

Rajya Sabha : Total members of the Rajya Sabha is fixed at 250. Out of these, 238 members represent states and union-territories and 12 members are nominated by the President. These 12 members are the people who are eminent in the fields of literature, science, art and social-service. The 238 members of Rajya Sabha are elected through proportional method of election by the members of the legislative assemblies of states and union-territories by means of single transferable vote. The individual member has six years tenure in one-term. It can't be dissolved before its term is over. One third (1/3) members of Rajya Sabha retire on the expiration of every two years. New members are elected for the vacant seats. All states have not been given the same number of representatives for the Rajya Sabha. The numbers of representatives for states and union-territories have been mentioned in the 4th schedule. For example 7 members from Punjab and 5 from Haryana are fixed. Similarly 3 from Union territories of Delhi and 1 from Puducherry are fixed in the schedule. The Vice-President is ex-officio chairman of the Rajya Sabha.

**Description of allotment of Seats of States and
Union Territories in the Rajya Sabha**

State	Number	State	Number
1. Andhra Pradesh	11	2. Arunachal Pradesh	1
3. Assam	7	4. Bihar	16
5. Chattisgarh	5	6. Goa	1
7. Gujarat	11	8. Haryana	5
9. Himachal Pradesh	3	10. Jammu & Kashmir	4
11. Jharkhand	6	12. Karnataka	12
13. Kerala	9	14. Madhya Pradesh	11
15. Maharashtra	19	16. Manipur	1
17. Meghalaya	1	18. Mizoram	1
19. Nagaland	1	20. Odisha	10
21. Punjab	7	22. Rajasthan	10
23. Sikkim	1	24. Tamil Nadu	18
25. Tripura	1	26. Uttar Pradesh	31
27. Uttrakhand	3	28. Bengal	16
29. Telengana	7		
Union-Territories			
Delhi	3	States & UT (229 + 4)	233
Puducherry	1	Nominated	12
Nominated Members	12		
		Total Members	245

At Present there are 245 members of Rajya Sabha out of which 229 members are from states, 3 from union territories of Delhi & 1 from Puducherry and 12 members are nominated by the President

Lok Sabha : It is called First and the Lower House. The Lok Sabha is composed of not more than 552 members of whom 530 are representatives of state and 20 are representatives of Union-Territories. Two members of Anglo Indian community can be nominated by the President, if he believes that people of this caste got no representative in the election. The number of members for the Lok Sabha from States and Union territories have been fixed on the basis of population. This provision has been made under Article 82 that the number of members of the Lok Sabha will be fixed after every census, for deciding the number of members of Lok Sabha and State Legislative Assemblies data of census of 1971 was taken as basis till the first census after 2000. A change was to be done in it after the census of 2001. But Indian Parliament made the provision under Constitutional Amendment Act, 2001 that there will be no change in the total number of the Lok Sabha and State Legislative Assemblies till 2026. In 16th Lok Sabha 543 members were elected and two members were nominated by the President. The normal term of the Lok Sabha is five years and it is counted from the first meeting of the new elected Lok Sabha.

**Description of Allotment of Seats from States and
Union-Territories in the Lok-Sabha**

State	Number	State	Number
1. Andhra Pradesh	25	2. Arunachal Pradesh	02
3. Assam	14	4. Bihar	40
5. Chattisgarh	11	6. Goa	02
7. Gujarat	26	8. Haryana	10
9. Himachal Pradesh	04	10. Jammu & Kashmir	06
11. Jharkhand	14	12. Karnataka	28
13. Kerala	20	14. Madhya Pradesh	29
15. Maharashtra	48	16. Manipur	02
17. Meghalaya	02	18. Mizoram	01
19. Nagaland	01	20. Odisha	21
21. Punjab	13	22. Rajasthan	25
23. Sikkim	01	24. Tamil Nadu	39
25. Tripura	02	26. Uttar Pradesh	80
27. Uttrakhand	05	28. Bengal	42
29. Telengana	17	Total	530

UNION-TERRITORIES

1. Andaman & Nikobar Islands	1
2. Chandigarh	1
3. Dadra & Nagar Haveli	1
4. Daman & Diu	1
5. Delhi (National Capital Territory)	7
6. Lakshadweep	1
7. Puducherry	1
8. Nominated Anglo Indian	2
Total Number	530 + 13 + 2 = 545

At present there are 545 members of Lok Sabha out of which 530 members are from states, 13 from union territories and 2 Anglo Indian members are nominated by the President.

SPEAKER AND DEPUTY SPEAKER

Members of the Lok Sabha elect a Speaker and a Deputy Speaker from them. In the absence of speaker, the deputy speaker acts as speaker.

