

India chose a Parliamentary System for the governance of the country after independence. It is so because the Constitution-makers in the country were greatly influenced by the Parliamentary system prevalent in the United Kingdom. Also, seeing the diverse and varied groups and their culture, religion and behaviour somewhere forced our founding fathers to accommodate this system keeping in mind the political setup.

The principle of strict separation of power, being one of the key features of the Presidential System leads to a lot of problems between the legislature and the executive. This hampers the effectiveness and efficiency in work, which our country was not in a position to afford. The condition of India at the time of Independence was such that it needed a system that was already tested and successful, this also led the makers to choose this system.

In this kind of system, generally, the Parliament is supreme and the executive is responsible to the legislature. It is also known as 'Cabinet form of Government' or 'Responsible Government'.

Features

Key features of the Parliamentary System are as follows:

The close relation between Executive and Legislature

- In a Parliamentary form of Government, the Prime Minister along with the Council of Ministers forms the executive. They are elected as the members of the Parliament which means that the executive emerges from the legislature. Only a member of Parliament can be appointed as part of the Executive. There is no strict separation of powers between the executive and legislature as it is present in the Presidential form of Government. Therefore, in a Parliamentary system, the executive and the legislature are so closely related that sometimes it becomes difficult to separate their functions.

The Executive is responsible to the Legislature

- One of the key features that differentiate the Presidential and Parliamentary system is that in latter the executive is responsible to the legislature. The Prime Minister and the Council of Ministers are collectively answerable in Lok Sabha and individually to the President. The executive loses its power when it loses confidence in the Lok Sabha. Legislature makes the laws and then relies on the executive for its implementation which practices delegated legislation.

Secrecy of the procedure

- One of the prerequisites for this form of Government is the secrecy of the cabinet meetings and the discussions held therein. In fact, even in the oath taken by the Ministers, they promise to keep faith and secrecy as given in Article 75 of the Constitution. As per Article 75(2) of the Constitution, the advice given by the Council of Ministers can be inquired in any court of India which ensures secrecy.

Dual executive

- India has a dual executive means it has two executives – the real and the titular. The titular or nominal executive is the head of the state i.e., the President or the monarch and the real head is the Prime Minister who is the real head of the Government. Legally all the powers and privileges are conferred on the President as per different law and Constitution but in practice, all these powers are enjoyed by the Prime Minister and Council of Ministers. The President in India works on the aid and advice given by the Council of Ministers. The President can return the suggestion for reconsideration, but if the same suggestion is sent to him with or without changes, he is bound to accept it. This makes the President somewhere bound by the advice given by the Ministers and work according to them.

The leadership of Prime Minister

- The leader in the Parliamentary form of Government is the Prime Minister. He is the leader of the majority party in Lok Sabha. He is also the head of the Government and is selected through elections held through universal adult franchise.

No fixed tenure

- In a Parliamentary System, the term or the duration of the ruling Government is not fixed. They are dependent on confidence in the lower house. If anyone of the Council of Ministers resigns or the majority party is not able to prove its confidence in the house then the Government falls. After that new election will be conducted and the party having a majority of the members in Lok Sabha forms the Government. In normal circumstances the tenure of the Government is for 5 years and after that election are held again.

Bicameral Legislature

- 'Bi' means two and 'camera' means chamber. So Bicameral Legislature is the system of having two legislative or judicial chambers. Generally, one of the houses is more powerful than the other. Many Parliamentary democracies have the practice to follow bicameralism.
- In India, at the centre level, it has two houses (Rajya Sabha and Lok Sabha) to deliberate and discuss policies, laws, and issues of national importance. At the state level, the institution equal to or performs somewhat the same function is Vidhan Sabha (State Legislative Assemblies) and Rajya Sabha is Vidhan Parishad (State Legislative Council). Though not all states in India have their respective Legislative Council as many argue that just like the Rajya Sabha, the State Council does not perform many functions and poses stress on state finances. Till now, only 6 states (Andhra Pradesh, Bihar, Maharashtra, Uttar Pradesh, Karnataka, and Telangana) have Legislative Councils.

