

The rebellion. if
constitutional
government breaks
down



**ASSIGN
BUSTER**

The national legislature called the Parliament is made up of two houses.

House of the People called the Lok Sabha, which is elected directly by the people, except for a few members who may be appointed by the President.

Its term is normally five years. Members of the Council of States (Rajya Sabha) are elected for a term of six years. A few members are also appointed by the President; the President is elected for term of five years by an electoral college made up of members of national and state legislatures.

The President serves largely as ceremonial head of state. Real executive power vests with the Council of Ministers headed by the Prime Minister.

The Prime Minister is usually the leader of the political party that has the greatest number of seats in the Parliament. Each state has its own elected legislature which in turn elects the Chief Minister. Each state also has a Governor appointed by the President on the recommendations of the Prime Minister. The Constitution confers vast powers on the President but since he is not the real head of the executive he exercises them only on the advice of the Prime Minister. He is the Supreme Commander of the Defence forces. He receives ambassadors of foreign countries. He summons, prorogues and dissolves the union legislature. He has the right to address the Parliament.

He must give his assent to all the bills enacted by Parliament before they become laws of the country. He can temporarily veto a bill passed by the Parliament and refer it back to it for reconsideration/Amendment. He can issue ordinances when the Parliament is not in session but such ordinances must be placed before the Parliament for their approval within six weeks.

He has emergency powers in times of grave national crisis like was or internal rebellion. If constitutional government breaks down in any state, the President can declare a state of emergency on the advice of the Governor and set up President's rule in the state. The Constitution provides for the election of the Vice President for a term of five years.

He is elected by both the houses of Parliament at a special joint session. The Prime Minister is appointed by the President. His choice of selecting the Prime Minister is limited. He must invite the leader of the majority party as Prime Minister. It is the responsibility of the Prime Minister to run the administration of the country in accordance with the provisions of the Constitution. He can select his Ministers as per his sweet will.

Fundamental Rights of the People: 1. Rights to Equality: This right guarantees equal protection to all citizens before law. Rich or influential citizens cannot suppress the liberty or freedom of other citizens. 2. Rights to Freedom: (i) freedom of speech and expression; (ii) freedom to assemble peacefully without arms; (iii) freedom to form associations and unions ; (iv) freedom of movement and travel within the territory of India ; (v) freedom to settle in any part of the country ; (vi) freedom to acquire property ; (vii) freedom to do business or carry out any profession; (viii) freedom from conviction without proper trial (ix) freedom from arrest without warrant. 3. Right against Exploitation: (i) Traffic in human being; (ii) kidnapping of girls for immoral purposes; (iii) forced labour without payment; (iv) Begging and slavery are illegal.

4. Right to freedom of religion: India is a secular state. It treats all religions alike. Every religion is guaranteed freedom of worship and conscience.

5. Cultural and Educational Freedom: Linguistic and religious minorities have the right to reserve their cultural identity. They also have the right to establish and administer educational institutions of their choice. 6. Right to Property: All persons have the right to own property and they cannot be deprived of it except by the authority of law. The state may acquire property for public purposes on payment of compensation fixed by law.

7. Right to Constitutional Remedies: All the fundamental rights are justifiable and any one deprived of them can move the judiciary and can get the wrong righted. Fundamental Duties of the People: The 42nd Amendment of the Constitution adopted on 1976, laid down the fundamental duties of the citizens. These enjoin upon a citizen (i) to abide by the constitution, (ii) to cherish and follow noble ideals which inspired our national struggle for freedom, to defend the country and render national service when called upon to do so, and (iii) to promote harmony and spirit of common brotherhood amongst all the people of India transcending religious, regional, and linguistic, sectional diversities. Directive Principles of State Policy: Directive Principles, though not justifiable, are fundamental in governance of the country and it is the duty of the State to apply these principles in making laws. These lay down that the state shall strive to promote welfare of the people by securing and protecting, as effectively as it may, a social order in which justice social, economic and political shall inform all institutions of national life.

The state shall direct its policies in such a way as to secure the right of all men and women to an adequate means of livelihood, equal pay for equal work and the limits of its economic capacity and development, to make effective provision for securing the right to work, education and to public assistance in the event of unemployment, old age, sickness, and disablement and other cases of undeserved want. The State shall also endeavour to secure to workers a living wage, humane conditions of work, a decent standard of life and full involvement of workers in management of industries. In economic sphere, the state is to direct its policy in such a manner as to secure distribution of ownership and control of material resources of community to sobered the common good and to ensure that the operation of economic system does not result in concentration of wealth and means of production to common detriment.