

After Second World War modern States accepted the concept of Welfare State. Therefore, the field of work of the State is expanding day to day. It is expected that the State works as an instrument of people's welfare. State through the instrument in the form Government continues to strive to achieve objective of the State. To achieve this objective Government is divided into three organs: (1) Legislature (2) Executive (3) Judiciary

Executive is a very important organ of the Government. Its main function is execution of laws framed by the Legislature. It also performs the function of framing the policy of governance and taking steps in that regard.

Executive : Meaning and Definition :

Executive can be defined in two ways. The simple meaning is the one which runs the business (administration) of the State is Executive.

While explaining the meaning of Executive in broader sense, Prof. J. W. Garner writes that, Executive includes all officers, employees, and institutions implementing the desire of the State, policy, and objective expressed by law. In this broader sense, Executive includes from the head of the State to ministers, bureaucrats, employees etc.

In India, Executive includes President, Vice President, Prime Minister and Council of Ministers.

Main two kinds of Executive:

(1) Parliamentary Executive : Meaning: The system in which Legislature and Executive are connected with each other very closely and Executive is considered as the creation of Legislature and also it is responsible to Legislature, that Executive is called Parliamentary Executive. Britain provides ideal model of Parliamentary Executive. In India we have also accepted Parliamentary Executive.

(2) Presidential Executive : Presidential Executive is established in accordance with the doctrine of Separation of Power given by French philosopher Montesquieu.

Meaning : when the system in which Legislature and Executive are not connected with each other very closely and Executive is not responsible to Legislature, but independent, that Executive is called Presidential Executive. America (U.S.A.) provides the ideal model of Presidential Executive.

Functions of Executive

Generally, principal function of Executive is to execute laws framed by the Legislature. However, as modern States have accepted the ideal of welfare State the horizons of the field of work of the State is expanding day by day. Functions of the State have been increasing.

(1) Administration related functions : General business or management of the State is run by the Executive. This function is very important. The aim of the State is the overall development of the State and to accomplish the desires and expectations of people. This aim is fulfilled only when the law-order and peace is maintained in the State. Due to failure in internal management restlessness, chaos, anarchy prevails in the State. As a result, the development of the State is obstructed. Thus, stable and healthy management is the precondition for the development of the State and the society.

(2) War or defence related functions : Function of protection of territory of the nation is performed by Military under the guidance of Executive. By maintaining integrity of nation, executive performs the function of providing security to the people.

President is the supreme commander of all armed forces in India. He has the authority to declare war. Military readiness demands continuous preparations, precaution, vigilance. In the civic life or non-war circumstances like flood, communal riots as abnormal circumstances of internal disturbance, military plays an important role.

(3) Foreign policy related functions : No State is absolutely self reliant in the world. In order to meet with the needs of its own State, it has to tie relation with other States. This function is performed by Executive through its ambassadors or high commissioner appointed abroad.

(4) Justice related functions : The Executive head of the nation holds the authority to appoint judges and also to commute the sentence of criminal, to suspend the punishment, to amend it or to pardon him. This way certain judicial functions are also performed.

(5) Finance related functions : The work area of the State is expanding day by day. For that, the need of financial instruments is also increasing. Executive creates new instruments of income for the development of the nation. On behalf of the head of the Executive the State, generally, Finance Minister of the State prepares budget for that year. And presents in the Parliament. Allocates finance between the Centre and the unit States.

(6) Legislative functions : Though, legislative functions are performed by the Legislature, Executive also performs some legislative functions. For example, by and large Executive performs the function of preparing the Bill.

Thus, by performing various functions Executive is continuously working to fulfill objectives of the State.

Executive at Centre and State Level

In this chapter we will discuss (A) Executive at Central level and (B) Executive at State level.

We have seen that the main function of Legislature is to frame laws and to impose control over the Executive. In Parliamentary governance system, Executive has to rely upon the legislature for its creation and to remain in the power. In that sense, legislature is at most important position in this governance system. Main function of the Executive is to take policy related decisions and execution of laws framed by the Legislature.

(A) Executive at Central Level

Executive at central level includes President, Vice President, Prime Minister- Council of Ministers. Now we will get detailed information regarding all of them.

President

Like Great Britain, parliamentary type of Government is accepted in India. But in Britain, Crown (king or queen holding the Crown) is the supreme head of the State. The king or queen holding the Crown possess that position by hereditary. Whereas, India is a republic State and President is the Constitutional head of the State. We do not have hereditary position of President but he is elected through the system of indirect election.

According to the provision of Indian Constitution, President has the powers of Executive. He executes this power directly or through the officers subordinate to him.

Qualifications for the Post of President

A person contesting for the position of the President, must possess the following qualifications.

