

# Notes on the parliamentary form of government in india

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Notes on the Parliamentary form of Government in India Rohini DasGupta

Governments have been classified on the basis of relationship of the political executive with the legislative branch. If the executive is answerable and responsible to the legislature it is called Cabinet form of Government or Parliamentary form of government. In such a system of government, there exists a very close relationship between the executive and the legislature.

England is the traditional home of Parliamentary democracy. Its

Characteristics : A study of its characteristic features will provide a very clear

idea about the form of government. Nominal head of the state : Under this

form of government the head of the state is nominal or titular. The person

holding the post may have great stature but he does not exercise his power

independently although the administration of the state runs in his name and

theoretically all the power belong to him under the constitution. His powers

are exercised by the Council of Ministers headed by the Prime Minister. Thus

there exists dual executive in this system, the nominal and the real. The

President in India or the king in England are the symbols of nominal head of

the executive where as the Prime Minister is the real head of the executive.

Close collaboration between the Executive and the legislature In this system

the executive and the legislature work in close cooperation. The members of

the Council of Minister are also members of the legislature. In fact the

Council of Ministers is drawn from legislature. The President Summons the

legislature and gives his consent to the bills passed by the legislature to

make them Acts. The bills passed by the legislature are in fact drafted and

initiated by the Ministers. The President of India promulgates ordinance

during the recess of the legislature. The ordinance has all the force and

effect of law. Responsibility of the executive The executive in a Parliamentary system is responsible to the legislature for all its actions. The ministers are answerable to the parliament and responsible to the Lok Sabha. The Council of Minister remains in office as long as they enjoy the support and confidence of the Lok Sabha. The legislature has the right to seek detailed information about the working of the government from the ministers, which they cannot refuse to provide. Collective Responsibility The responsibility of the Council of Ministers has to be collective. As a general rule every important piece of departmental policy is taken to commit the whole cabinet. Everyone in the Council of Ministers share the responsibility for the lapses of a single minister. Besides this the principle offers no scope to individual ministers to differ from the decisions taken in the Council of Ministers or cabinet in particular. In other words the minister who does not agree to the decisions of the cabinet must tender his resignation, so that he can oppose that on the floors of the legislature. Political Homogeneity The members of the Council of Ministers should belong to a single political party and remain committed to a definite political ideology, to remain a homogenous body. Identity of approach and views in policy formulation is better expected from a homogenous body or group of members. The presence of different political parties in the cabinet is not conducive to its harmonious working because of conflicting political ideologies and programmes. Leadership of Prime Minister The accepted norm of the parliamentary form of government is the leadership of the Prime Minister. H. J. Laski says that Prime Minister is central to formation, central to growth and central to the death of the Council of Ministers. This is rightly so. The process

of forming the Council of Minister begins with the appointment of the Prime Minister. The President appoints his nominees as ministers and distributes portfolios among them on his recommendation. He can dismiss any minister any time without assigning any reason. His resignation leads to the resignation of the Council of Minister as a whole automatically. After every cabinet meeting he meets the President on behalf of the Council of Ministers to inform him of the decisions taken. Advantages : The Parliamentary form of Government offers a lot of: advantages. The close cooperation between the executive and the legislative organs leads to smooth functioning of government and avoids unnecessary confrontation between them. These two organs work as mutually complementary to each other. The responsibility of the government ensures an open administration. The executive, conscious of its responsibility to remain responsible for all its actions and to answer the question of the legislature relating to administration to their satisfaction always tries to remain alert, because this influences its electoral prospects. The more the mistake the less the chance of popular support in the election. The system is flexible. Flexibility is an asset in any system as it provides room for adjustment. The parliamentary form of government is highly adaptive to changing situation. For example in times of grave emergency the leadership can be changed without any hassles, to tackle the situations as it happened during II World War in England. Mr. Chamberlain made way for Mr. Winston Churchill to handle the war. Even the election can be deferred till normalcy is restored. Such flexibility in the system does not exist in Presidential form of government which is highly rigid. Under this system it is easier to locate responsibility for the lapses in administration. There is a vast

body of civil servants who constitute the permanent executive. In fact they help the political masters to formulate policies of administration and their implementation. But it is the political leadership or the cabinet who takes the responsibility for everything in administration. Therefore it is said that the bureaucracy thrives under the cloak of ministerial responsibility. A great merit of the system, as painted by Lord Bryce, is its swiftness in decision making. The executive can take any decision and quickly implement that without any hindrance. Since the party in power enjoys majority support in the legislature it can act freely without the fear of being let down.

Disadvantages: However no system is completely foolproof. Advantages and disadvantages are part of any system irrespective of its soundness. Under this system the liberty of the people are at a stake as the executive and legislative organs of the government work in close collaboration. This greatly affects the principle of separation of powers. In view of the legislative support and the formidable power at its disposal the cabinet virtually becomes dictatorial. It becomes whimsical in exercising its power without caring for liberty of the people. Politicization of administration is another demerit of the system. Political consideration in policy formulation and implementation outweigh popular interest. In other words people's interest suffers at the cost of political considerations. The leadership of the party by virtue of powers it enjoys mobilizes the administration to strengthen the party prospects in the election. The same can be said of the opposition parties who oppose the party in power for political considerations. They hardly show interest in the activities of the government and offer constructive criticism. Prof. Dicey points out another serious lacuna in the

system. According to him the executive under a parliamentary system fails to take quick decision at the time of any crisis or war. The members of the cabinet always are not unanimous on all problems. The Prime Minister discusses with his colleagues in the cabinet and ultimately prevails over them to take unanimous decision. This is different from the Presidential system where he takes the decision himself and implements that. This system is unsuitable in countries with more than two parties. Usually in a multi party system the electorate fail to support a particular party in the election as a result of that there is hardly any party which gets majority votes. This leads to instability, chaos and confusion in selecting a party or a leader to form the government. As we observe the large number of political parties in India have contributed to political instability. Countries like Great Britain do not demonstrate such state of affairs as dual party system is the true basis of parliamentary democracy. A criticism leveled against the Parliamentary system is that the government is run by the novice, 'without any administrative training, skill or background. They are elected from social field and therefore depend heavily on the civil servants for formulation and implementation of policies. The bureaucrats under the system assume greater authority and consolidate their own position to use their political masters as mere tools.