To become member of the Lok Sabha the age should not be less than 25 years.
and

To become member of the Rajya Sabha the age should not be less than 30 years.

Activity 1 : Who are the members of the Lok Sabha and the Rajya Sabha from Punjab ?
Write their names in your Copy with the help of your teacher.

Activity 2 : Prepare the stickers of number of seats allotted to Lok Sabha and Rajya Sabha statewise and paste on the map in related States :
Use two separate maps to show number of members of the Lok Sabha & the Rajya Sabha.



Parliament House

PRESIDENT

The provision for the post of President has been made in our Constitution under Article 52. The President is considered a part of the Parliament. A bill that has been passed by the Parliament will become law only when the President gives an assent to it. If the Prime Minister is the head of the government then President is the Chief of the state. He is regarded as the first citizen of India. The whole administration of our country is run in the name of the President.

Qualifications :

Be a citizen of India.

Have completed the age of thirty five years.

Must have qualification for election as a member of Lok Sabha.

Must not hold any office of profit under the government of India or the govt. of any state or under any local or other authorities. [Ref. Art. 58]

Election : The president of India is elected indirectly. He is elected by the elected members of Rajya Sabha, Lok Sabha and the elected members of the state legislative assemblies and legislative assemblies of Union Territories of Delhi & Puducherry. Nominated members do not take part in the election of President.

Tenure : The President's term of office is five years from the date on which he enters upon his office. He can be removed from his office before 5 years through the process of impeachment. An election to the office of the president must be completed before the expiration of the term of the acting President. The outgoing President continues to hold office, notwithstanding that his term has expired, until his successor enters upon the office. If vacancy arises due to death, resignation and removal by impeachment then an election to fill the vacancy must be held within six months from the date of occurrence of the vacancy. In such situation, Vice-President acts as President until a new President is elected.

Powers of President : The President has been granted enormous powers by the constitution. But a provision has been made in the constitution that these powers are exercised by him on the advice of the Cabinet. Infact, powers of the president are exercised by the cabinet. Therefore, the President

Dear Students : Do you know Dr. Rajendra Prasad was the first President of India ? He remained president for two consecutive terms.

of India is called a nominee or constitutional head of the executive.

1. Legislative Power : The President of India can ask the cabinet to make law on some matters of importance. The cabinet has to think upon it seriously. The President addresses the first session after each general election to the Lok Sabha. He also has the power to summon a joint sitting of both houses of Parliament. A bill that has been passed by the Parliament will become Law only when the President gives an assent to it.

2. Executive Power : He appoints the Prime-Minister and other ministers and is empowered to take them Oath of their respective designations. He appoints Indian representatives to other countries and receives diplomatic representatives of other countries. The President have the powers to appoint high dignitaries like chairman and members of commissions including Union Public Service Commission, Human Rights Commission. the Election Commission, Scheduled Castes and Scheduled Tribes Commission, the Finance Commission, the Attorney General for India. The Comptroller and Auditor General of India, the Judges of the Supreme Court and the High Court's and the Governors of States are appointed by the President.

3. Judicial Power : The Constitution provides some important judicial power to the President. The President has the power to grant pardon or reduce the sentence awarded to a criminal into life imprisonment.

4. Financial Power : The President causes the annual financial statement knowns as the Government's budget to be laid down before the Lok Sabha. Previous sanctions of the President is required for introducing Money bill.

5. Emergency Power : The President has extraordinary power to deal with a situation of emergency i.e., National emergency (Art. 352), Constitutional Emergency (Art. 356) and Financial Emergency (Art. 360).

The President of India enhances the beauty of the President House. He gets the salaries and allowances according to the laws made by the parliament time to time. His allowances and perks cannot be reduced during his term of office. The residence of the President is called 'President House'



Rashtrapati Bhawan

Indian President has the power to nominate two anglo Indian members in the Lok Sabha and 12 in the Rajya Sabha among the person who have special knowledge and experience in the field of Art, Science, Literature and Social Service.

(Rashtrapati Bhawan) which is in Delhi, the capital of India.

Council of Ministers :

India has adopted the Parliamentary form of Government after Independence. In this form of Government, the President is the nominal or Constitutional Head of the executive. The real executive powers are exercised by the Council of Ministers, whose head is the Prime-Minister.

Under article 74 (1) of our constitution, a provision for the council of Minister has been made to assist and advise the President. The President acts with the advice of the Prime Minister. Three types of Ministers can be appointed in a Council of Minister.