- (i) That person must be a citizen of India,
- (ii) He has completed the age of thirty-five years,
- (iii) He must be qualified for election as a member of the House of People,
- (iv) He must not hold office of profit under the Centre or State Government.

Procedure of Election of President

India is a republic nation. Moreover, we have accepted Parliamentary Governance System so the election of the President, the supreme head of the State, is done by indirect system.

Election of the President is conducted by secret ballot, showing order of selection. For his election two specific Electoral College is created. In this electoral college, (a) the elected members of both the Houses of the Parliament and (b) the elected members of the Legislative Assemblies of the States, are included.

Oath Ceremony

President shall, before holding the office make, in the presence of the Chief Justice of the Supreme Court or, in his absence, the senior-most Judge of the Supreme Court, an oath for secrecy and shall subscribe the pledge. By this oath, President affirms to protect Constitution, laws and to serve and to remain engaged in the welfare the people of India.

Time Limit

According to the provisions of the Constitution, he shall hold office for a term of five years from the day on which he enters upon his office.

When Does The Office of The President Become Vacant ?

(a) while holding office he dies, or (b) he resigns from the office, or (c) his election is held unconstitutional. Or (d) he is removed from the office by impeachment procedure according to Article-61 of the Constitution. When the office of the President becomes vacant, his election has to be held within six months. During that Vice President performs the function as President.

Powers of the President

President is the supreme constitutional head of the nation. He is given pervading and wide powers by Constitution. He can use these powers only on the aid and advice of Prime Minister – Council of Ministers. These powers can be divided into five parts. (1) Legislative Powers (2) Executive Powers (3) Justice Related Powers (4) Financial Powers (5) Emergency Related Powers.

(1) Legislative powers : President is considered as undivided organ of the Parliament and according to that he possesses some legislative powers.

- (i) He has power to call the meetings of both the Houses of Parliament, conclude the Session and dissolution of the House of People.
- (ii) After the assent of the President any Bill takes the form of an Act.
- (iii) Has the power to issue ordinances to meet any important or emergency situation when the Parliament is not in session. These ordinances are required to be introduced in any of the house within six weeks after the Parliament meets next. The effect of such ordinances are as if the law passed by the Parliament.
- (iv) Can return the Bill to the Parliament for reconsideration any bill other than money bill.
- (v) He can summon the joint sessions of both the Houses in case of difference of opinion, in the matter of any Bill between both the Houses.

(2) Executive Powers : From the constitutional point of view, President of India is the head of the Executive. According to Article 53 of the Constitution, all executive powers of the union are in the hands of President which he exercises directly or indirectly through his officers.

President is holds the power to make all important appointments. In which,

- (i) Appointment of Prime Minister and after consultation with him appointments of members of Council of Ministers are included.
- (ii) Appoints Chief justices and other Judges of the Supreme Court and of the High Courts.
- (iii) Appoints Governors of the States. He appoints Lieutenant Governors of the Union Territories.
- (iv) Appoints Attorney General, Comptroller and Auditor General of India. In addition to this, appoints the Chairman and members for Finance Commission, Public Service Commission, Election Commission, Language Commission, Policy Commission etc.
- (v) Appoints Commissioners for Schedule Casts, Schedule Tribes and Socially-Educationally Backward Casts, Minorities.
- (vi) Appoints Indian ambassadors and High Commissioners in foreign countries and accepts recognition of foreign ambassadors. A treaty or an agreement is entered into with other countries in his name.
- (vii) Pursuant to his office, the President is the Commander-in-Chief of the Defence. He appoints the chiefs of all the three wings of defence, Army, Naval, Air Force.

Prime Minister and Council of Ministers enjoy all the above powers in the name of the President. The President is having formal powers. In practice, Prime Minister, Cabinet and Council of Ministers enjoy all these powers. These powers are to be enjoyed by the President not on the bases of his wish but as per the aid and advice of the Prime Minister and Council of Ministers.

(3) Financial Powers : President holds following powers in the financial field.

- (i) Any money bill can not be introduced in the House of People without his recommendation.
- (ii) Finance Minister presents general annual budget of the nation and Railway Minister presents annual budget of the railway in the House of People in the name of the President.
- (iii) He appoints Finance Commission for recommendation in relation to distribution of income of taxes between the Union and the States.

Thus, he holds financial powers on in name. He can not stop the financial bill by rejecting it. He can not send it for reconsideration to the Parliament. In financial matters, the final power is with lower house- House of People.

(4) Justice Related Powers :

Certain important judicial powers of the President are as follows:

- (i) He can pardon any sentence of the criminal imposed by any court except Military Court. He can also reprieve the sentence of the criminal.
- (ii) Taking into consideration unusual circumstances of the criminal, the President has the power to respite the sentence. For example respite in sentence for upbringing of infant or pregnant women.

