



Teacher's Guide

Working of Institutions

Part 1

Based on the NCERT Curriculum for Standard IX



JANAAGRAHA CENTRE FOR CITIZENSHIP & DEMOCRACY

Janaagraha's initiative to improve citizen engagement in India's democracy through their civic learning program

Developed in collaboration with Young Leaders for Active Citizenship (YLAC)

Working of Institutions | Teacher’s Guide (1/4) Part 1

Class IX
 Board – CBSE
 Subject – Social Science
 Textbook – Democratic Politics- I for class IX (NCERT)
 Chapter 5 – Working of Institutions
 Number of parts – 04
 Length – 60-75 minutes (estimated, for a class of 40-45 students)
Note: Teachers may divide the lesson plan into as many periods as they see fit

Section I – What are we going to learn and why is it important?

Learning objectives

Students will:

- Identify different institutions in a democratic government
- Understand how policy decisions are taken in a democratic government
- Understand the overview of the role of different institutions in making and implementing policy decisions

Learning outcomes

Students will be able to:

- Understand the working of various institutions in formulating policy decisions and gain a deeper understanding of how democracy works.

Key Terms

Institutions	Legislature	Executive	Judiciary	Policy
Mandal Commission	SEBC			

Materials needed

- Print outs of News Article
- Print outs of Case Study Handout
- Print outs of Assessment



Section II – How are we going to learn?

1. Opening Discussion

Activity: Read the News

Time: 15 minutes

Material Needed: Print out of the News Article (*Refer to the Appendix.1*)

Note to the Teacher

In this section, students will be introduced to the word ‘institutions’ through a news clipping. Students will read the news clipping and identify different institutions.

Facilitation notes:

- Divide the class into groups of 3-4 students.
- Distribute the print outs of the news clipping to the groups
- Allot 5 minutes for students to read the clipping.

Instructions for the Reading:

- a. This news clipping is about a Tax we all know of or have heard of- GST
- b. You have 5 minutes to read the clipping.
- c. When you are reading it, I want you to think about questions-what is happening and who is doing it?
- d. If you can find the answer in the clipping, underline it.
- e. Discuss the answers and work in the group together

New dawn at midnight: GST transforms India into a single market

At the grand unveiling ceremony in Parliament's central hall on Friday night, Prime Minister Narendra Modi termed the rollout a symbol of India's cooperative federalism.

Mail Today Bureau

It was a new dawn at midnight for India when the long-awaited goods and services tax (GST), hailed as the country's biggest tax reform since Independence, replaced a thicket of federal and state levies while transforming Asia's third largest economy into a single market.

At the grand unveiling ceremony in Parliament's central hall on Friday night, Prime Minister Narendra Modi termed the rollout a symbol of India's cooperative federalism.

"GST is not the achievement of any single government but a result of collective efforts," he said at the programme attended by almost the entire council of ministers, as MPs from the ruling alliance sat in the circular hall along with opposition lawmakers from the Samajwadi Party, BJD, NCP and JD(U). The Congress, Left, TMC and RJD boycotted the ceremony.

Experts said the reform move should help widen the country's tiny tax base, free up internal trade, make it easier to do business and reduce the clout myriad middlemen wield at state borders. India's fiscal system is outdated and only about 1% of the citizens pay income tax, they pointed out.

"GST is economic integration of India just like what Sardar Vallabhbhai Patel had done decades back to integrate the country," Modi said. "From Gandhinagar to Itanagar, from Leh to Lakshadweep, India will have one nation, one tax... It is a transparent and fair system that prevents black money and corruption and promotes new governance culture."

GST shows India can rise above narrow politics, finance minister Arun Jaitley said at the programme. "The old India was economically fragmented. The new India will create one tax, one market for one nation," he said.

The ceremony was also attended by President Pranab Mukherjee, Vice-President Hamid Ansari, Lok Sabha Speaker Sumitra Mahajan, former Prime Minister HD Deva Gowda, Bollywood superstar Amitabh Bachchan, legendary playback singer Lata Mangeshkar and industrialist Ratan Tata, among others.

"GST is a tribute to the maturity and wisdom of India's democracy," Mukherjee said at the unveiling. "It will make India's exports more competitive and provide level-playing field to domestic industry."