1. Cabinet Minister : Cabinet ministers are the most important ministers in the council of ministers. They are head of departments. Prime Minister is also a Cabinet Minister. Cabinet or council of ministers whose Head is the Prime Minister is the real executive who forms policies for the nation. Only cabinet ministers can participate in the meetings of the cabinet : Cabinet ministers are on the top positions.

2. State Ministers : State ministers are of lower rank than cabinet ministers. They can or can't be given a charge of Independent Department. State Ministers can participate in the meeting of the cabinet, when they are invited to participate.

3. Deputy Minister : Deputy Ministers are on the third position in the council of ministers. They are for the help of cabinet ministers in their departments. Deputy minister, neither take part in the meeting of the council, nor they are given independent charges of any department. Salaries and allowances of ministers are determined by the Parliament time to time.

4. Parliamentary Secretaries: Those are not Ministers but they help Ministers to perform their functions.

Remember it :

All the ministers are the members of the council of ministers. But some of them are the members of Cabinet.

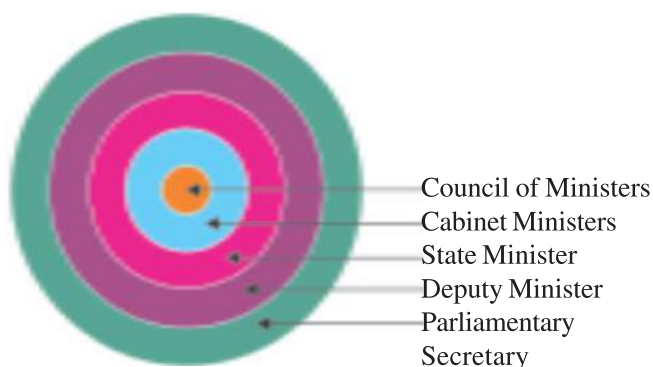
With the help of your teacher list down the names of those ministers of the council of ministers during the 14th and 15th Lok Sabha, who were not members of the parliament but within 6 months they became the members of the Lok Sabha / Rajya Sabha.

Appointment of Ministers :

1. After the election of the Lok-Sabha-party having majority in the Lok-Sabha appoints a leader. This leader is appointed the Prime-Minister by the President. After that the Prime-Minister gives the list of his ministers to the President. In this way, other ministers are appointed by the President. The President makes them oath of their designation and confidentiality.
2. To become minister, it is essential to be member of either house of the Parliament. There is no bar to the appointment of a non-MP as minister, but he can not continue as Minister for more than six months unless he secures a seat in either house of the Parliament.
3. The council of ministers dissolves by resignation of the Prime-Minister.

Collective responsibility of the Council of Minister : All the ministers of the council of ministers are responsible to the Parliament. If the Parliament passes 'censure motion' against one minister then whole council of Minister, have to resign. If a policy is framed for one department in the council of ministers then its responsibility lies on the whole council of ministers.

Personal Responsibility of the Ministers : Every minister is ` personally responsible for his department. If the work of any department is not up to the mark the Prime Minister can ask the minister of the concerned department to resign. If the minister does not submit his resignation then the Prime Minister can ask the President to remove that minister.



Prime Minister : Prime Minister is the real executive in the Parliamentary form of Government. He is the hope of the Nation. He is called leader of the country. Infact the voters of the nation don't elect the Party, But they elect the Prime Ministers. After the election of the Lok Sabha, the Leader of the party having majority, in the Lok Sabha is appointed as the Prime Minister by the President. Being the leader of the majority the Prime Minister is the leader of the Lok Sabha. In the alliance or collision Government, many parties elect their leader collectively and that leader is appointed Prime Minister by the President.

Dear Students : Do you know that Pt. Jawaharlal Nehru was the First Prime Minister of free India.

Powers of the Prime Minister :

- (1) Prime Minister forms the council of Ministers.
- (2) He has a privilege to allot portfolios to his ministers.
- (3) He coordinates the work of different ministers and remove their frictions. He settles differences or disputes in various departments.
- (4) He can transfers the departments of ministers.
- (5) He can demand resignation from any minister.
- (6) He can reorganise the council of ministers.
- (7) The Prime Minister acts as a link between the President and the council of Ministers. He informs the president about the decisions of the cabinet. It is with the permission of the Prime-Minister alone, a minister can meet or seek advice of the President.
- (8) The Prime Minister decides agenda of cabinet meetings and presides over the meetings of the cabinet.
- (9) The Prime Minister can advice the President to dissolve the Lok Sabha.

After seeing the powers of the Prime Minister, it seems as if the administration of the nation is run by a single person. Some critics are of the view that Parliamentary Government should be named as **Prime Minister Government** but this is not true.

