

CUET · POLITICAL SCIENCE · CLASS XI · CODE 323

# Executive

CUET unit: Indian Constitution at Work — Executive  
(Parliamentary executive, President, PM & Council of Ministers,  
Bureaucracy)

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## Snapshot

- Locates the **executive** as one of the three organs of government and explains its function — implementing laws and policies framed by the legislature (p. 78–79).
- Distinguishes **parliamentary, presidential and semi-presidential** executives with country examples (USA, UK, France, Sri Lanka, Russia, Japan, Germany, etc.) (p. 80–82).
- Establishes why India adopted the **parliamentary system** — fear of personality cult, preference for accountable government — and explains the formal role of the President vs. the real role of the PM and Council of Ministers (p. 83–87).
- Details **discretionary powers of the President** (reconsideration of advice, veto/pocket veto, choice of PM in a hung house) and the Vice-President's role (p. 85–88).
- Covers the **Prime Minister and Council of Ministers** — formation, collective responsibility, 91st Amendment 15% cap, coalition-era shifts — and the **permanent executive / bureaucracy** (UPSC, IAS/IPS, neutrality, reservations) (p. 89–97).

## Detailed Notes

### 2.1 Core concepts

The **executive** is one of the three organs of government, alongside the legislature and the judiciary. While the legislature frames laws and the judiciary interprets them, the executive is the organ that "looks after the implementation of laws and policies adopted by the legislature"; it is also "often involved in framing of policy" (NCERT §"What is an Executive?", p. 79). The executive has two parts: the **political executive** — the heads of government (President or PM) and ministers, who have overall responsibility for policy; and the **permanent executive** — the civil servants who run the administration day-to-day. The political executive is elected (directly or indirectly) and is changeable; the permanent executive is recruited (in India via the UPSC and State PSCs), serves on tenure, and is meant to be politically neutral (NCERT §"What is an Executive?", p. 79).

The **different types of executive** (§"Different Types of Executive", pp. 80–82): in the **presidential system** the President is both Head of State and Head of Government —

examples include the United States of America and most countries in Latin America. The American President holds executive power directly; he is not chosen by Congress; his cabinet is responsible only to him. By contrast, in a **parliamentary system** the Prime Minister (or equivalent) is the Head of Government while the President or monarch is the formal Head of State. The PM is responsible to the legislature. Examples cited include the United Kingdom, Germany, Italy, Japan and Portugal; **Canada** is described as a "parliamentary democracy with constitutional monarchy" — Queen Elizabeth is the formal chief of state, while the PM is the head of government; **Germany** has a parliamentary system in which "the President is the ceremonial Head of State" and the Chancellor is the head of government. **Sri Lanka** is noted as having an **executive presidency** introduced in 1978: the President of Sri Lanka is directly elected for a six-year term and can be removed only by a two-thirds majority of MPs in Parliament — a **semi-presidential** configuration also found in France and Russia (NCERT §"Different Types of Executive", pp. 80–82).

**Why India chose a parliamentary system** (§"Parliamentary Executive in India", p. 83): Indians had had experience of limited representative government under the Acts of 1919 and 1935; this familiarity made parliamentary government a natural choice. More importantly, the framers feared a presidential system because it carried the risk of a personality cult; they wanted an executive that could be effectively controlled by the legislature and could be removed if it lost the confidence of the people's representatives. At the **Union** level, this resulted in the President as the formal Head of State and the PM and Council of Ministers as the real executive. At the **State** level, the same model is replicated — the Governor is the formal Head, the Chief Minister and Council of Ministers form the real executive (NCERT §"Parliamentary Executive in India", p. 84).

The **President of India** is indirectly elected for a five-year term by an electoral college consisting of elected Members of Parliament and elected Members of the Legislative Assemblies of the States, voting through **proportional representation with the single transferable vote**. The President can be removed before the end of the term only by Parliament through the impeachment procedure for the violation of the Constitution (NCERT §"Parliamentary Executive in India", p. 84). The constitutional position of the President is governed by **Article 74(1)**: there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President, who shall act in accordance with such advice. After the 42nd and 44th amendments, the President may require the Council to reconsider its advice once, but must accept the reconsidered advice (NCERT §"Power and position of President", p. 84).

