

UNIT – II

Legislature, executive, citizenship

Legislature · Bicameralism · Executive · Citizenship

Explanatory Lecture Slides

Political Science — Organisation & Institutions · Minor-I-2 · Semester II

POLITICAL SCIENCE — ORGANISATION & INSTITUTIONS

Topics covered in this unit

01

State functions of a legislature

02

Merits and demerits of bicameralism

03

Contrast parliamentary and presidential executives

04

Define citizenship — acquisition and loss

05

Place the Indian Parliament and the President

06

Note the plural executive

How this unit is organised

01

Legislature —
functions

02

Bicameralism

03

Parliamentary
executive

04

Presidential

05

Citizenship

06

Indian map

Functions of the legislature

Law-making, representation, deliberation, control of the executive (questions, no-confidence), financial control (budget), constituent power, ventilation of grievances.

- PYQ: meaning of legislature and functions (2021, 2023).
- In a parliamentary system the legislature also makes and unmakes the government.
- Decline of legislatures: ordinances, money bills, party whip, delegated legislation — a good criticism paragraph.

Functions of the legislature

CORE

- Law.
- Money.
- Control.
- Forum.

INDIAN HOOKS

- Arts. 79–122.
- Art. 123 ordinance.
- Tenth Schedule whip.

Bicameralism

Two houses. Merits: second thought, federal representation, specialists. Demerits: delay, duplication, cost, deadlocks.

- PYQ: merits and demerits of bicameral legislature (2021 6-mark).
- Rajya Sabha: Council of States (Art. 80), not a full US Senate — money bills (Art. 110) clip its wings.
- Some Indian States are unicameral; Art. 169 allows a Legislative Council.

Bicameralism

FOR

- Revision.
- States' voice.
- Cooling.

AGAINST

- Delay.
- Patronage chambers.

Parliamentary v presidential executive

Parliamentary: executive born of the legislature, collective responsibility, two heads (real + nominal).

- Presidential: separately elected, separation of powers, one real head, impeachment not no-confidence.
- India: parliamentary (Art. 74, 75). US: presidential. France: hybrid.
- PYQ: plural executive (2023 6-mark) — cabinet as a plural executive; Switzerland is the textbook plural.

Parliamentary v presidential executive

PARLIAMENTARY MERITS

- Responsible.
- Flexible crisis leadership.

PRESIDENTIAL MERITS

- Stability of term.
- Clear separation.

Citizenship — acquisition and loss

Membership of the political community. In India, Part II + Citizenship Act 1955.

- PYQ: define citizenship; methods of acquiring and losing (2022, 2024).
- Acquire: birth, descent, registration, naturalisation, incorporation of territory.
- Lose: renunciation, termination, deprivation.
- Overseas Citizen of India is not full citizenship — do not confuse.
- NRIs vote with limits; prisoners' voting is a live debate — one line.

Citizenship — acquisition and loss

ACQUIRE

- s.3–6 Citizenship Act in spirit — birth, descent, registration, naturalisation.

LOSE

- s.8–10 — renounce, terminate, deprive.

Indian executive in one page

President (nominal, Art. 53) + Council of Ministers headed by the PM (real, Art. 74, 75). States: Governor + CM (Art. 163).

- Aid-and-advice is binding (Shamsher Singh).
- Ordinance (123, 213) is a legislative executive — criticise if you have four minutes.
- Civil service as a permanent executive — next unit.

Indian executive in one page

NOMINAL

- President / Governor.

REAL

- PM + Cabinet / CM + Cabinet.

Common law in the UK — a set piece

PYQ: discuss the common law in UK (2022).

- Judge-made, precedent, uncodified public law, parliamentary sovereignty.
- India received the method (precedent, writs) not the sovereignty story — we have a Constitution.
- Five lines, then return to India.

Common law in the UK — a set piece

RECEIVED

- Writs.
- Precedent.
- Adversarial trial.

NOT RECEIVED

- Crown in Parliament as legally unlimited.

Citizenship — acquisition and loss

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Cases a KSLU answer should name

CASE

Shamsher Singh v State of Punjab

(1974) 2 SCC 831

President/Governor bound by aid and advice except in a thin zone.

CASE

S.P. Gupta v Union of India

AIR 1982 SC 149

Open government and the executive.

CASE

Pranab Mukherjee / ordinance practice

D.C. Wadhwa v State of Bihar (1987) 1 SCC 378

Repromulgation of ordinances condemned — legislature cannot be a bypass.

Provisions & materials to quote

Arts. 79–122

Parliament.

Arts. 74–75

Council of Ministers.

Part II + Citizenship

Citizenship.

Art. 110

Money bill — Rajya Sabha clipped.

Tenth Schedule

Whip — party control of the legislature.

10 / 16-mark frames from this unit

Q1

Give the meaning of legislature and discuss its functions.

Q2

Merits and demerits of a bicameral legislature.

Q3

What is citizenship? Explain methods of acquiring and losing it in India.

Q4

Parliamentary v presidential executive — which did India choose and why?

Unit recap

- 1 Legislature: law, money, control, forum.
- 2 India: parliamentary + bicameral at the Centre.
- 3 Shamsher Singh: aid and advice binds.
- 4 Citizenship Act 1955 + Part II.
- 5 Ordinance is an exception that must not become the rule (Wadhwa).