While the tax regime is seen as a leap forward in simplifying India's financial system, getting the reform across the line has required compromises. There will be four tax brackets instead of one in many other countries. The tax will also not be imposed on highly lucrative alcohol, oil products and real estate industries.

"GST panel has failed to deliver our PM @narendramodi's One Nation One Tax message. GST has been made into a multiple n complex tax regime," tweeted Biocon chairman and managing director Kiran Mazumdar Shaw.

There were sporadic protests in parts of the country. A train was stopped by traders in Uttar Pradesh and commercial establishments and wholesale commodity markets in some cities remained closed. Traders in Kashmir called for a strike on Saturday, though the rollout of the tax has been delayed in J&K. UP and Madhya Pradesh saw bandhs in some areas while demonstrations and protests also broke out in parts of West Bengal, Andhra Pradesh and Telangana.

While many experts are in agreement on the long-term benefits, including the ease of doing business in India and bringing swathes of the country's informal economy inside the tax net, they say that in the near term there could be significant disruptions.

Governments had been trying to introduce a national goods and services tax bill for at least 10 years, but had failed to get the support of Parliament.

-With agency inputs

Source: <https://www.indiatoday.in/mail-today/story/gst-tranforms-india-into-a-single-market-1021773-2017-07-01>

- After 5 minutes, debrief the reading through the following questions. Encourage students to raise their hands and answer.

Debrief (5 minutes)

- a. What was the news clipping about?

- *(Likely Response: About the rolling of GST)*
- b. Who were some different people or groups involved in this?
 - *(Likely Response: Prime Minister, President, Council of Ministers, Vice-President)*
- Say, “Through the news clipping we noticed, that to roll out the GST or to announce this decision, several people or groups were involved. And these were people who constitutes our government- Do you agree? (Wait for students to response)
 - *(Likely Response: Yes)*
- “There is so much that our Government does, we read one example in the News Clipping. What else is our government responsible for? I want all of you to think and raise your hands.”
- Students should be able to share some responses.
 - *(Likely Responses: The government maintains security, collect taxes, passes law, enforces law, build infrastructure)*
- “Exactly, so our government is doing a lot. And to perform all these functions or to govern the entire country, there are arrangements and structures in our government. They are called **‘INSTITUTIONS’**.”
- Write the word Institutions on the board.
- Say, “let’s go back to our news clipping. Can you think of what were some institutions mentioned there? Remember what I had shared- Institutions are structures or arrangements that perform a specific function and role.”
(Wait Time: Wait for students to respond. If students are unable to respond, use guiding questions: What were some of the roles or functions you could identify?)
 - *(Likely Response: Prime Minister, Council of Ministers, President)*
- Say, “We saw Prime Minister, Council of Ministers, President- these are some of the roles in our government with specific functions being mentioned in there. These are some of the institutions in our democracy. These Institutions are set up to help govern the country- they all have specific roles to play. We are going to find out more about them in the class.”
- Before we move on to the next segment, let’s capture some of the knowledge we have already gained.
- Draw a table on the board like this:

A. What I know	B. What I learnt

How to fill the table:

- Ask students the following questions and fill the column A- What I Know
 - a. What did we learn about institutions?
 - o *(Likely Response: Structures and arrangements that perform specific function.)*
 - b. What were some of the institutions we read about in the news clipping?
 - o *(Likely Response: Prime Minister, President, Council of Ministers)*
 - c. Can you think of some other institutions?
 - *Students may or may not be able to respond to this.
 - o *(Likely Response: Parliament, Supreme Court)*

A. What I know	B. What I learnt
Institutions are structures and arrangements that perform a specific function. Examples: Prime Ministers, President, Council of Ministers Other Institutions: Parliament, Supreme Court	

- Point to the column B and share with students- “After the end of the class, we will come back to this table and fill in more information about what we learnt about institutions.”

2. Institutions in a Democracy

Activity: Case Study 1

Time: 30 minutes

Materials Needed: Handout.1 (Refer to Appendix.1)

Note to the Teacher:

In this section, students will review a Case Study about the Mandal Commission and identify the major institutions involved in making a Policy Decision.