The **President's discretionary powers** (§"Discretionary Powers of the President", pp. 85–87) arise in three situations. First, the President may ask the Council of Ministers to reconsider its advice — but if the Council reiterates the advice, the President must accept it. Second, the President has a **veto power** over bills sent to him for assent (other than Money Bills) and, because the Constitution sets no time limit for him to act, he may indefinitely delay the bill — this informal power is known as the '**pocket veto**'.

The famous illustration is President Zail Singh's use of the pocket veto on the 1986 Indian Post Office (Amendment) Bill. Third, in a "hung" Lok Sabha — when no party or coalition has a clear majority — the President exercises discretion in appointing the Prime Minister, as exemplified by President K. R. Narayanan's procedure with Atal Bihari Vajpayee in 1998 (NCERT §"Discretionary Powers of the President", pp. 85–87).

The **Vice-President** is elected for a five-year term by an electoral college that consists **only** of members of both Houses of Parliament — State legislators are **not** part of this electoral college. He may be removed by a resolution of the Rajya Sabha agreed to by the Lok Sabha; he acts as ex-officio Chairman of Rajya Sabha and takes over the President's office only until a new President is elected (B. D. Jatti acted as President after the death of Fakhruddin Ali Ahmed) (NCERT §"The Vice President of India", p. 88).

The **Prime Minister and the Council of Ministers** are described in §"Prime Minister and Council of Ministers" (pp. 89–93). Formally, the President appoints the Prime Minister — "a leader who has the support of the majority" in the Lok Sabha. The PM allocates ranks (Cabinet, Minister of State, Deputy Minister) and portfolios; a non-MP minister/PM must get elected to either House of Parliament within six months. The size of the Council was historically a matter of discretion, but the **91st Constitutional Amendment Act, 2003** capped the total number of ministers (including the Prime Minister) in the Council at **15 per cent of the total membership of the Lok Sabha** (or the State Assembly, in the case of the States). This was enacted to discourage the practice of buying support through ministerial berths (NCERT §"Size of the Council of Ministers", p. 91).

A central feature of the parliamentary executive is **collective responsibility**: "the Council of Ministers is collectively responsible to the Lok Sabha." A no-confidence vote against even a single minister obliges the **entire** Council to resign; the death or resignation of the PM dissolves the Council; but the resignation, death or dismissal of an individual minister only creates a vacancy (NCERT §"Prime Minister and Council of Ministers", pp. 91–92). Nehru described the Prime Minister as the **"linchpin of Government"** — the PM is the link between the Council, the President and the Parliament, and is constitutionally bound to communicate all Council decisions to the President (NCERT p. 92).

The **post-1989 changes** in the working of this system. With coalition governments and frequent hung Lok Sabhas, the President's discretionary role has expanded; the PM has become more a negotiator among coalition partners than an undisputed leader; the practice of inflating ministerial size led to the 91st Amendment cap. The Council of Ministers is responsible to the Lok Sabha alone — the Rajya Sabha can criticise but cannot remove a government (NCERT §"Prime Minister and Council of Ministers", p. 93).

The **permanent executive — the bureaucracy** (§"Permanent Executive: Bureaucracy", pp. 94–97) is a body of trained, skilled, permanent civil servants who assist ministers in policy formulation and implementation. Recruitment is by the **Union Public Service Commission (UPSC)** for All-India and Central services, and by the

State PSCs for State services. The bureaucracy is expected to be politically neutral — to serve any government in office without prejudice — and that India makes provision for the representation of disadvantaged groups through reservations for SCs, STs, OBCs, women and EWS in services. **IAS and IPS officers** are appointed by the central government; they work in the States, but only the central government can take disciplinary action against them — a constitutional mechanism that strengthens central control over State administration. The **Right to Information** is a measure expected to make the bureaucracy more responsive and accountable (NCERT §"Permanent Executive: Bureaucracy", pp. 96–97).