President of India is enjoys legal protection. No proceedings can be carried on against him in any court for exercise of his powers during his term of office. No criminal proceeding can be carried on against him. A court cannot pass any order for his arrest or imprisonment.

(5) Emergency Related Powers

In the Constitution of India, powers of emergency are given to the President to meet with the peculiar circumstances. In that three types of emergencies are included.

(i) Emergency (ii) Constitutional Emergency (iii) Financial Emergency

(i) Security Related Emergency : This type of emergency can be imposed in two ways. (a) External Emergency and (b) Internal Emergency.

Where it appears to the President that due to war, external aggression, or armed rebellion serious situation has occurred and to meet that National emergency or Security related emergency can be imposed. For example, in 1962 during the war between India-China emergency was imposed. Whereas, for the first time, in 1975, internal emergency was imposed/proclaimed.

Security related emergency mainly affects Centre-State relationship. Because, the whole territory converts into the arrangement of unicameral system. And certain fundamental rights shall be suspended. Where it seems to the President of India that now the situation is such that emergency can be revoked then by issuing declaration emergency can be put to an end.

(ii) Constitutional Emergency : If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied that a Government of the State cannot be carried on in accordance with the provisions of this Constitution, the President may, by declaration, impose Constitutional Emergency in that State and on that bases that State is put under the President rule. (This is called Presidential Ruling.)

Effects

- Administration of the State, where Presidential Ruling is imposed, comes under the Central Government.
- Legislative Assembly of that State will kept suspended or can be dissolved though its duration is not ended.
- Governor of the State administer the State as a representative of the Central Government.
- During this period, he can make laws for the State on the subjects of State List and can also approve the Budget of that State.

Proclamation of Constitutional Emergency shall be laid before both the Houses of the Parliament, within two months and if is permitted shall remain in force for six months.

(iii) Financial Emergency : If the President is satisfied that in any part of the nation, the financial stability or credit is threatened, may declare Financial Emergency. Though, threatened financial stability or credit is not specially clarified. During this emergency, Central Government can give orders for financial transactions to the State Government. Salary and allowances of Government, quasi Government employees of the State and also of judges of the Supreme Court and of high courts can be reduced. This type of Financial Emergency is yet not imposed in India.

Self Discretionary Powers of the President

The President is not merely a rubber stamp. In some circumstances it holds the discretionary power Which he has to use as per his determination. These powers make his position more strong.

- (i) President holds the discretionary power to decide to which party or to which leader of the consolation, the invitation is to be given to form the Government where any party has not acquired clear majority in the House of People.
- (ii) In any circumstance, after so many attempts if it seems that no government can be formed then he may come to the conclusion that present House of People has failed to represent the people then he may declare the House of People dissolved.

Position of the President of India

Wide powers are given to the President of India. Wide powers relating to emergency creates the threat that, if, he thinks can become a dictator. Many disputes are created relating to his position and powers. But according to the framers of our Constitution, he is a constitutional head and he can not use his own powers as per his wish. He is bound to behave according to the advice of Prime Minister – Council of Ministers. During the framing process of the Constitution Dr. Ambedker explained his position that “like the position of the king in Britain, President in India holds the same position. He is the head of the State. But not the real head of the Executive. Though he represents the nation, but does not rule the nation. He is the symbol of unity of the nation.”

Vice-President of India

According to the designation, Vice President of India is the Chairman of Council of States. Dr. Sarvapalli Radha Krushnan was the first Vice President of India.

Election

His election is conducted by the system of secret ballot by the electoral college of the members of both the Houses of Parliament.

Qualifications for the office of Vice-President : It is necessary for the person contesting for this office that,

- (i) That person must be a citizen of India,
- (ii) He must have completed the age of thirty-five years,
- (iii) He must be having the qualification for election as a member of the Council of States,
- (iv) He must not hold office of profit under the Union or State Government.
- (v) He must not be the member of either house of the Parliament or State Legislative Assembly. Such person has to resign from other office if he is elected in the office of Vice President.

Duration of Office

The duration of this office is generally of five years. Before this duration, he may submit the resignation addressed to the President. He can be removed from his office by a resolution of Council of States passed with the majority of the members of the Council of States and consented by the House of People. There is a constitutional provision that election should be conducted as expeditiously as possible of the vacant post of the Vice-President.