The Prime Minister can use his powers only within the jurisdiction of constitution. While taking an oath of Prime Minister, he takes an oath to obey the constitution. If any Prime Minister misuses his powers then he has to face the public opinion. Prime Minister along with cabinet cannot dare to overrule the constitution. But to form a relevant public opinion, educated and awakened citizens are essential. The success of democracy depends upon the awakened and enlightened citizens.

EXERCISE

A. Objective Type Questions :

I. Fill in the blanks :

- (a) appoints the judges of the Supreme Court.
- (b) The President of India exercises all his powers only on the advice of

II. Multiple Choice Questions :

- (a) Which is the final authority for making laws in India ?
 - (i) The Cabinet
 - (ii) The Parliament
 - (iii) The Lok Sabha
 - (iv) The President
- (b) Who chairs the cabinet meetings ?
 - (i) The President
 - (ii) The Governor
 - (iii) The Prime Minister
 - (iv) The Party President

III. Write T (for True) and F (for False) statement :

- (a) The Prime Minister is the constitutional head of our country.
- (b) Indian Parliament comprises the Lok Sabha, the Rajya Sabha and the President of India.

B. Very Short Answer Type Questions :

1. In India which form of the Government has been adopted in centre and states ?
2. In Parliamentary System who is the real executive of the country ?
3. Who is nominal executive in India ?
4. Who is included in the electoral college for the Indian President ?
5. Name any two features of the Parliamentary System.
6. What is called the lower house of the Parliament ?
7. How many members can be nominated by the President in the Rajya Sabha ?
8. What is the tenure of the members of the Rajya Sabha ?

9. What is the name of the Head of state in Canada and Australia ?
10. Who makes an oath to the Prime Minister and other ministers ?
11. Who presides over the meetings of the cabinet ?
12. Give the names of two form of Govt. on the basis of relationship between executive and legislative
13. From which country Parliamentary system in India has been taken ?
14. What is the name of the lower and the upper house of Parliament in England.

C. Short Answer Type Questions :

1. How is the Prime Minister elected ?
2. What is the meaning of the collective responsibility of the ministers ?
3. How does the legislature control over the activity of ministers ?
4. Explain briefly any three duties of Prime Minister.
5. Write a short note on the structure of the Parliament.
6. How are the members of the Rajya Sabha elected ?
7. Describe any four powers of the President.
8. Write a note on the structure of the council of ministers.

D. Long Answer Type Questions :

1. Write a brief note on the structure of Rajya Sabha.
2. Write a brief note on the leadership of Prime Minister in the Parliamentary system.
3. Explain in brief qualifications, Election and tenure for the president of India.
4. What do mean by the collective and individual responsibility of the Council of Ministers?

Activity

See the functioning of the Parliament during Session on your T.V set and try to know :
 Which topics are being discussed
 Powers of Speaker
 Role of opposition Parties in the Parliament.

Chapter 13

Democracy and Election-Politics

During the recess time: After lunch discussion is going on among XII Class students.

- Mandeep : (XII Student) Friends! Listen to me. This time I shall be a voter.
 Dilawar : (looking happily towards Mandeep) : Ok ! When and How ?
 Mandeep : I shall complete 18 years next month and shall be able to caste my vote.
 Sandeep : (expressed loudly) But I will also complete 18 years in November.
 Mandeep : Hurrah ! Then you will also be a voter.
 Sunil : (IX class student, (who was in confusion) But, brother! I don't think it so easy, some other formalities will also have to be fulfilled.
 Bhupinder : (with surprise) Which formalities ? How to fulfill these ?
 Mandeep : I mean to say what shall we have to do to get voter card ? Who will make it and how ? Let us get to know about this in details from our teachers.
 (All students go to their teacher to get information)

Teacher (after listening the students) It is a matter of joy that you are going to become the voters of free India. Then you will Participate in framing the National Politics and elect the Government of your choice. First of all, you will have to go to your Block Level Officer (BLO). This work is repeated before every election. Name of new candidates are registered and name of dead and those who have left that place are deleted from the voter list. So in this process you will have to submit the following papers to the BLO.

1. Proof of date of Birth
2. Proof of Residence
3. Copy of Aadhar Card
4. Self Photograph

After getting above papers, the BLO will check them and after getting checked he will hand over your voter card to you.



Dear Students,

We will try to know answers of the following questions in this chapter :

- What is an election ?
- What is the importance of election in democracy ?
- Who is responsible to hold free and fair election according to our constitution ?
- What is the role of political leaders in election ?
- Which are the different phases of election ?