## 2.2 Definitions to memorise

Term	Definition	Page
Executive	The branch of government responsible for implementing laws and policies adopted by the legislature; also often involved in framing policy.	79
Political executive	The heads of government and their ministers, with overall responsibility for government policy.	79
Permanent executive	Civil servants (bureaucracy) who run day-to-day administration.	79
Presidential system	System in which the President is both Head of State and Head of Government (e.g., USA, Brazil).	80
Parliamentary system	System in which the PM is the Head of Government while the President/monarch is the ceremonial Head of State (e.g., UK, Germany, Japan, Italy, Portugal, Canada).	80–82
Semi-presidential system	Has both a President and a PM; the President holds significant day-to-day powers (e.g., France, Russia, Sri Lanka).	82
Constitutional monarchy (Canada)	The monarch is the formal Head of State while real executive power lies with the PM and Cabinet.	80–81
Executive presidency (Sri Lanka)	Directly elected President for a six-year term, introduced in 1978; impeachment needs two-thirds of MPs.	82
Article 74(1)	Provides for a Council of Ministers with the PM at the head to aid and advise the President; the President shall act in accordance with such advice.	84
Reconsidered advice	The advice of the Council of Ministers after the President has once required it to reconsider; the President must then accept it.	84
Veto power	Power of the President to withhold assent to bills (other than Money Bills) sent to him for assent.	86–87
Pocket veto	Informal power of the President to indefinitely withhold assent because the Constitution sets no time limit (e.g., Zail Singh and the 1986 Indian Post Office (Amendment) Bill).	87

Term	Definition	Page
Discretion in PM appointment	President's discretion when no party/coalition has a clear majority in the Lok Sabha (illustrated by Narayanan/Vajpayee 1998).	85–86
Electoral college (President)	Elected MPs + elected MLAs voting by proportional representation with single transferable vote.	84
Electoral college (Vice-President)	Members of both Houses of Parliament only — State legislators excluded.	88
Collective responsibility	The principle that the entire Council of Ministers is collectively responsible to the Lok Sabha; a no-confidence vote against one minister leads to the resignation of the whole Council.	91–92
91st Amendment Act, 2003	Caps the Council of Ministers (including PM/CM) at 15 per cent of the total membership of the Lok Sabha / State Assembly.	91
Linchpin of Government	Nehru's description of the PM as the link between the Council, the President and Parliament.	92
Bureaucracy	Trained, skilled, permanent civil servants who assist ministers.	94
UPSC	Union Public Service Commission — recruits officers for All-India and Central services.	94
IAS / IPS	All-India services appointed by the Centre; work in the States but only the Centre can take disciplinary action.	96
Right to Information	Measure cited as making bureaucracy more responsive and accountable.	97
Six-month rule (non-MP minister)	A non-MP appointed as minister/PM must get elected within six months.	90
Rajya Sabha role re Council of Ministers	Can criticise but cannot remove the government — only Lok Sabha can.	93

### 2.3 Diagrams / processes to remember

- **Comparative table of executive systems** (implicit on pp. 80–82): Presidential (USA, Brazil, Latin America), Parliamentary (UK, Germany, Italy, Japan, Portugal, Canada), Semi-presidential (France, Russia, Sri Lanka). Canada is parliamentary with a constitutional monarchy; Germany's President is ceremonial and Chancellor is the head of government.
- **Sri Lanka box on Executive Presidency** (p. 82): direct election of President for a six-year term; impeachment needs two-thirds of MPs.
- **Article 74(1) excerpt** (p. 84): aid and advice clause — binding on the President; reconsidered advice must be accepted.
- **President's three discretions** (pp. 85–87): (i) reconsideration of Council's advice; (ii) veto / pocket veto on bills other than Money Bills; (iii) choice of PM in a hung Lok

Sabha — illustrated by Zail Singh on the 1986 Post Office Bill and Narayanan/Vajpayee in 1998.

- **Vice-President box** (p. 88): electoral college difference (no MLAs); B. D. Jatti precedent on the death of Fakhruddin Ali Ahmed.
- **91st Amendment box** (p. 91): the 15% cap on the Council of Ministers (Union and States).
- **Cartoons by Shankar and R. K. Laxman** (pp. 89, 90, 93) illustrating PM leading the Council, ministerial perks, and coalition-era instability.
- **Process flow for executive accountability:** Lok Sabha elections → leader with majority appointed PM by President → PM forms Council (within 15% cap) → Council collectively responsible to Lok Sabha → loss of confidence triggers resignation of entire Council → fresh PM appointment / fresh elections.