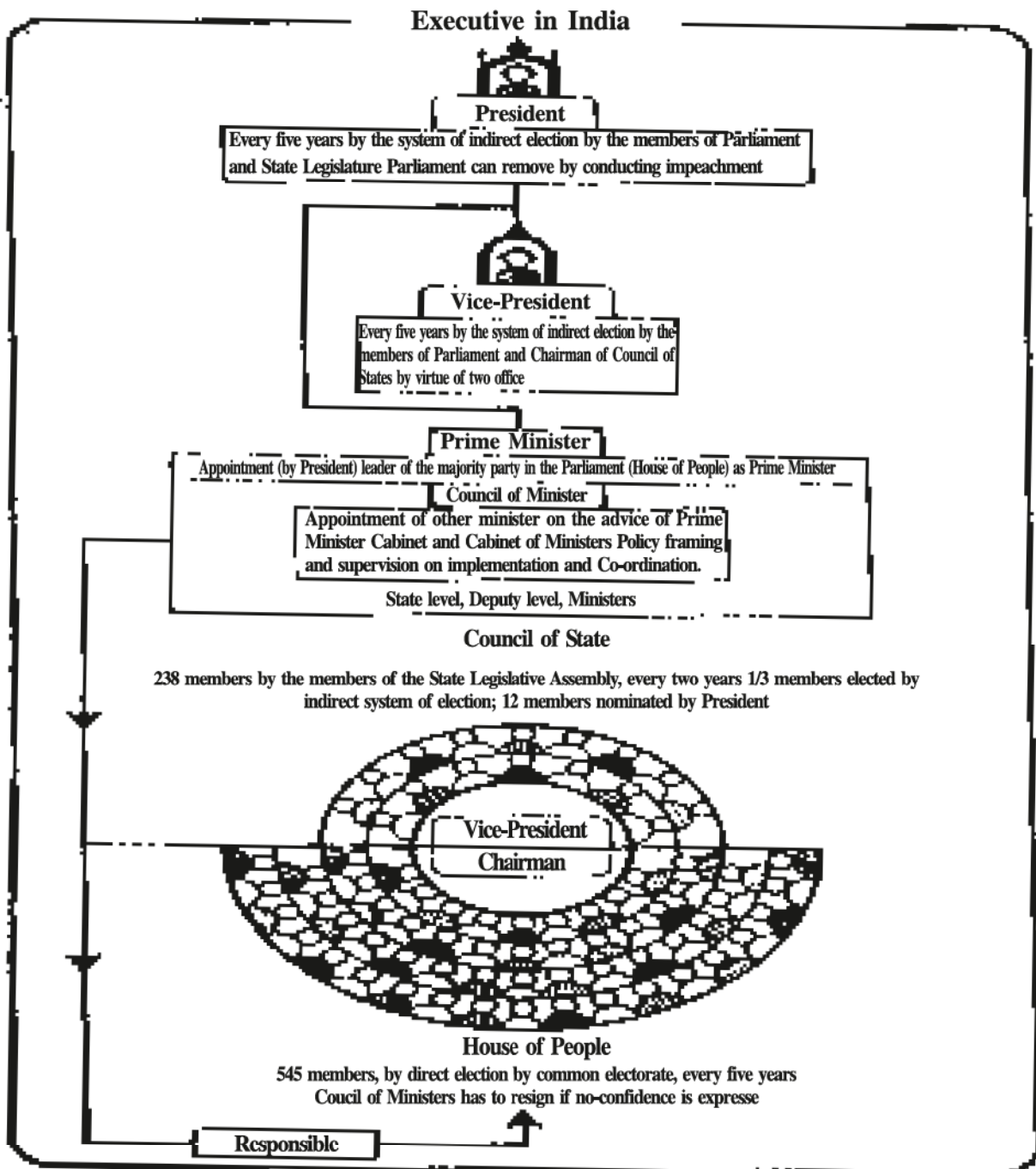
Oath Ceremony

Before accepting the office, the Vice-President has to take oath before the President or any person appointed by him for this purpose and has to subscribe the pledge.

Powers or Duties of Vice-President : In order of rank of Central Government, he comes second next to the President. In the absence of President, Vice President is performing all the duties of the President.

Vice-President can perform the duties as the President only for six months. At that time he enjoys the salary- allowances-perquisites, privileges available to the President. At that time he cannot perform the duties as the Chairman of the Council of States. That duty is performed by the Deputy Chairman of the Council of States. If the President is intending to give resignation then he has to submit the resignation address to the Vice President.

Executive at Central Level in India



Prime Minister and Council of Ministers

The role and importance of the Prime Minister and Council of Ministers are unique and special in the parliamentary Government. All real powers of the Executive are vested with the Prime Minister and Council of Ministers. Prime Minister and Council of Ministers are considered real Executive.

According to the provision of the Constitution, there is a Council of Ministers under the leadership of Prime Minister to aid and advice the President in his functions. President is bound by their advice. In this matter, dispute relating to any advice given by the Council of Ministers can not be raised in any court of law of India.