Some decisions have to be taken to run the administration of village, city, state and country. People have to assemble somewhere to exchange their opinions for taking decisions. The population of village, city and country has been increased very much these days. Let us take the example of a village first. Is it possible to assemble all the villagers at one place ? We shall have to arrange for a big hall or Shamiyana for this purpose. The population of a city is more than that of a village. Therefore, it is more difficult to assemble the citizens of a city at one place. Hence, the responsibility to take decisions to solve the problems of a village or city is entrusted to the elected members of the local organisations. Village Panchayats for village and municipality or municipal corporation for cities have been established . In this way, legislative assemblies have been established to administrate the state matters while the Lok Sabha and the Rajya Sabha have been established to solve the national problems. Some representatives are elected by people in rural and urban organisations, legislative assemblies and in the Lok Sabha. After being elected, they run the administration. Now the question arises who are the voters ? Answer to this question is very clear. Any citizens who has crossed the age of 18 years, gets the right to vote. He is called a voter. What is the designation of the elected citizen ? It is essential to make it clear that the person elected for the village Panchayat is called 'Panch' while a person elected for the municipal committees or corporation is named as councillor. A person elected for Legislative Assembly is known as M.L.A. and one who is elected for Lok Sabha or Rajya Sabha is called an M.P. (Member Parliament). Today is the age of indirect democracy, as the population of states have crossed crores. It is very difficult to involve all the people in administration. Therefore, people elect their representatives. These representatives administrate for the masses. Therefore, elections are essential in the modern democratic era.



Importance of Election :

On the basis of following factors we are aware of the importance of election :

1. Instrument of Political Education : Election is an important festival of democracy. It gives political education to the masses. It gives an opportunity to citizens to participate in the administrative works (acts) which builds the feeling of self confidence among citizens for administrative work (acts).

2. It enhances a feeling of self respect : During elections every person considers himself a leader. Election creates a feeling of self respect in citizens. During election leaders of each party meet the voters to win their favour. In the election when candidate of his choice wins he is deeply honoured.

3. Election checks the despotism of the Government : After election the party in majority forms the government. If the elected government, does not function according to the expectations of the public or does not take interest in the public welfare work or does not check corruption in the administration, then people will defeat that government in the next election. Therefore every government has to respect the public opinion.

4. Easy to change the Government : The government can be changed peacefully through election. There is no need of bloodshed or a revolution. We know that the countries where there is no ballot government are changed through bullets. As in Iraq to change the government of Saddam Hussain slaughter and blood shed took place. Similarly in Libiya & Egypt to change the reign bloodshed took place at large scale.

5. To obey the law : In the elected Government people obey the Law willingly as they realize that the government is elected by them. They realize importance of their participation in the administration.

6. It increases National Unity : In the countries of many-party system, people have wider scope of substitute. They cast vote in favour of the candidate of their choice. They have an opportunity to elect the candidate of their choice. Therefore there is no fear of any sort of revolution or bloodshed. It creates a spirit of National Unity among people.

7. Equality in the society : In India every citizen gets right to vote after attaining a fixed age (*i.e.*, 18 years), Rich and poor, man or woman, literate or illiterate all citizens have equal right to vote.

Equality is the base of democracy. In our constitution there is principle of 'one adult – one vote – one value'. It enhances equality in society and the principle of equality is attained in this way.



After getting the basic knowledge about election we will discuss free and fair election. The responsibility to have a free and fair election is vested with the election commission. The description of election commission is as below. Indian electoral system and the constitutional institution for conducting free and fair election are given below:

DEMOCRACY AND ELECTION SYSTEM

Periodical Election is an essential feature of the Parliamentary democracy. To establish democracy without election is merely a hypothesis. The basic principle of democracy is to entrust the every citizen right to vote at his/her will. There is clear provision in our constitution about the election of President and Vice President. For the remaining elections, Parliament makes provision from time to time. Single voter list is prepared for the election of Lok Sabha, the State Legislative Assemblies and local bodies. On the basis of regional representation people of all religions and groups elect the candidate. No constituency is made on the basis of any particular religion or group.

Dear Students : First Lok Sabha election was held in 1952 and 16th Lok Sabha was elected in 2014.