Facilitation Notes:

To understand what institutions are and how they help govern a country we are going to look at a case study.

- Distribute the Case Study 1 document to students.
- Each table should get one copy of the handout.

- **Instructions for the Case Study:**
 - a. Divide the class into groups of 3-4 students.
 - b. Distribute the case study to each group
 - c. At the end of the Case Study, there is a table.
 - d. Everyone will read the case study independently for 5 minutes.
 - e. The discuss it in a group and fill in the table together.

Instructions: Read the following Case Study and summarize it using the table given below.

On August 13, 1990, The Government of India issued an Order. It was called an Office Memorandum, numbered: O.M.No.36012/31/90- Est (SCT) and dated 13.8.1990. The Joint Secretary, an officer in the Department of Personnel and Training in the Ministry of Personnel, Public Grievances Public Grievances and Pensions, signed the Order.

This Order announced a major policy decision. It said that 27 percent of the vacancies in civil posts and services under the Government of India are reserved for the Socially and Educationally Backward Classes (SEBC). SEBC is another name for all those people who belong to castes that are considered backward by the government. The benefit of job reservation was till then available only to Scheduled Castes and Scheduled Tribes. Now a new third category called SEBC was introduced. Only persons who belong to backward castes were eligible for this quota of 27 percent jobs. Others could not compete for these jobs.

This Office Memorandum was the culmination of a long chain of events. The Government of India had appointed the Second Backward Classes Commission in 1979. It was headed by B.P. Mandal. Hence it was popularly called the Mandal Commission. It was asked to determine the criteria to identify the socially and educationally backward classes in India and recommend steps to be taken for their advancement. The Commission gave its Report in 1980 and made

many recommendations. One of these was that 27 percent of government jobs be reserved for the Socially and Educationally backward classes. The Report and recommendations were discussed in the Parliament.

For several years, many parliamentarians and parties kept demanding the implementation of the Commission's recommendations. Then came the Lok Sabha election of 1989. In its election manifesto, the Janata Dal promised that if voted to power, it would implement the Mandal Commission report. The Janata Dal did form the government after this election. Its leader V. P. Singh became the Prime Minister. Several developments took place after that:

The President of India in his address to the Parliament announced the intention of the government to implement the recommendations of the Mandal Commission.

On 6 August 1990, the Union Cabinet took a formal decision to implement the recommendations.

- Next day Prime Minister V.P. Singh informed the Parliament about this decision through a statement in both the Houses of Parliament.
- The decision of the Cabinet was sent to the Department of Personnel and Training. The senior officers of the Department drafted an order in line with the Cabinet decision and took the minister's approval. An officer signed the order on behalf of the Union Government. This was how O.M. No. 36012/ 31/90 was born on August 13, 1990.

This order led to widespread protests and counter- protests, some of which were violent. People reacted strongly because this decision affected thousands of job opportunities. Some persons and associations opposed to this order filed a number of cases in the courts. They appealed to the courts to declare the order invalid and stop its implementation. The Supreme Court of India bunched all these cases together. This case was known as the 'Indira Sawhney and others Vs Union of India case'. Eleven judges of the Supreme Court heard arguments of both sides. By a majority, the Supreme Court judges in 1992 declared that this order of the Government of India was valid. At the same time the Supreme Court asked the government to modify its original order. It said that well-to- do persons among the backward classes should be excluded from getting the benefit of reservation. Accordingly, the Department of Personnel and Training issued another Office Memorandum on September 8, 1993. The dispute thus came to an end and this policy has been followed since then.

- Allot 5 minutes for students to read the case study. Encourage students to mark and highlight important information in the case study.

Discussion (15 minutes)

- Once students have completed their reading, move on to the discussion. The class will collectively fill up the given table. (The table is given as a part of the handout, but teachers can also draw the table on the board, while students make the same in their notebooks.)

A. Summarise the above Case Study using the following table

What did the Order say?	Who recommended the 27% reservation in government jobs?	Who passed the law and brought it to action?	Who signed the order?	Who resolved the conflict and modified the law?