Formation of Council of Ministers

- (i) The President appoints the leader of the party, as a Prime Minister, that has got the majority after general or midterm election.
- (ii) Where any party has not acquired clear majority in the House of People then, coalition government of common ideology can also be formed. He appoints its selected leader as a Prime Minister.
- (iii) According to the advice of the Prime Minister, the President nominates other members of the Council of Ministers.
- (iv) The President administers the oath of secrecy and position to the Prime Minister and the Council of Ministers.
- (v) The President distributes or reorganise the departments to the ministers according to the advice of the Prime Minister.

Qualification for Minister

- (i) Membership of any of the house of the Parliament is necessary for ministership.
- (ii) That person can be appointed as a Minister or Prime Minister, though he is not a member of any of the house. But it is mandatory that he has to acquire membership within six months. Otherwise has to resign from Council of Ministers.
- (iii) Selection of ministers is the privilege of the Prime Minister. He can select a person as a member of the Council of Ministers, who is not even in the party.

Sometimes ministers, by self, are deserted from the Prime Minister due to difference of opinion. Sometimes they are suspended or compelled to resign by the Prime Minister.

Cader of the Ministers

Council of Ministers of Central Government has three types of ministers. (1) Cabinet Minister (2) Minister of State (3) Deputy Minister.

Cabinet ministers form the policy. It is the small political board, guiding the Government. Other cader ministers help the Cabinet ministers. Sometimes minister of State is given independent charge of any department. Some minister of State is answerable to cabinet minister.

Duration of Time

The duration of Council of Ministers is of five years like House of People. Council of Ministers comes to an end upon death or resignation of Prime Minister and new Council of Ministers comes in to the power. In case no-confidence motion is passed in House of People, the entire Council of Ministers resigns as a team.

Salary-Allowances-Perquisites

Parliament by resolution determines their salary-rent-allowances from time to time. It can not be reduced except emergency.

Functions of Prime Minister

According to the recommendations of Sarkaria Commission and constitutional amendment, total number of members of Council of Ministers shall not be more than 15% of total number of members of the House of People. In Indian Constitution certain powers have been given to the President, head of the State. The principal function of the Prime Minister is to aid and advice in the functions of the President. But it is the reality that Prime Minister takes decisions in the parliamentary system of Government. He is the principal spoke person of the Governance. The functions and powers of the Prime Minister of India are as follows.

(1) Executive Functions : According to the provisions of the Indian Constitution, the power to appoint members of the Council of Ministers is with the President. However, it is merely a formality. In reality, selection of the members of the Council of Ministers is the privilege of the Prime Minister. In that, for continuation and balance of the Government, it is taken into consideration that representation of different classes, interests, religions, areas is maintained.

It depends upon his wish that which person is to be given which Ministry or Department. He can remove any member from the Council of Ministers. He is having the power of reconstitution of Council of Ministers, reconstitution of Ministry or Department, dropping of incompetent Ministers. Any Minister who disagrees with the decision of the Council of Ministers then he asks him to resign or recommends to the President to remove from Council of Ministers.

He chairs the meetings of the Council of Ministers. In that, cabinet is of special importance in the process of policy framing. In that, Prime Minister is also playing an important role. He is the framer of national and international policies of the Nation. He is playing a role of coordination or a link of communication between Ministers and between Council of Ministers and the President.

(2) Legislative Functions : Prime Minister plays an important role in legislative procedure. He also possesses parliamentary leadership. He holds an important position in the House of People as a leader of majority party. After keeping in contact with speaker, he is getting determined the session of the House of People to be called, time, date, process of expiry of session by the President on his advice.

He gets the bill to be presented in the Parliament finally shaped by the concerned minister of the ministry. He plays a decisive role in explanation of the objects, purposes, provisions of the bill. If necessary, calls opposition party and all the parties for sitting and take in to confidence. He is the main spoke person of the Government. He declares in the Parliament, the policy related decisions of the Council of Ministers. And also gives necessary explanations.

(3) Financial Functions : Under the guidance of Prime Minister, Finance minister introduces the annual budget in the Parliament. In financial policy and economic policy his viewpoint is very decisive. It is finalise in the cabinet meeting. As per the designation, Prime Minister of India is considered as the Chairman of Policy Commission. In case of necessity, grants special relief package for the development of any State or any area of it out of central funds. In natural or manmade calamities, he provides help to the concern State, out of Prime Minister's fund.

