majority in the Legislative Assembly is invited by the Governor to become the Chief Minister. A person, who is not a member of the State Legislature, can be appointed as the Chief Minister but the person concerned is required to get himself elected as a member within six months of his appointment. The Chief Minister recommends the names of ministers together with proposed portfolios for them to the Governor, who then appoints them.

TERM OF THE CHIEF MINISTER:

5 years

THE STATE LEGISLATURE

The State Legislature consists of the Governor and one or two houses, as the case may be. **If the state has only one House, it is known as Legislative Assembly.** The other is the **Legislative Council.** The states having one House are called **unicameral** and the states having two Houses—**bicameral.**

BICAMERAL STATES IN INDIA

Seven Indian States, Andhra Pradesh, Telangana, Bihar, Jammu-Kashmir, Karnataka, Maharashtra and Uttar Pradesh, have bicameral Legislatures

LEGISLATIVE COUNCIL (VIDHAN PARISHAD)

Also known as the Upper House.

Strength The total strength does not exceed one-third of the strength of the Legislative Assembly, subject to a minimum of 4 members. The strength Varies as per population of the state concerned.

Tenure Six years with one-third of the members retiring every two years]

Election One-third of the members of a Legislative Council are elected by local bodies, one-third by the Legislative Assembly, one-twelfth by university graduates of at least three years standing, similar proportion by teachers and one-sixth are nominated by the Governor

LEGISLATIVE ASSEMBLY (VIDHAN SABHA)

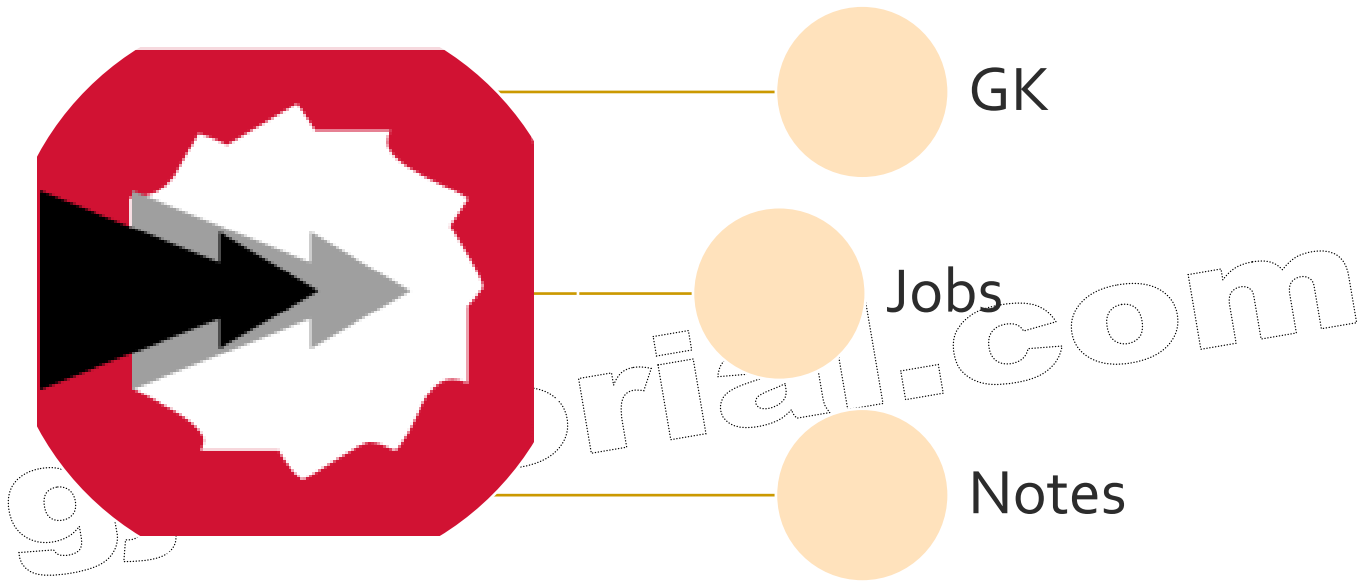
Also known as the Lower House.

Strength Legislative Assembly consists of not more than 525 members and not less than 60 members. However, the legislative assembly of Sikkim has only 32 members.

Tenure 5 years.

Election Members are chosen by direct election from the territorial constituencies of the state. The Council of Ministers is collectively responsible to the Assembly. The Chief Minister is the leader of the House.

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