

U24MC102 INDIAN CONSTITUTION

UNIT 3 - UNION GOVERNMENT

What is the Union Government?

The Union Government also called the Central Government is the highest level of government in India. It looks after the entire country and deals with issues that affect the nation as a whole.

Executive

This branch **executes or implements laws**. It includes:

- **President of India** – The ceremonial head of the country.
- **Vice President** – Acts as the Chairman of the Rajya Sabha.
- **Prime Minister** – The real head of the government and leader of the ruling party.
- **Council of Ministers** – Helps the Prime Minister run different ministries like health, education, defence, etc.

Houses of the Indian Parliament

India has a bicameral (two-house) Parliament, which is responsible for making laws and governing the country at the national level. It consists of:

1. Lok Sabha – Lower House (House of the People)
2. Rajya Sabha – Upper House (Council of States)

Both houses work together to make laws, approve budgets, and discuss national issues.

1. Lok Sabha (House of the People)

Key Features:

- Members are directly elected by the people of India.
- Maximum strength: 552 members (currently around 543 elected members).
- Term: 5 years (unless dissolved earlier).
- Presiding Officer: Speaker of the Lok Sabha.

Main Functions:

- Makes laws on Union and Concurrent List subjects.
- Passes the budget and controls government spending.
- Holds the executive (government) accountable through questions, debates, and no-confidence motions.
- Can remove the government through a vote of no confidence.
- More powerful than the Rajya Sabha in money matters.

2. Rajya Sabha (Council of States)

Key Features:

- Members are indirectly elected by state legislative assemblies and union territories.
- Maximum strength: 250 members (currently around 245).
- Term: 6 years, with 1/3rd of members retiring every 2 years.
- Presiding Officer: Vice President of India (Chairman of the Rajya Sabha).

Main Functions:

- Reviews and revises laws passed by the Lok Sabha.
- Can introduce and pass bills, except Money Bills.
- Represents the interests of states in the Parliament.
- Can discuss national issues and policies.
- Can authorize Parliament to make laws on subjects in the State List during emergencies.

Types of Bills in Indian Parliament

Bills are proposals to make new laws or change existing ones. In India, there are mainly **four types**:

A. Ordinary Bill

- Deals with any matter **except money or constitutional changes**.
- Can be introduced in **either house**.

- Requires **simple majority** to pass.
- Needs approval from **both houses**.

B. Money Bill

- Deals with **taxes, borrowing, expenditure**, etc.
- Can be introduced **only in Lok Sabha**, with President's permission.
- Rajya Sabha can only **recommend changes**, not amend or reject it.
- Must be passed within **14 days**.

C. Financial Bill

- Similar to Money Bill but includes **other matters too**.
- **Requires approval from both houses**.
- Introduced in **Lok Sabha** only, with President's permission.

D. Constitutional Amendment Bill

- Introduced to **amend the Constitution**.
- Can be introduced in **either house**.
- Cannot be a Money Bill.
- Requires a **special majority**.

Stages of Passing a Bill into an Act

A bill becomes a law through these **five stages**:

Step 1: First Reading

- Bill is introduced in either house.
- No discussion, just the **introduction**.

Step 2: Second Reading

- Bill is discussed in detail.
- May be sent to a **committee** for review.

- **Clause-by-clause discussion** and possible amendments.

Step 3: Third Reading

- Final version of the bill is discussed and voted on.
- If passed, it goes to the **other house**.

Step 4: Other House

- Same process happens in the second house.
- If both houses approve, it is sent to the **President**.

Step 5: President's Assent

- The President can **approve, withhold, or return** the bill (except Money Bill).
- Once signed, the bill becomes an **Act (law)**.

Veto Power of the President

The **President of India** has the power to **approve or reject a bill**. This is called **Veto Power**. There are three types:

A. Absolute Veto

- President **rejects** the bill completely.
- Used for **private member bills** or when Cabinet resigns.

B. Suspensive Veto

- President **returns the bill** to Parliament for reconsideration.
- If Parliament passes it again, the President must **approve it**.

C. Pocket Veto

- The President **takes no action**.
- No time limit for decision (unlike in the USA).
- Bill can be held **indefinitely**.