(4) Administrative Functions : Prime Minister holds predominance over the whole administrative system. He activate the administrative system by directing the administrative system towards implementation of national and international policies framed by him. In the administrative appointments by the President his opinion is decisive. Questions asked in the Parliament relating to administration are answered by him. His opinion is impressive in treaties or agreement with other States. Thus, he applies, in real manner, the powers of the President in internal and external foreign policy. Thus, the Prime Minister is having a key position in parliamentary Government.

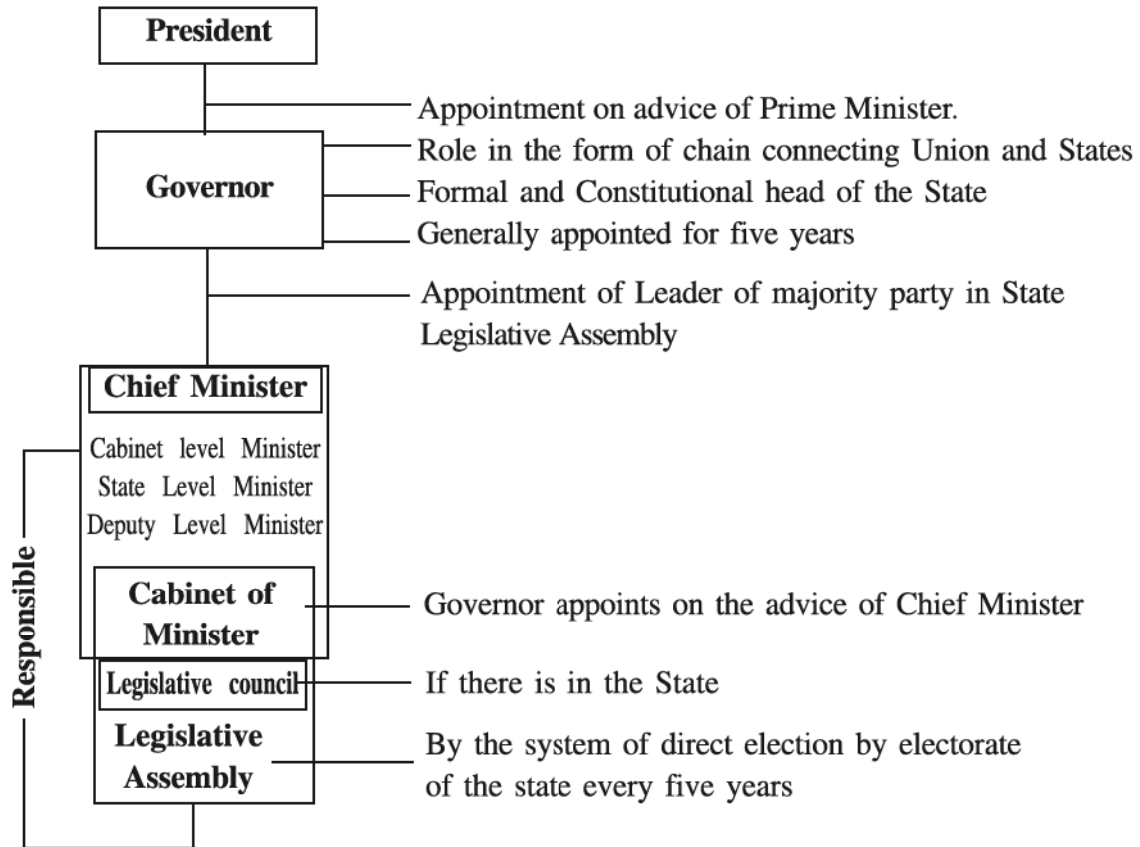
Position of the Prime Minister

Prime Minister of India has various powers. He is the real head of the Executive and has the support of majority in Parliament.

Prime Minister is the captain of the Council of Ministers of the Central Government. In parliamentary Government his position is supreme. He is considered as the real Executive. He is the captain of the cabinet kind of ship. Anchor of the national authority. He is the leader of the party in power or coalition. Also the leader of the House of People as the first house. In legal and constitutional meaning he is not the superior or head of the ministers. But his position is 'first amongst the equal'.

(B) Executive at State Level :

Government of State



Governor : According to special provision of federal system of India, the Governor enjoys the special position as a link in the relationship between the Centre and the State and in the Executive of the State. According to the Indian Constitution, one Governor is provided for each State. Some times one person is appointed as a Governor for one or more states.

Appointment :

Governor is appointed by the President.

Qualifications :

- (i) The person must be a citizen of India.
- (ii) He must be of 35 or more years of age.
- (iii) He must not be the member of either house of the Parliament or either house of the State Legislative Assembly. If he is a member of any of the house, then he has to resign from other office if he is elected in the office of Governor.

(iv) He must not hold office of profit under the Union Government or State Government.

