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NCERT Class 9 Political Science Chapter 5: Working of Institutions YouTube Lecture Handouts

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Democracy is not just elections but working of institutions (arrangements made to attend the tasks)

3 institutions

- Judiciary - Supreme Court is an institution where disputes between citizens and the government are finally settled.
- Executive - The Civil Servants, working together, are responsible for taking steps to implement the ministers' decisions.
- Legislative - The Prime Minister and the Cabinet are institutions that take all important policy decisions.

Government Order

Office Memorandum

- Has a number
- Issuing authority and signature – officials merely implement the instructions
- Hundreds of orders are issued in a single day
- Can be 1 page to many pages
- For example, 27% vacancies in civil posts and services under the Government of India are reserved for the Socially and Educationally Backward Classes (SEBC) – new category after ST/SC

Background

- Second Backward Classes Commission established in 1979 was headed by B. P. Mandal and known as the Mandal Commission.
- Define criteria for socially and educationally backward classes in India

- Commission gave its report in 1980 and made recommendations for reservation
- Janta Dal promised if came to power would implement Mandal Commission report & V. P. Singh became the PM. Finally implemented and decision was sent to Department of Personnel and Training.
- There were protests and it was debated. It affected thousands of jobs – for some it was fair but for others it was unfair. Even more qualified people were denied of jobs.
- Some people filed the case in court to settle the dispute
- 'Indira Sawhney and others Vs Union of India case.' Eleven judges of the Supreme Court heard arguments of both sides. By a majority, the Supreme Court judges in 1992 declared that this order of the Government of India was valid.
- SC asked government to modify the order and well to do persons must be excluded from getting benefit of reservation

Need for Political Institutions

Government

- Ensures security
- Provides education and health facilities
- Collect taxes and spend money on programs
- Formulate and implement welfare schemes
- Working of institutions
- Involves rules and regulations
- Involves meetings and routines
- Delays and complications are useful as they provide opportunity for wider set of people to be consulted

Parliament

- National assembly of elected representatives – final law-making authority (can change the laws, make new laws, and abolish existing laws)
- At state level it is known as Legislature or legislative assembly
- Parliament exercises control over the government
- Parliament consists of the President and two Houses, Lok Sabha and Rajya Sabha. The Prime Minister must have the support of a majority of Lok Sabha members.
- It has control over the public money and where it should be spent
- Highest forum for discussion and debate on various issues

Houses/Chambers of Parliament

- Lok Sabha (House of People or Lower Chamber) – directly elected by the people and has real powers

- Rajya Sabha (Council of States or Upper Chamber) – Indirectly elected and performs special functions

President is part of Parliament but not the member of any of the houses

Rajya Sabha is known as Upper House but, Lok Sabha that exercises supreme power

- Any ordinary law must pass through both houses, if there is difference then joint session is held & since Lok Sabha has more members it prevails
- Lok Sabha has more powers in money matters. Rajya Sabha cannot reject but only delay upto 14 days
- Lok Sabha controls Council of Ministers. With support of majority members Prime Minister is appointed. If majority Lok Sabha members have no confidence in Council of Ministers, all ministers including Prime Minister will quit. Rajya Sabha does not have this power.

Political Executive

- Signing of order is only executive responsibility
- Executives are functionaries of government who take day to day decisions but don't exercise supreme power on behalf of people
- They oversee the execution of government policies
 - Political executive – political leaders elected by the people and is supreme to permanent executive. They are answerable to people for the consequence of the decision. They decide the overall framework and objective.
 - Permanent executive or civil servants – remain in the office even when the ruling party changes. They work under political executives. They are more educated and have expert knowledge of the subject.

Prime Minister & Council of Ministers

Prime Minister

- President appoints the PM (leader of the majority party or coalition party that commands the majority in Lok Sabha)
- Sometimes, a person who is not a Member of Parliament can also become a minister. But such a person must get elected to one of the Houses of the Parliament within six months of appointment as minister.
- Prime Minister is the head of the government and exercises all governmental powers. He takes most of the decisions in the Cabinet meetings.
- Council of Ministers is the official name for the body that includes all the Ministers.
- Cabinet Ministers are usually top-level leaders of the ruling party or parties who oversee the major ministries. It comprises of around 20 ministers.

- Ministers of State with independent charge are usually in-charge of smaller Ministries. They participate in the Cabinet meetings only when specially invited.
- Ministers of State are attached to and required to assist Cabinet Ministers
- Not all members can meet for a decision, so decision takes place in cabinet & so we have Cabinet form of government. Cabinet works as a team.
- Every ministry has secretaries, who are civil servants.
- The secretaries provide the necessary background information to the ministers to take decisions.
- The Cabinet as a team is assisted by the Cabinet Secretariat. This includes many senior civil servants who try to coordinate the working of different ministries.

Powers of Prime Minister

- Chairs cabinet meetings
- Coordinates various departments
- Exercise's supervision over various ministries
- Distributes and redistributes work to ministers
- Has the power to dismiss a minister
- Higher concentration of powers – JL Nehru, Indira Gandhi
- PM from coalition government cannot take decisions as he likes and must accommodate different groups

President

- Highest formal authority in the country.
- Head of the state with nominal powers
- Like Queen in Britain and functions are more ceremonial
- Supervises over functioning of political institutions
- Election held by elected MPs and MLAs & therefore is nominal executive

[President of India – Election Process, Eligibility, Powers & Differences with US President](https://www.youtube.com/watch?v=cf7qP4cvsDo)
[\[https://www.youtube.com/watch?v=cf7qP4cvsDo\]](https://www.youtube.com/watch?v=cf7qP4cvsDo)

- Makes major appointments of Chief Justice of India, Judges of the Supreme Court and the High Courts of the states, Governors of the states, Election Commissioners & ambassadors to other countries
- Supreme commander of defense forces of India
- He exercises powers on advice of council of ministers
- Bill passed by the Parliament becomes a law only after the President gives assent to it – President can delay it and send it for reconsideration

- President appoints PM, if no party has clear majority, he uses his discretion and appoints leader who in his opinion can muster majority support in Lok Sabha
- President of USA is directly elected unlike India and he chooses and appoints all ministers – *Presidential form of Government* with a term of 4 years. Commonly in countries of Latin America and ex-Soviet Union nations

Judiciary

- Courts at different levels are put under as judiciary
- Supreme Court for the entire nation, High Courts in the states, District Courts, and the courts at local level. India has an integrated judiciary.
- It can take up any dispute
 - Between citizens of the country
 - Between citizens and government
 - Between two or more state governments
 - Between governments at the union and state level
- It is the highest court of appeal in civil and criminal cases
- It can hear appeals against decision of High Courts
- It acts as a guardian of fundamental rights
- Judges don't act on direction of government or party in power
- Judges are appointed by President in advice with PM and consultation with Chief Justice of India
- Which means senior judges now select new judges
- A judge can be removed only by an impeachment motion passed separately by two-thirds members of the two Houses of the Parliament. It has never happened in the history of Indian democracy
- Courts have the power to interpret the Constitution of the country. They can declare invalid any law of the legislature or the actions of the executive if it is against the Constitution
- Judicial review – they can determine the validity of any legislation or action of executive
- SC has ruled that core and basic principles of Constitution cannot be changed by the Parliament
- People can approach court if the public interest is hurt by actions of government – public interest litigation
- Courts intervene to prevent misuse of the government's power to make decisions & check malpractices on the part of public officials. Hence, judiciary enjoys a high level of confidence among the people.