Constitutional Amendment Procedure (Article 368)

India's Constitution can be amended in **three ways**, depending on the type of change:

A. By Simple Majority

- Like passing an ordinary law.
- Used for minor changes (e.g., changing names of states).

B. By Special Majority

- **2/3rd members present and voting**, and
- **More than 50%** of total strength of the house.

C. By Special Majority + State Ratification

- Requires approval by **half of the state legislatures**.
- Used for changes in **Centre-State relations** (e.g., distribution of powers).

Major Constitutional Amendments and Their Significance

Amendment	Year	Significance
1st	1951	Added restrictions on free speech and enabled affirmative action .
42nd	1976	Known as the " Mini Constitution "; made India socialist and secular ; strengthened central powers.
44th	1978	Restored civil liberties removed during the Emergency.
73rd	1992	Gave constitutional status to Panchayati Raj (village-level government).
74th	1992	Gave constitutional status to municipalities (urban local bodies).
86th	2002	Made free and compulsory education a fundamental right for children aged 6–14.

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Amendment	Year	Significance
101st	2016	Introduced Goods and Services Tax (GST) – a major tax reform.
103rd	2019	Gave 10% reservation to Economically Weaker Sections (EWS) in education and jobs.

Various Constitutional Amendments and Their Significance

The **Constitution of India** is a living document. It can be amended to meet the **changing needs** of the country. Here are some of the most **important amendments** along with their **key features and impact**:

1st Amendment Act (1951)

- **Why:** To protect land reform laws and limit freedom of speech for public safety.
- **Key Features:**
 - Added **reasonable restrictions** to freedom of speech.
 - Enabled **reservation for backward classes**.
- **Significance:** Balanced **individual rights** with **social equality**.

7th Amendment Act (1956)

- **Why:** To reorganize states based on language.
- **Key Features:**
 - Created new **states and union territories**.
 - Abolished **Part B states**.
- **Significance:** Strengthened **national unity** and promoted **linguistic harmony**.

42nd Amendment Act (1976) – *Mini-Constitution*

- **Why:** Passed during the Emergency (1975–77) to increase central power.
- **Key Features:**
 - Added words “**Socialist**”, “**Secular**”, and “**Integrity**” to the Preamble.

- Made **Fundamental Duties** compulsory.
- Reduced power of the **judiciary**.
- **Significance:** One of the **most controversial amendments**; changed the basic structure of the Constitution.

44th Amendment Act (1978)

- **Why:** To **restore democracy** after the Emergency.
- **Key Features:**
 - Reversed many changes made by the 42nd Amendment.
 - Made it harder to **declare Emergency**.
- **Significance:** Protected **civil liberties and democratic rights**.

61st Amendment Act (1989)

- **Why:** To increase youth participation in politics.
- **Key Features:**
 - Reduced **voting age** from **21 to 18 years**.
- **Significance:** Empowered Indian **youth in democracy**.

73rd Amendment Act (1992) – *Panchayati Raj*

- **Why:** To decentralize power to villages.
- **Key Features:**
 - Gave **constitutional status** to **Panchayats**.
 - Introduced **3-tier structure** – Village, Block, and District.
- **Significance:** Strengthened **grassroots democracy**.

74th Amendment Act (1992) – *Urban Local Bodies*

- **Why:** To improve urban governance.
- **Key Features:**
 - Gave legal status to **Municipalities**.

- Ensured **urban development planning**.
- **Significance:** Promoted **local self-governance** in cities and towns.

86th Amendment Act (2002)

- **Why:** To improve education.
- **Key Features:**
 - Made **free and compulsory education a Fundamental Right** for children aged **6 to 14 years**.
- **Significance:** Focused on **universal education and literacy**.

101st Amendment Act (2016) – *GST*

- **Why:** To reform India's indirect tax system.
- **Key Features:**
 - Introduced **Goods and Services Tax (GST)**.
 - One **nationwide tax** for goods and services.
- **Significance:** Created a **unified market**, simplified the tax system.

103rd Amendment Act (2019)

- **Why:** To support economically weaker sections (EWS).
- **Key Features:**
 - Provided **10% reservation** for **EWS** in education and jobs.
- **Significance:** Promoted **economic justice**, even outside caste-based reservation.