Features of Indian Electoral System :

1. The general election is held on the basis of adult suffrage. Every person who is a citizen of India and not less than 18 years of age is entitled to vote at the election.
2. The election is held on the basis of regional representation. The whole country is divided into equal constituencies.
3. Single constituency, *i.e.* One candidate is elected from one constituency.
4. In order to win the election one has to get simple majority. It means the candidate who gets majority of votes compare to others among the valid votes is declared a winner.
5. The Direct Election Method is applied in the election of Lok Sabha, State Legislative Assemblies and local bodies. Direct Election system implies that voter cast their vote in favour of the candidate of their choice. But in the Rajya Sabha and state legislative council elections are held with indirect method. Election of President and Vice-President also conducted by direct method also.
6. There is a provision of reservation for the people of Schedule Castes and Schedule Tribes.
7. The President of India have the right to nominate 12 members for Rajya Sabha and two members for Lok Sabha.
8. Secret ballot : In India people have been given the right to secret ballot. Therefore, in the polling stations arrangements are made for secret and confidential ballot polling so that other may not know the choice of voters.

Setting disputes regarding Election : All disputes regarding elections are settled by the High Courts. There is a provision to appeal in the Supreme Court against the decision of the High Courts.

But, the disputes related to the election of the President and the Vice-President are adjudicated in the Supreme Court.

ELECTION COMMISSION

Election Commission is a constitutional institution established to have free and fair elections in India (Article 324 (1)). The Election Commission shall consist of the Chief Election Commissioner and such members of other election commissioners, if any as the President may from time to time determine. In India, presently There is one Chief Election Commissioners and two election Commissioners. As per our Constitution, Chief Election Commissioner and other Election Commissioners are appointed by the President. No qualifications has been fixed in the constitution for members of the commission. But usually such persons are appointed as members of the election commission having a long term administrative experience. The tenure of the member of the election commission is of 6 years or up to the age of 65 years, which ever is earlier. The Chief Election Commissioners of India can be removed from his office only if both houses of the Parliament pass Censure Motion with the two third majority and send it to the President. The President can remove the Chief Election Commissioners from his office only after passing censure Motion by the Parliament. Other Election Commissioners can be removed by the President on the recommendation of the Chief Election Commissioner.

Functions of the Election Commission :

1. Preparation and rectification of electoral rolls for the election of the Lok Sabha, Rajya Sabha and Local bodies.
2. To direct, to control and to supervise the election.
3. Preparation of time table for election – to declare the election date for election, to form general rules for election. To ensure the security of the Nomination letters.
4. To issue the code of conduct for the political parties.
5. Allotment of Election symbols to the political parties and the registration and recognition of various political parties.
6. To cancel the election due to some specific reason as booth capturing or use of violence at mass level. The election commission can postpone the election due to some particular reason.
7. The preparation of roaster for central broadcast and telecast by various political parties.
8. To give some relaxation to the persons disqualified by the judiciary for competing in the election.

Fair and free election is the pillar of democracy. Fair and free election implies that voters should cast his/her vote without any fear or pressure. Secondly, he should not misuse his vote under any temptation. The election commission played a significant role in holding fair and free elections. The evils of elections can not be eradicated till the voter is not awaken. Undoubtedly, the government made many reforms in this direction, for example under the Anti defection act there is complete prohibition on defection. If a winning candidate changes his party then his candidature will be cancelled. But defection still survives in one or the other form.

Before election many candidates are **competent** for election ticket. Those candidates who are not allotted tickets by their party-join other political parties. These parties welcome them in their parties

and offer them high ranks in the party. While persons working in the same party for a long period are ignored. 61st Constitutional Amendment Act, 1988 brought about an amendment to Article 326 for the reduction of voting age from 21 to 18 years. The purpose of this amendment was to increase the involvement of youth in the politics. The provision of E.V.M. (Electronic Voting Machine) was also made under this amendment. A provision has also been made to postpone or cancel the election due to booth capturing *i.e.* forcible possession on polling booths. The offence of booth capturing involves in it the following acts :

1. Enclosure of polling booth by one person or a group and forcing the polling (electoral) staff to surrender.
2. Forcible possession on the polling booth, only to allow supporter of the party to vote while to adjourn other parties.
3. To intimidate, stop and threat the voters coming to the polling station to cast their votes.
4. Enclosure of the place of counting of vote by single or a group, to snatch Ballot box or E.V.M. from the election staff and try to create hindrances in the process of counting of votes.
5. If the above offences are committed by the government officials it will be called booth capturing also.

According to law, booth capturing is a criminal offence and punishable. Any ordinary person involved in it can be imprisoned for six months and fined also. The duration of imprisonment can be extended upto two years. But, in the case of a government employee the minimum duration of imprisonment is one year which can be extended up to three years.

