

1. IN A PARLIAMENTARY DEMOCRACY, THE EXECUTIVE IS RESPONSIBLE TO THE LEGISLATURE. EXAMINE THE MEANS BY WHICH THE LEGISLATURE MAY KEEP A CHECK ON THE EXECUTIVE IN INDIA.

The Parliamentary system of government as envisaged by our Constitution calls for a harmonious relationship between the executive and the legislature. Under Parliamentary democracy, the Council of Ministers remains collectively responsible to the Lok Sabha and must resign if a no confidence motion is passed against the ministry. Further, each minister is individually responsible for the efficient administration of the ministry under his charge.

The Parliament exercises control over the Executive through question hour, zero hour, half-an-hour discussion, short duration discussion, no-confidence motion, calling attention motion, censure motion and other discussion. It also supervises the activities of the executive with the help of various committees like committee on government assurance, committee on subordinate legislation etc.

With regards to financial control, it is stated that no tax can be levied or collected and no expenditure can be incurred by the Executive except under authority and with the approval of Parliament. The Constitution stipulates that an annual statement of receipts and expenditure is to be tabled in Parliament. The enactment of the budget by the Parliament legalizes the receipts and expenditure of the government for the ensuing financial year. The Parliament scrutinizes government spending and financial performance with the help of its financial committees. These committees such as Public Account Committee, Estimate Committee and Committee on Public Undertakings bring out the cases of illegal, irregular, unauthorized, improper usage and wastage and extravagance in public expenditure.

The Constitution also provides that no money can be withdrawn from the Consolidated Fund of India except in accordance with law (Article 266 (3)). The CAG helps parliament in ensuring that the Executive has spent the expenditure sanctioned by the Parliament in term of the law.

However, the above-mentioned parliamentary control over the executive is, in reality, is theoretical. Parliament hardly wields any substantial authority over the executive due to lack of time and expertise. As such, the government controls over Parliament through its majority in Lok Sabha.