Governor holds the office at the pleasure of the President. Normally, his appointment is made for five years. This period starts from the day he assumes his duty. President can remove the Governor from his office. He can be transferred as a Governor of another State.

Governor has to address his resignation to the President of India.

Oath Ceremony

Governor shall, before holding the office make, in the presence of the Chief Justice of the High Court of the State and in his absence, the senior-most Judge of that Court take an oath and shall subscribe the pledge. Salary-allowances and other perquisites :- Being a constitutional head of the State, residence, salary, allowances are given.

Powers of the Governor

Position of the Governor in the State is same as of the President at the central Government.

(1) Executive Powers : Governor possesses some appointment powers. For example, after general election, to appoint the leader of the majority party as a Chief Minister and also as per his advice appoints other ministers and also advocate general, chairman of State Public Commission and also appointment of Vice Chancellors of the university of the concern members is main. In constitutional emergency in the State, administers the whole State as a representative of the Centre.

(2) Legislative Powers : Governor is the inseparable organ of the State Legislature.

Governor holds the political powers to summon and address separate sitting (there two houses then) both the houses of newly formed Legislature, to dissolve the Legislature on the expiry of the session, by signing and framing the law from the Bill passed through three readings in both the houses and to send the bill back for reconsideration, to grant the bill sent for reconsideration, if necessary, can send the bill to the Centre for the permission of the President, to appoint in the Legislative Council of the State, the experts of literature, art, science, social service, cooperative activities and also where the session of the State Legislature is not in action and if it seems of immediate necessity, in that circumstances to take steps then, to issue ordinance.

(3) Financial Powers : With the prior consent of the Governor, annual budget of the concern year, also supplementary demands, provisions of expenditure, is presented by the Finance Minister of the State.

In addition, under the subordination of the permission of the State Legislature, to coop up the unexpected or accidental expenditure he holds the financial power to withdraw the amount from the State Contingency Fund.

(4) Justice Related Powers : Governor has the justice related powers to appoint judicial officers of the State, their recruitment, promotion, suspension and also to grant pardons to the criminal punished for the violation of the law, to reprieve, respite, remit or commute the punishment.

(5) Discretionary Powers of the Governor : Due to the use of discretionary powers, the Governor of the State, receives the position more then the formal or head or constitutional head of the State, in which, when any political party has not acquired the majority in general election then in this liquid situation selection of Chief Minister and oath ceremony, where Council of Ministers has lost the confidence of the Legislature and resigns then, and also when the Council of Ministers are involved in the corruption then in that situation, with the advice of the President, can suspend the Council of

Ministers and when deterioration of the Council of Ministers occurs then, has the power to dissolve the Legislature.

Thus, for the application of the aforesaid powers he can not be challenged in any court of law.

Position of the Governor

As we have adopted parliamentary kind of Government in Union as well as in unit States, Governor of the State possesses the same position as of the President in the Union. He is the constitutional and formal head of the State.

Even though this position has a glowing side. If the Governor is senior, experienced, skilled, politician and having foresighted then an effective impression can be created in the State.

Governor of the State is not a ruler but is a protector of the Constitution.

Chief Minister – Council of Ministers of the State

Prime Minister and Council of Ministers is the real Executive in union Government. In the same manner, Chief Minister and Council of Ministers is the real Executive in the State.

According to the constitutional provisions, under the guidance of the Chief Minister, Council of Ministers is provided to aid and assist the Governor. But in practice, according to the customs of parliamentary Government customs, Governor has to appoint the leader of the majority party elected in the election, as a Chief Minister.

Governor appoints other ministers in accordance with the advice of the Chief Minister. Ministers can hold office as long as there is a support of majority in the legislative assembly. Any person appointed as a Chief Minister or a Minister should be the member of either house of the Legislature, Legislative Assembly or Legislative Council. If it is not so, then he is required to get elected as a member of either house within a period of six months otherwise, he has to resign from that office.

Oath Ceremony

Governor administer the oath of office and secrecy to the Chief Minister and other Ministers and thereafter makes them subscribe the pledge.

Categories of Ministers

Categories of State ministers are of four types:

(a) Cabinet (b) State level (c) Deputy level (d) Parliamentary Secretary.

Chief Minister has the privilege of selection of any person relating to this category.

Salary-rent-allowances and other perquisites of Chief Minister and members of the Council of Ministers of the State are determined by law by Legislature of the State.

Functions of Chief Minister

The Chief Minister and his Council of Ministers actually hold the reins of administration in the State. Chief Minister has to perform certain duties which are as follows:

- (1) Selection of the members of the council of Minister and distribution of portfolios to them and its redistribution, removal of a minister and a new minister are the privileges.
- (2) Performs the function of maintaining administrative coordination between Governor of the State and Council of Ministers.