Election Process

The way elections are conducted in a country is called an election process *i.e.*, the work from the start of the election programme to the declaration of results is an election process. The stages of election process are as below :

(1) Demarcation of the constituencies : For election of the Lok Sabha, whole country is divided into equal constituencies. Similarly, states are divided into equal constituencies for the election of State Legislative Assemblies. This work is done by the planning commission. The chief election commissioner is one of the members of this commission. For State Legislative Assembly whole Punjab is divided into 117 constituencies while for Lok Sabha elections there are 13 parliamentary constituencies. Division of constituencies is done on the basis of population of state. For example, U.P. has the maximum number of constituencies both for Lok Sabha and State Legislative Assembly as its population is more than all the states of India.

(2) Declaration of date of Election : The Chief Election Commissioner prepares the time schedule for the election of the Lok Sabha and State Legislative Assemblies. The President in the centre and Governors in the states, issue this 'Notification' according to the election schedule. Infact, the election process begins with the issue of the Notification in which the voters are informed to use their right to vote on due dates.

(3) Nomination form : The candidates interested to contest are given eight days to fill their nomination forms. Nomination forms are scrutinised by Returning Officers.

(4) Withdrawal : After the last date of submitting the nomination form, the candidates can withdraw their names within two days. After this the final list of the candidates is prepared and election symbols are allotted.

(5) Election Campaign : After the last date of withdrawal of Nomination form the political parties are given less than 20 days for election campaign. During this period political parties campaign in favour of their candidates. Political parties present their election manifesto before the public to attract and impress them. Through these manifestoes parties make big promises with the public to do certain things if they come in power.

(6) Closure of Canvassing : Before 48 hours of voting, publicity is closed.

(7) Polling of Votes : On the polling day voters go into polling booth to use their right to vote through secret ballots. Polling schedule is fixed by the election commission.

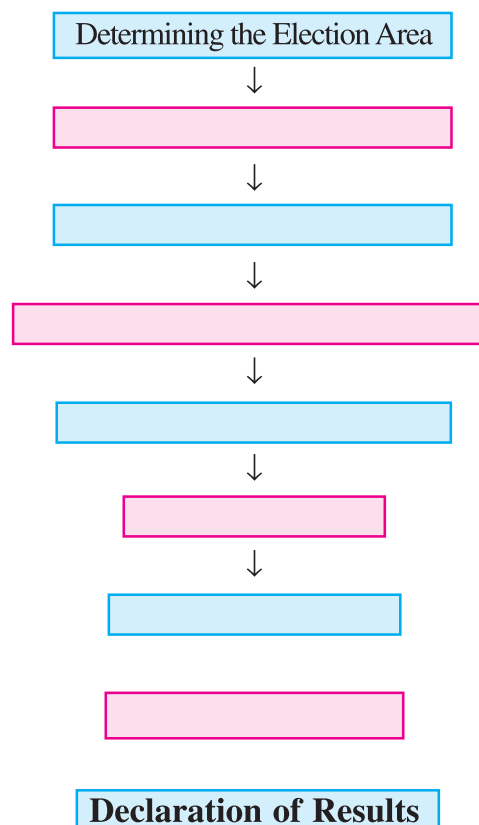
(8) Counting of Votes : On the fixed date of counting, under the supervision of returning officer. Counting of votes starts with the help of subordinate staff and other officials on counting duty.

(9) Declaration of Results : After the counting process is over, the candidate who gets the highest valid votes is declared elected (winner).

The Election Commission deutes employees from various departments of centre and state on election duty for execution of election process properly. These employees work strictly under the directions of the Election Commissioner on deputation, till the completion of the election process.

Complete flow chart of Stages of Election Process

Stages of Election Process



Do you know:- The election for Lok Sabha, State Legislative Assembly and local bodies are held for 5 years.



National Political Parties

Bye Election : The election which is held on the vacant seat **due** to resignation of the winning candidate or declaration of his election as disqualified or his death is called Bye Election.

Political Parties : Political Parties are wheels of the chariot of democracy. Democracy is meaning less without political parties. In India now there is a multi party system. But till 1989 mainly Indian National Congress had the monopoly. But after 1989 the regional parties got strength. These parties became allies in the central government. After 1989 the trend of alliance government came into existence. In 14th and 15th Parliamentary Election, U.P.A. alliance was in power. But in May 2014 in the 16th Parliamentary Election BJP alliance (N.D.A.) got clearcut majority.

In India there are two types of Political parties. National Political Party and Regional Political Party. Registration of political party with the election commission is essential. The election commission gives recognition to political party as National or state political party on certain conditions fixed by the commission from time to time. When a party gets recognition as National or State Party then that party is allotted a symbol. In India – Indian National Congress, Bharatiya Janata Party, Bahujan Samaj Party, CPI(M), C.P.I, NCP, TMC are National Political Parties.