- “We are going to use the table to summarize what we just read. First column asks us to think about what the order said? Can someone raise their hand and share the answer?”
 - o *(Likely Response: 27% reservation for the SEBC classes)*
- After the discussion, note the response in the column. Students will do the same in their handout.
- “So, the order says that there will be a 27% reservation for all Socially Economic Backward Classes in Job reservations. But someone must have thought of it for some reason. Let’s go to the second column- Who recommended this change? I want all of you to look in your Case Study and raise your hand to answer the same.”
 - o *(Likely Response: The Mandal Commission)*
- “But was this commission just independently set up or someone directed it to be?”
 - o *(Likely Response: The Government of India appointed it)*

- Say, “Let’s also note it down in this column”.
- Continue doing the same with all the other columns by way of inquiry. Students will keep noting it down in their tables.
- “Now after the commission recommendations, someone used their recommendation to form a law or why would anyone follow it? Who did that as per the Study?”
 - o *(Likely Response: The Parliament)*

NOTE: Students may be confused at this point and may say, The President or the Prime Minister. It is important to share with students, that the **new government after the Lok Sabha Elections** wanted to implement the law. And the President only **informed** and not did not pass the law. So, the existing government passed the law, that means both the House of Parliament- Lok Sabha and Rajya Sabha- would have approved it with majority. We will learn more about how laws are made in our country.

- “Once the law was passed, it had to be executed- someone had to give the orders, who gave those orders?”
 - o *(Likely Response: The Office Secretary of the Ministry of Personnel Training)*
- “When we read the case study, we see a lot of protests happened, and many were against this new law- so who intervened? And who resolved the conflict?”
 - o *(Likely Response: The Supreme Court)*
- This is how the completed table should look like:

What did the Order say?	Who recommended the 27% reservation in government jobs?	Who passed the law and brought it to action?	Who signed the order?	Who resolved the conflict and modified the law?
27% reservation for SEBC classes	The Mandal Commission appointed by the Government of India	The Parliament	The Office Secretary of the Ministry of Personnel Training	The Supreme Court

Conclusion (10 minutes)

- After completing the table, say, “With this reading, we saw that for one decision, there were so many people involved. But if you observe carefully there were 3 primary ones: Someone who formed the law, someone who executed it and someone who interpreted it, or resolved the conflict that arose because of the decision.”
- Write these 3 statements in the following manner on the board:

FUNCTION

Making the Law

Executing the Law

Interpreting the Law/ Resolving Conflict

- These 3 primary functions are performed by 3 institutions of the Government. Whoever makes the law comes under “**LEGISLATURE**” – who executes it comes under “**EXECUTIVE**” and who interprets it or resolve the conflict comes under “**JUDICIARY**.”
- Write it on the board in the following manner.

FUNCTION

Making the Law

Executing the Law

Resolving Conflict

INSTITUTIONS

Legislature

Executive

Judiciary

- Say, “We are going to learn more about their role and what constitutes these institutions in our next classes.”

3. Policy Decision in India**Activity: Flow Chart****Time: 15 minutes****Materials Needed:** Flow Chart (*Part of the Handout.1- Refer to the Appendix.1*)

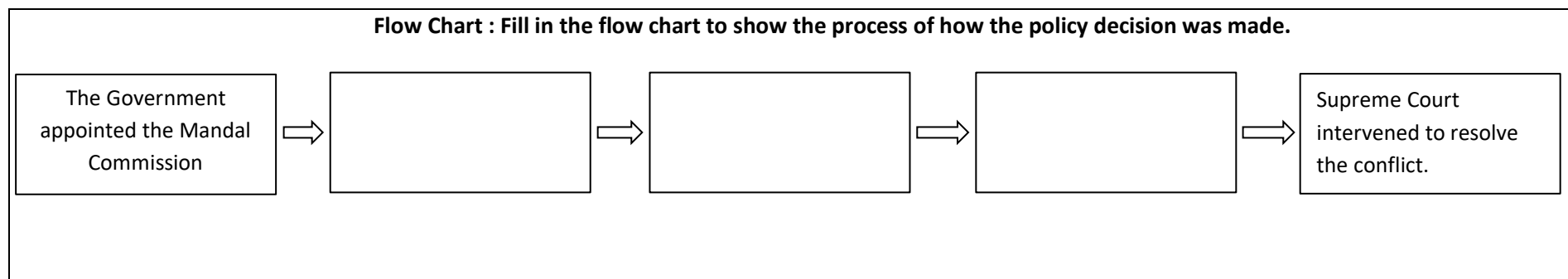
In this section, students will explore how a policy decision is made by filling up a flow chart.