## 2.4 Common confusions / NTA trap points

- **Electoral college for President vs. Vice-President:** President is elected by elected MPs **and** elected MLAs; the Vice-President is elected by members of both Houses of Parliament **only** — State legislators are NOT part of his electoral college (pp. 84, 88).
- **Pocket veto vs. ordinary veto:** the Constitution gives no time limit to the President for assenting to a bill; this absence (not an express provision) creates the pocket veto. **Money Bills are excluded** from the veto power (pp. 86–87).
- **Article 74(1) "shall":** the President is bound by the Council's advice; he may seek reconsideration once but must then accept the reconsidered advice (p. 84).
- **15% cap on Council:** introduced by the **91st Amendment, 2003** — not the 42nd or 44th; the cap covers the Union and the States (p. 91).
- **Collective responsibility scope:** a no-confidence vote against a single minister brings down the **entire** Council, but resignation/death/dismissal of a single minister only creates a vacancy (pp. 91–92).
- **IAS/IPS disciplinary control:** even though IAS/IPS officers serve State governments, only the **central government** can take disciplinary action against them — this is a federal control mechanism, not a State power (p. 96).
- **Parliamentary vs. semi-presidential:** France and Sri Lanka are **semi-presidential** (both President and PM); Germany is **parliamentary** (Chancellor as head of government). NTA often jumbles these.
- **Council of Ministers responsibility:** the Council is responsible only to the **Lok Sabha**, not the Rajya Sabha or both Houses (p. 93).
- **Non-MP minister rule:** a person who is not a member of either House can be appointed minister/PM, but must get elected within **six months** (p. 90).
- **Reconsideration is once:** the President can ask for reconsideration only once and must then act on the reconsidered advice (p. 84).

- **Choice of PM in hung Lok Sabha** is not limited to the leader of the largest single party — it is the leader of the alliance/party with majority support (pp. 90, 98).
- **Bureaucracy recruitment:** UPSC for Centre/All-India services; State PSCs for State services. Reservations exist for SCs, STs, OBCs, women, EWS (p. 95).

## 2.5 Key Articles / Bodies / Events table

#	Article / Body / Event	Subject	Page
1	Article 74(1)	Council of Ministers with PM at head to aid and advise the President; President bound by reconsidered advice	84
2	Pocket veto (no time limit)	President's informal power to indefinitely withhold assent — Zail Singh on 1986 Indian Post Office (Amendment) Bill	87
3	91st Constitutional Amendment Act, 2003	Caps the Council of Ministers at 15% of total members of the Lok Sabha / State Assembly	91
4	Sri Lanka — Executive Presidency (1978)	Directly elected President for six years; impeachment needs two-thirds of MPs	82
5	Government of India Acts 1919 and 1935	Source of Indian familiarity with parliamentary government	83
6	Cabinet, Minister of State, Deputy Minister	Three ranks of ministers in the Council	90
7	Six-month election rule for non-MP minister	Constitutional requirement after appointment	90
8	Collective responsibility (parliamentary doctrine)	Whole Council resigns if Lok Sabha withdraws confidence	91–92
9	Nehru's "linchpin of Government"	PM as the link between Council, President and Parliament	92
10	Vice-President (electoral college)	Members of both Houses of Parliament only; State legislators excluded	88
11	B. D. Jatti / Fakhruddin Ali Ahmed	Vice-President acting as President until new election	88
12	Narayanan-Vajpayee procedure (1998)	President's discretion in choosing PM in a hung Lok Sabha	86
13	UPSC (Union Public Service Commission)	Recruits All-India and Central service officers	94
14	IAS / IPS disciplinary control	Only the Centre can take disciplinary action against IAS/IPS officers	96
15	Right to Information	Cited as making bureaucracy more responsive and accountable	97

## Practice MCQs

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## PYQ Alignment

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The Executive chapter is one of the heaviest-weighted in CUET Political Science, typically contributing 5–7 MCQs per year. Questions cluster around the President's discretionary powers (especially pocket veto and choice of PM), the 91st Amendment's 15% cap, the doctrine of collective responsibility, the electoral college differences between the President and Vice-President, and comparative executive types (presidential vs. parliamentary vs. semi-presidential).