- (3) Chairs the meeting of Council of Ministers and holds all responsibilities as the leader of ruling party in the house.
- (4) Creates a role of political leadership by making effective representation at the central level for the promotion and protection of the objectives of the State.
- (5) Provides leadership to the Government as a team between ruling and opposite party.
- (6) Provides effective leadership by taking immediate decisions for providing relief to the people in man made and natural calamities in the State.
- (7) He makes the people benefited in new policies and decisions taken by the State Government so that acquires larger confidence of the people.

Thus, by performing various function as the Executive of the State Chief Minister makes special contribution in the development of the State.

Status of the Chief Minister

Position of Chief Minister in the Executive of the State is most important. Just as the position of Prime Minister is at Central Level same is the position of the Chief Minister at the State Level. He is the leader of a party holding majority, leader of the house and chairperson of the Council of Ministers. He is whole and sole and a driving force of Council of Ministers. He provides leadership to the Government. A competent captain and guide relating to policy. He is the foundation stone of Council of Ministers. He is the chain of communication between a Minister and Minister, between Minister and Legislature, between Minister and Citizens between Government and Citizens and between Ministers and Governor. He is an announcer of matters relating to policy. His voice is of important in the Government as well as in the process of administrations of the State.

Collective Responsibility of Council of Ministers

The entire Council of Ministers seldom meets. Mostly, it is the cabinet minister who meet very frequently and all important and policy related decisions are taken by them. However, the entire council of Ministers is collectively responsible for policy related decisions so taken. Principle of joint responsibility is at the core of parliamentary system. The entire ministry is supposed to defend the decisions of the cabinet as one single group both inside and out side of the legislature. If any Minister personally disagrees with the decision of the cabinet then he is order to resign. For any decision taken by the cabinet, no Minister can express his opinion against it in public. He simply has to defend it in public.

We have discussed various issues of Executive at Central level and State level. In both these, that is in reference to Executive of the Central and State level there is no major difference.

EXERCISE

1. Answer the following questions in detail :

- (1) State the functions of Executive.
- (2) State the functions of Prime Minister.
- (3) State the legislative powers of the President of India.
- (4) State the powers of the President of India relating to emergency.

2. Write short notes on the following :

- (1) Position of President of India.
- (2) Powers of the Governor.
- (3) Functions of the Chief Minister of the State.
- (4) Executive powers of the President.

3. Answer the following questions in brief (In five to seven sentences) :

- (1) State the qualifications for the office of President of India.
- (2) Refer the qualifications for the office of Vice President of India.
- (3) State the formation and category of Council of Ministers of India.
- (4) Explain procedure of election of the President of India.
- (5) State the position of Governor and the position of Chief Minister.
- (6) What is Parliamentary Executive?
- (7) What is Presidential Executive?

4. Answer the following questions in one-two sentences :

- (1) How many are the organs of Government and which are they?
- (2) What is the principal function of the Executive?
- (3) Give simple meaning of Executive.
- (4) How many are the types of Executive and which are they?

5. Write the correct option in the given box :

- (1) How many members are appointed by the President of India in Council of States?

(a) 9 (b) 10 (c) 11 (d) 12

☐

- (2) According to which article of the Constitution is the impeachment of proceeding against the President conducted?

(a) Article-63 (b) Article-62 (c) Article-61 (d) Article-60

☐

- (3) Till today, this type of emergency has not been declared in India.

(a) Financial (b) Internal (c) External (d) Constitutional

☐

- (4) Who administer an oath of office and secrecy to the President of India?

(a) Chairman (b) Judge of the Supreme Court
(c) Governor (d) Vice-President

☐

- (5) How much is the time duration of the office of President-Vice President?
- (a) 3 years (b) 4 years (c) 5 years (d) 6 years ☐
- (6) President has power to appoint two members of Anglo Indian in this House.
- (a) House of People (b) Council of States ☐
- (c) Legislative Assembly (d) Legislative Council
- (7) Appoints Attorney General of India.
- (a) Chief Justice (b) Governor (c) Vice-President (d) President ☐
- (8) Appoints Advocate General of the State.
- (a) Governor (b) Chief Minister (c) Vice-President (d) President ☐
- (9) In how many organs is Government divided?
- (a) Two (b) Three (c) Four (d) Five ☐
- (10) Ideal Example of Parliamentary Government.
- (a) India (b) Great Britain (c) Canada (d) Brazil ☐

Activity

- Arrange the visit of Rashtrapati Bhavan of India.
- Visit Raj Bhavan of Gujarat.
- Prepare a chart of list of President, Vice-President, Prime Minister, Governor, Chief Minister.