Facilitation Notes:

- “After reviewing the case study, we have been able to understand how our nation is governed with the help of Legislature, Executive and Judicial Institutions. Now let’s try to think how decisions are made or what is the process of making such decisions.”
- “I want you to go back to your Case Study Document and review it for 5 minutes again. Also look at our Summary table and try to write steps of how a decision would have been made what would have been the first step, what would have been the second step and so on. - we will do this with a help of a flow chart- For example, I can see the first step of bringing this law would have been the Government Appointing the Mandal Commission. This is our beginning point, now try to think of what would have happened next?”

Instructions for filling the Flow Chart

- Below the table you can see a Flow Chart diagram.
- Everyone will work in pairs for this.
- The flow chart has a beginning point and an ending point.
- In your pairs, try to complete the Flow Chart. You have 10 minutes for this.”



Discussion (5 minutes)

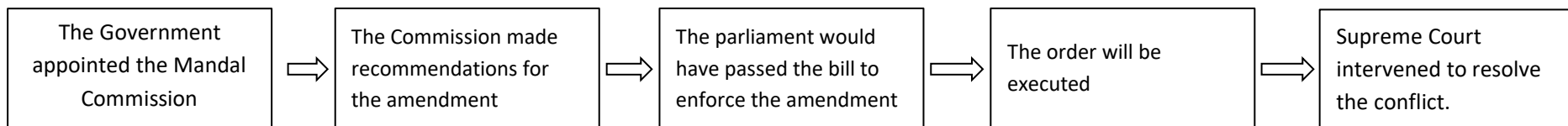
- “Let’s now discuss, what other steps would have been taken to make this into a law. “
- “Once the government appointed the Mandal Commission, what would have happened next?” – Students will raise their hands and answer. The teacher can also call on students for the same.
 - o *(Likely Response: The Commission made recommendations for the amendment.)*

- “Great, now let’s remember who can make the law – The Parliament. What do you think would have happened next?”
 - o *(Likely Response: The parliament would have passed the bill to enforce the amendment.)*

NOTE: At this point, share how a bill is first passed in Lok Sabha, then sent to Rajya Sabha and if passed with majority turned into a law by assent of the President. Also share, we will learn more about the role and functions of the House of Parliament in upcoming classes.

- “Okay, the law is passed now. So, the legislature has done its part- what should happen after this?”
 - o *(Likely Response: The order will be executed.)*
- Say, in this case, Office Secretary signed the order and everyone under the Executive Head will implement it.
- “The last step would be a review in case a conflict rises which would be done by the _____” *(Likely Response: Judiciary)*
- The completed flow chart should look like this:

Flow Chart : Fill in the flow chart to show the process of how the policy decision was made.



4. Need of Institutions

Time: 10 minutes

Activity: What if an institution fails?

Materials Needed: Chits

In this section, students will work in groups and understand the need of institutions in a country.

Facilitation Notes:

Activity Set Up

- For the activity following chits will have to be made:
Chits with the name of the institutions- Parliament, Judiciary, Executive (Political Executive and Civil Servants)

Instructions for the Activity

- Divide students in 3 different groups.
- One person from each group will come and pick a chit and go back.
- In their groups, students will have to discuss, what would happen if this particular institution fails to perform its function?
- Allot 5 minutes for the discussion
- During the group discussion, the teacher should move around listening to each group and asking guiding questions to further the discussion. Some of the guiding questions that can be asked are:
 - What would be a consequence of a failure of this institution?
 - What will change in terms of the power structure?
 - Think about the impact on the citizens, different functions and minorities?
- After the discussion, one person from each group will present the thoughts.
 - *Likely Responses:*

Failure of Parliament:

We will not be able to make new laws.

We will not be able to pass amendments for existing laws.

No budget would be approved for the country.