Merits

The advantages or merits of a Parliamentary System are

as follows:

Better coordination between executive and legislature

- In a Parliamentary system, the executive is part of the legislature and usually, the majority party has a stronghold in the Parliament which makes it easier for the law and policies to be passed and implemented. We can see a lot more coordination in the Parliamentary system as compared to the Presidential system as the organs of the Government is strictly separated from each other. The possibility of disputes and conflict is reduced as the party enjoys a majority in the lower house.

Responsible Government

- The Parliamentary form of Government is also known as 'Responsible Government'. In the legislature, all other members raise questions which are matters of public interest and national importance. Through this process, there can be checks on the activities of the Government. The opposition needs to be strong enough to point out the mistakes and inefficiency of the ruling Government. This makes the majority party accountable and hence responsible for their duties and actions in general.

Represents diversity

- Many countries in the world have people living from different backgrounds, cultures, religions, races, and gender. The Parliamentary system is suited best to accommodate all these diverse groups as every group is represented in the legislature. In this way, the interests and demands of various groups can be discussed at a big platform and a solution can be found out more effectively. With a country like India which was in a very fragile state after independence, it was important to adopt a system that was tried and tested and was familiar to the people. In our country, we see people from various groups coming together in Parliament and discussing matters to promote and preserve the interests of all of them.

Flexibility

- The Prime Minister can be removed from power very easily as compared to the Presidential system in which generally the President serves the entire term and can be replaced only through impeachment and incapacity which is a time-consuming process. If the demands that were promised by the ruling party before the elections are not fulfilled the Parliament may pass a no-confidence motion and the Government can be replaced.

Prevents Authoritarianism

- In the Presidential System, we see a concentration of power primarily with the President. He has the authority to choose members of the cabinet. On the other hand, in the Parliamentary system power is divided among the council of ministers and the ruling party does not become all-powerful the Government may resign if a vote of no confidence is passed against them. There are many institutions that keep vigilance on the activities of the Government.

Demerits

The demerits of the Parliamentary System are as follows:

No separation of powers

- As there is no true separation of powers in this system, the legislature cannot always blame the executive for the non-implementation of policies. Especially when the Government has a majority in the legislature. Additionally, because of factors relating to anti-defection laws legislators cannot exercise their will power and vote as per their understanding and opinions. They have to consider and follow the party whip.

Unqualified legislature

- Many times, situations where people who just want to fill executive positions enter the legislature also.

They are not even qualified or rather properly acquainted with their jobs. Most of them are not even familiar with the laws of their country.

Instability

- Parliamentary system is not stable as the Government may fall anytime as compared to the Presidential system. There is no fixed tenure of the Government. The moment no confidence motion is passed in the house the Government will be replaced with a new Government. It can happen by a mere political disagreement between the party members. Thus, the Prime Minister has to depend on the support from the party members or any other party in the Parliament. Coalition Governments are mainly transitory and unstable. Therefore, the majority party concentrates more on having support in the house rather than on the welfare of the society.
- It can hamper the implementation of laws and policies as the policy started by the previous Government may not be much supported and carried on by the new Government in power.

Failure to taking a prompt decision

- This system's instability somewhere forces the Government to take prompt decisions in times of need. The Government is scared to take bold and long-term decisions. This may affect the welfare of the nation and its people.

Party Politics

- In the Parliamentary system party, politics is very evident where politicians are motivated by self-interest more than national interest. The Multi-party system is more popular in the Parliamentary system than the Presidential system as they use the method of proportional representation. Many parties compete with each other in elections and each party has a chance of winning the election.