‘Shiromani Akali Dal’, National Conference, Rashtriya Janata Dal, ‘Indian National Lok Dal’, D.M.K., A.I.A.D.M.K, P.D.P., Assam Gan Parishad. Telgu Desham Party, Shiva Sena etc. are regional political parties. There is Lack of clear ideology in political parties in India. Consequently a sense of indiscipline is there in the members and a routine of defection remains in the party. Most of the parties are based on personalities instead of ideology.

Activity Students— discuss with your relatives and friends about the participation in previous poll and ask about the quality which influenced them to vote in favour of a particular party or person.

EXERCISE

A. Objective Type Questions :

I. Fill in the blanks :

- (a) Chief Election Commissioner and other election commissioners are appointed by the
- (b) First Lok Sabha Elections were held in
- (c) Elected Member of Parliament is known as in India.

II. Multiple Choice Questions :

- (a) People's representatives are
 - (i) Appointed
 - (ii) Elected by the People for a specific period
 - (iii) Permanently elected by the People
 - (iv) Selected by the President
- (b) Which of the following is not the Pillar of Democracy
 - (i) Political Parties
 - (ii) Fair and free Elections
 - (iii) Poverty
 - (iv) Adult Suffrage

III. Write T (for true) and F (for False) statement :

- (a) There is a Multi Party System in India.
- (b) The functions of Election Commission is to direct, to control and to supervise the election.

B. Very Short Answer Type Questions :

1. What is the designation of the elected representative of the Gram Panchayat ?
2. What is the designation of the elected representative of the State Legislative Assembly ?
3. Give the names of the election method.
4. Name the election method by which President and Vice President of India are elected.
5. Which institution is responsible for holding Election in India ?
6. Enumerate any two features of Indian Electoral System ?
7. Where can the petition regarding Election disputes be filed ?
8. Describe any two functions of the Election Commission.
9. How many seats are there in Punjab for State Legislative Assembly ?
10. Who conducts the election process in India ?
11. Who appoints the election commissioner and deputy election commissioners ?
12. What is the tenure of the office of the Chief Election Commissioner and Deputy Election Commissioners.

C. Short Answer Type Questions:

1. Describe the significance of election in democratic countries.
2. Draw the flow chart of the stages of election process.
3. What is meant by election campaign ?
4. What do you mean by booth capturing ?
5. Describe the role of political parties in election.
6. Name any four National Political Parties.
7. Name any four Regional Political Parties.
8. How can the chief election commissioner be removed from his office ?

D. Long Answer Type Questions :

1. Explain in brief the salient features of Indian Electoral System .
2. Explain in brief the function of Election Commission.
3. Explain in brief the stages of Election Process.
4. Write a note on the importance of Elections.

Chapter 14

Fundamental Rights of Citizens Under Constitution

Dear Students,

Before talking about Fundamental rights we shall try to get some basic informations regarding rights. What are rights ? Why are they essential for man ? What is the nature of right ? After this we will get information about Fundamental rights – Which are fundamental rights ? What is the provision in the constitution for protection of fundamental rights ? We shall know about the power of judicial review. Also we shall try to know why fundamental rights are fundamental.

While living in society man enjoys many facilities. For example, he is having freedom of speech and expression. He can convey his ideas through speech and writings. He can move freely throughout the territory of India. He can practise any profession or carry on any occupation, trade or business. He can profess or practise any religion. Man can celebrate his rituals and festivals collectively. People have been blessed with the facility to live with their family. But man can enjoy all these facilities while living in the society. In simple language, these facilities can be named as rights. But, no one can enjoy that facility which is not in the interest of the whole society. So, **Rights are those genuine demands by individual or group of individuals which are recognised by society and state.** It must have three qualities in it. First of all, a right is a reasonable claim by an individual. Secondly, that claim is recognised by the society and thirdly it must have political recognition. Rights are generous. Their objective is to do the welfare of all. Rights and duties are correlated. Rights are merely a moral claim till they are not politically recognised. Rights should be based on morality also. Rights have a direct relation with liberty, legal justice and sovereignty. Individual Liberty is an extended form of rights. In brief, a right is a claim of an individual or a group of individuals which is based on the feeling of selflessness which is accepted by society and legally recognised by state. These claims must keep social and individual welfare.

Let us think upon this topic – Why rights are essential for man ? Imagine – if a person has no liberty to express himself freely, to move throughout the territory of India, to practise any profession or carry on any occupation, trade or business according to his qualification, to profess or practise any religion and to celebrate any festival, then is it