Failure of Judiciary:

There will be no institution to safeguard interests of the citizens.

Everyone will break laws.

Conflicts will escalate.

Failure of Executive:

Laws will not be executed.

No work will get accomplished.

- Share with students, we can see the failure of even one of these institutions can have such severe consequences. For smooth and efficient governance of this country, all three of these institutions need to work together.

Section III –Assessment

Time: 5 minutes

Materials needed: Assessment Worksheet (*Refer to Appendix.1; For the solution of the assessment refer to Assessment Solution in Appendix.1*)

Note to the Teacher

The assessment sheet will test students’ understanding of institutions and the working of the government.

Facilitation notes:

- Students will now independently work on their assessments.
- Distribute assessment sheets to the students.
- **Instructions for the Assessment:**
“It’s time to check our understanding. I will be distributing assessment sheets about what we learnt today. I would like all of you to read it carefully and answer it. You will have 5 minutes for the same.”
- **Assessment Question:**
Categorize the following actions under Legislative, Executive or Judiciary heads.

Alternatively, the teacher can draw the table given in the assessment on the board and list down each of the options. Students can note it down in their notebooks in the correct head.

LEGISLATIVE	EXECUTIVE	JUDICIARY

- After completing the assessment, share your answers with your partner.
- Discuss solutions with students and summarise that the three pillars of the government are essential to the smooth functioning of a democracy.

Section IV – Closure

Time: 5 minutes

Recap by Students

- Refer back to the What I know, What I learnt table, Say, “We began the class by reading a clipping and identifying and defining institutions. Then we moved to a case study, filled up a flow chart and had a small group discussion. So now it is time to fill our ‘What I learnt’ column.”
- Ask students to raise their hands and share what they learnt about the major institutions in a democracy - note it on the board.

Recap by Teacher

- Recap the key points of the lesson. “We saw how a policy decision was taken in our country through a case study, we also identified 3 major institutions in our democracy. In the next lesson we will see how these institutions operate.”

Key Points:

- Institutions are structures or arrangements that perform a specific function or a role.
- In our democracy there are 3 primary Institutions- Legislature, Executive and Judiciary.
- Legislature- It comprises of all the institutions that are responsible for drafting and passing laws in our country.
- Executive- Institutions responsible for executing the orders and the laws.
- Judiciary- Institutions responsible for interpreting laws and resolving any conflicts.
- Each institution plays a specific role in policy making.
- We need institutions to ensure the smooth functioning of the Government.



Section V – Additional Resources

Resources for teachers

1. Article: The Case of Indira Sawhney and Others Vs Union of India
Link: [Wikipedia](#)
2. Article: Different Branches of the Government:
Link: [Weebly](#)

Resources for students

1. Article: How India is Governed?
Link: [Your Article Library](#)
2. Article: Government of India
Link: [Wikipedia](#)

Appendix.1

- News Clipping
- Handout.1
- Handout Solution
- Assessment
- Assessment Solution

New dawn at midnight: GST transforms India into a single market

At the grand unveiling ceremony in Parliament's central hall on Friday night, Prime Minister Narendra Modi termed the rollout a symbol of India's cooperative federalism.

Mail Today Bureau

It was a new dawn at midnight for India when the long-awaited goods and services tax (GST), hailed as the country's biggest tax reform since Independence, replaced a thicket of federal and state levies while transforming Asia's third largest economy into a single market.

At the grand unveiling ceremony in Parliament's central hall on Friday night, Prime Minister Narendra Modi termed the rollout a symbol of India's cooperative federalism.

"GST is not the achievement of any single government but a result of collective efforts," he said at the programme attended by almost the entire council of ministers, as MPs from the ruling alliance sat in the circular hall along with opposition lawmakers from the Samajwadi Party, BJD, NCP and JD(U). The Congress, Left, TMC and RJD boycotted the ceremony.

Experts said the reform move should help widen the country's tiny tax base, free up internal trade, make it easier to do business and reduce the clout myriad middlemen wield at state borders. India's fiscal system is outdated and only about 1% of the citizens pay income tax, they pointed out.