Difference between the Parliamentary and Presidential forms of the Government

<i>Basis</i>	<i>Parliamentary Form of Government</i>	<i>Presidential Form of Government</i>
Meaning	It is a form of Government where the legislature and executive are closely related to each other. It is a system in which the citizens elect representatives to the legislative Parliament.	It is a system of Government in which the three organs of the Government – <ul style="list-style-type: none"> • the executive, • judiciary, • legislature work separately. In it, the President is the chief executive and is elected directly by the citizens.
Executive	There is dual executive as leader of the state and leader of the Government are different.	There is a single executive as the leader of the state and the leader of the Government is the same.
Ministers	The ministers belong to the ruling party and are Members of Parliament. No outsider is allowed to become a minister.	The ministers can be chosen from outside the legislature, and are usually industry experts.
Accountability	The Executive is accountable to the Legislature.	The Executive is not accountable to the Legislature.
Dissolution of lower house	The Prime Minister can dissolve the lower house.	The President cannot dissolve the lower house.
Tenure	The tenure of the Prime Minister depends upon the majority support in the Parliament, and is thus, not fixed.	The tenure of the President is fixed.
Separation of Powers	The principle of separation of powers is not followed strictly. There is concentration and fusion of powers between the Legislative and the Executive.	The principle of separation of powers is strictly followed. Powers are divided and the Legislature, the Executive and the Judiciary work separately.
Party Discipline	Party discipline is stronger and the system leans towards unified action, block voting and distinct party platforms.	Party discipline is comparatively less and failure to vote with one's party does not threaten the Government.
Autocracy	This type of Government is less autocratic as immense power is not given to only one person.	This type of Government is more autocratic as immense power is concentrated in the hands of the President.

Reason for adoption for Parliamentary System in India

The makers of the Constitution wisely chose the Parliamentary model. The reasons for it lie in India's colonial political legacy as well as India's socio-political structure. The reasons for this were as follow:

- By the time of Constitution framing, India already had some experience of the Parliamentary system under the Government of India Act 1919 and 1935. So Indians were familiar with it.
- This experience also showed that the executives can be effectively controlled by the representatives of the people.
- The makers of the Constitution wanted to make the Government responsible to people's demands and

should be accountable to them.

- The makers were reluctant to go for the Presidential system as it gives excessive powers to the President who works independently with the legislature.
- The Presidential system is also prone to the personality cult of the President.
- The makers of the Constitution wanted to have a strong executive branch but with strong safeguards to avert the risk of a personality cult.
- In the Parliamentary system, there are several mechanisms to make the executive more answerable to and controlled by the people's representatives.
- So, the Constitution adopted a Parliamentary system for India.

Comparison between United Kingdom and Indian Parliamentary System

<i>United Kingdom</i>	<i>India</i>
Britain has a monarchical system.	India is a republican country.
The head of state in Britain is King who enjoys the hereditary position and is not elected.	The head of state is the President who is elected on the basis of proportional representation.
In the UK, the Parliament is the supreme authority as they follow the principle of Parliamentary sovereignty.	Indian Parliament is not very supreme as some restricted powers and is limited due to the presence of a written Constitution, the federal system, judicial review, and fundamental rights.
In Britain, the Prime Minister should be a member of the House of Commons (Lower House) of the Parliament.	In India, the Prime Minister can be a member of any house Rajya Sabha or Lok Sabha in the Parliament.
In Britain, usually, the members of Parliament only become Ministers.	But in India, a person who is not a member of any house can also become Minister but only for a maximum period of 6 months.
In Britain, the Minister also has legal responsibility also.	In India, the ministers are only accountable for their legislative and executive functions.
In Britain, ministers are required to countersign the official acts of the Head of the state.	Ministers in India do not need to sign such a document.
There is a concept of 'Shadow Cabinet' in the UK. The shadow Cabinet is basically a cabinet formed by the opposition who keeps a check on the activities and policies of the ruling Government and can replace it once the ruling party falls.	There is no such concept as Shadow Cabinet in India.

Every system whether it is Presidential or Parliamentary has its own pros and cons. It is upon the Government of a particular country to decide the system which will be most suited for their country. Every country is different in its structure, population and culture, it is important to identify the needs of the country.

If we see a larger picture then there are mainly these two forms. Many nations in the world have chosen one of them with some changes. We also see new trends and conventions. Many countries have changed their political system from democratic to monarchy but it is remarkable that India even after 75 years of independence has stayed a democratic country having a republican head

and a strong Constitution. It is considered as one of the largest democracies in the world.

There were some discussions that were made regarding whether India needs a Presidential system. But these debates were very academic. But then the concentration of power in a single hand will lead to abuse of power which is very dangerous to our democracy. Also, our Constitutional setup does not allow us to do so because of the basic structure doctrine. So, for now, the country will stick to the Parliamentary system which suits our diversity.