"GST is economic integration of India just like what Sardar Vallabhbhai Patel had done decades back to integrate the country," Modi said. "From Gandhinagar to Itanagar, from Leh to Lakshadweep, India will have one nation, one tax... It is a transparent and fair system that prevents black money and corruption and promotes new governance culture."

GST shows India can rise above narrow politics, finance minister Arun Jaitley said at the programme. "The old India was economically fragmented. The new India will create one tax, one market for one nation," he said.

The ceremony was also attended by President Pranab Mukherjee, Vice-President Hamid Ansari, Lok Sabha Speaker Sumitra Mahajan former Prime Minister HD Deva Gowda, Bollywood superstar Amitabh Bachchan, legendary playback singer Lata Mangeshkar and industrialist Ratan Tata among others.

"GST is a tribute to the maturity and wisdom of India's democracy," Mukherjee said at the unveiling. "It will make India's exports more competitive and provide level-playing field to domestic industry."

While the tax regime is seen as a leap forward in simplifying India's financial system, getting the reform across the line has required compromises. There will be four tax brackets instead of one in many other countries. The tax will also not be imposed on highly lucrative alcohol, oil products and real estate industries.

"GST panel has failed to deliver our PM @narendramodi's One Nation One Tax message. GST has been made into a multiple n complex tax regime," tweeted Biocon chairman and managing director Kiran Mazumdar Shaw.

There were sporadic protests in parts of the country. A train was stopped by traders in Uttar Pradesh and commercial establishments and wholesale commodity markets in some cities remained closed. Traders in Kashmir called for a strike on Saturday, though the rollout of the tax has been delayed in J&K. UP and Madhya Pradesh saw bandhs in some areas while demonstrations and protests also broke out in parts of West Bengal, Andhra Pradesh and Telangana.

While many experts are in agreement on the long-term benefits, including the ease of doing business in India and bringing swathes of the country's informal economy inside the tax net, they say that in the near term there could be significant disruptions.

Governments had been trying to introduce a national goods and services tax bill for at least 10 years, but had failed to get the support of Parliament.

-With agency inputs

HANDOUT.1 (To be printed and distributed to students)

Instructions: Read the following Case Study and summarize it using the table given below.

On August 13, 1990, The Government of India issued an Order. It was called an Office Memorandum, numbered: O.M.No.36012/31/90- Est (SCT) and dated 13.8.1990. The Joint Secretary, an officer in the Department of Personnel and Training in the Ministry of Personnel, Public Grievances and Pensions, signed the Order.

This Order announced a major policy decision. It said that 27 per cent of the vacancies in civil posts and services under the Government of India are reserved for the Socially and Educationally Backward Classes (SEBC). SEBC is another name for all those people who belong to castes that are considered backward by the government. The benefit of job reservation was till then available only to Scheduled Castes and Scheduled Tribes. Now a new third category called SEBC was introduced. Only persons who belong to backward castes were eligible for this quota of 27 per cent jobs. Others could not compete for these jobs.

This Office Memorandum was the culmination of a long chain of events. The Government of India had appointed the Second Backward Classes Commission in 1979. It was headed by B.P. Mandal. Hence it was popularly called the Mandal Commission. It was asked to determine the criteria to identify the socially and educationally backward classes in India and recommend steps to be taken for their advancement. The Commission gave its Report in 1980 and made many recommendations. One of these was that 27 per cent of government jobs be reserved for the socially and Educationally backward classes. The Report and recommendations were discussed in the Parliament.

For several years, many parliamentarians and parties kept demanding the implementation of the Commission's recommendations. Then came the Lok Sabha election of 1989. In its election manifesto, the Janata Dal promised that if voted to power, it would implement the Mandal Commission report. The Janata Dal did form the government after this election. Its leader V. P. Singh became the Prime Minister. Several developments took place after that:

The President of India in his address to the Parliament announced the intention of the government to implement the recommendations of the Mandal Commission.

On 6 August 1990, the Union Cabinet took a formal decision to implement the recommendations.

- Next day Prime Minister V.P. Singh informed the Parliament about this decision through a statement in both the Houses of Parliament.
- The decision of the Cabinet was sent to the Department of Personnel and Training. The senior officers of the Department drafted an order in line with the Cabinet decision and took the minister's approval. An officer signed the order on behalf of the Union Government. This was how O.M. No. 36012/31/90 was born on August 13, 1990.

This order led to widespread protests and counter- protests, some of which were violent. People reacted strongly because this decision affected thousands of job opportunities. Some persons and associations opposed to this order filed a number of cases in the courts. They appealed to the courts to declare the order invalid and stop its implementation. The Supreme Court of India bunched all these cases together. This case was known as the ‘Indira Sawhney and others Vs Union of India case’. Eleven judges of the Supreme Court heard arguments of both sides. By a majority, the Supreme Court judges in 1992 declared that this order of the Government of India was valid. At the same time the Supreme Court asked the government to modify its original order. It said that well- to- do persons among the backward classes should be excluded from getting the benefit of reservation. Accordingly, the Department of Personnel and Training issued another Office Memorandum on September 8, 1993. The dispute thus came to an end and this policy has been followed since then.

B. Summarise the above Case Study using the following table

What did the Order say?	Who recommended the 27% reservation in government jobs?	Who passed the law and brought it to action?	Who signed the order?	Who resolved the conflict and modified the law?

C. Flow Chart : Fill in the flow chart to show the process of how the policy decision was made.

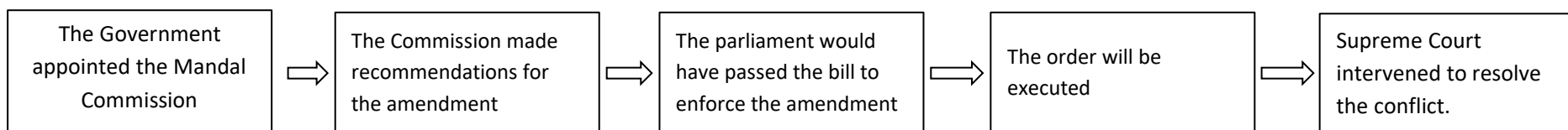


Handout Solution

Summarise the above Case Study using the following table

What did the Order say?	Who recommended the 27% reservation in government jobs?	Who passed the law and brought it to action?	Who signed the order?	Who resolved the conflict and modified the law?
27% reservation for SEBC classes	The Mandal Commission appointed by the Government of India	The Parliament	The Office Secretary of the Ministry of Personnel Training	The Supreme Court

Flow Chart : Fill in the flow chart to show the process of how the policy decision was made.



Assessment

Categorize the following actions under Legislative, Executive or Judiciary heads.

- a. A bill was passed in Lok Sabha with majority.
- b. Supreme Court resolve a dispute between the States.
- c. An individual filed a lawsuit against another individual.
- d. The parliament considered the recommendation of a committee on a law to regulate the Stock Exchange.
- e. Permanent Executive implemented the decision to provide relief for the victims of an Earthquake.

LEGISLATIVE	EXECUTIVE	JUDICIARY

Assessment Solution

LEGISLATIVE	EXECUTIVE	JUDICIARY
A bill was passed in Lok Sabha with majority. The parliament considered the recommendation of a committee on a law to regulate the Stock Exchange.	Permanent Executive implemented the decision to provide relief for the victims of an Earthquake.	Supreme Court resolve a dispute between the States. An individual filed a lawsuit against another individual.

ichangemycity



JANAAGRAHA CENTRE FOR CITIZENSHIP & DEMOCRACY

Disclaimer: This document contains pictures, icons, and content hyperlinks (“copyrighted material”) the use of which has not always been specifically authorized by the copyright owner (“third parties”). The copyright for such copyrighted material used in the document vests with/are owned and operated by appropriate third parties, and are provided here for user information and convenience only. Janaagraha does not intend the usage of such copyrighted material for appropriation of intellectual property of third parties, and does not bear any responsibility for their accuracy or legality of content or their continued availability. All efforts have been taken by Janaagraha to ensure that all copyrighted material is accurately reproduced and prominently acknowledged to third parties, and not used in a derogatory manner or in a misleading context. If any content in this document violates rights of third parties or is in breach of copyright law, Janaagraha is willing to remove it immediately upon request. Contact information available at <http://www.janaagraha.org/>