



## SAI EDUCATION FOR COMPETITIVE EXAMINATION

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### INDIAN CONSTITUTION

India is the biggest democracy in the world. Indian Republic was born and the Constitution of free India came into force on 26<sup>th</sup> January 1950.

- India has the **longest** written constitution in the world.
- USA has the **shortest** written constitution.
- Britain is the **oldest** democracy in the world. The Parliament of Britain is called **MOTHER OF PARLIAMENTS**
- Britain and Israel have **unwritten** constitution.
- The Constitution of India was framed by the Constituent Assembly set up under the Cabinet Mission Plan of 1946.
- The idea to have a constitution was given by MN Roy, founder of Indian Communist Party at Thashkant in 1920.
- The first meeting of Constituent Assembly was held on 09<sup>th</sup> December, 1964 under the leadership of Dr. Sachidananda Sinha (Non elected temporary Presidednt) and later **Dr. Rajendra Prasad** was elected as the **President of the Constituent Assembly**.
- At first the Constituent Assembly considered of 389 members, but after partition of India the number of members became 299.
- Constituent Assembly contained 13 committees and the most prominent committee was the **Drafting Committee**. Chairman of the Drafting Committee was **Dr. BR Ambedkar**. He is also known as the **Chief Architect of Indian Constitution**. Later he became **first Law Minister**. In 1990 he was honoured with **Bharath Ratna**. **14 April** is Ambedkar day.
- The constitution was adopted by the Constituent Assembly o 26<sup>th</sup> November 1949.
- Constituent Assembly took 2 years 11 months and 18 days for the completion of Indian Constitution.
- 26<sup>th</sup> January is chosen as in the memory of first independence day of Indian National Congress (INC Lahore session on 31<sup>st</sup> Dec 1929 decided to celebrate 26<sup>th</sup> Jan of every year as Independence day).
- The first **Constitutional Advisor** to the Constituent Assembly was B Nagendra Rao.
- **Chairman of Flag Committee** was JB Kripalani. Constituent Assembly **adopted our national flag** on 22<sup>nd</sup> July 1947. First one who hoisted national flag out side India –**Madam Bhikaji Cama**

She hoisted the flag at Stuvart in 1907.

**Sources of the Constitution:** Indian Constitution can be called a **Borrowed Constitution**. The Govt of India Act, 1935 has a great impact on Indian Constitution. The idia of **Federal System, Office of Governor, Emergency powers** taken from Govt. of India Act, 1935.

- **Parliamentary System , Single Citizenship, Rule of Law** from Britain
- **Fundamental Rights, judicial Review** from USA
- **Directive Principles of State Policy** from Ireland.
- **Federation with strong centre and Residuary powers** from Canada.
- **Spsension of Fundamental Rights during emergency** from Germany.
- **Concurrent List, Joint sitting of the houses** from Australia.



- **Amendment Procedure and election of members of Rajya Sabha** from South Africa.
- **Republic and the idias of Liberty, Equality and Fraternity** from France.
- **Procedure established by law** from Japan.
- **Fundamental Duties** from Russia.

**Characteristics:** The Indian Constitution is the lengthiest and the most detailed of all the written constitutions of the world. Originally it consisted of **395 Articles and 8 Schedules and 22 Parts**. But after 83<sup>rd</sup> amendment in 2000, it became **444 Articles divided into 22 Parts and 12 Schedules**.

- Indian Constitution is partly flexible and partly rigid. The basic principles of Constitution cannot be easily amended. But some parts can be amended easily by the simple majority of the members of Parliament. Some provisions of Indian Constitution can be amended by a simple majority of Parliament while others require either a two third majority besides the assent of majority of State Legislatures.
- Examples of Rigid constitutions are USA, Canada, Switzerland and Australia.
- Flexible constitution is Britain.
- Indian Constitution provides for dual polity i.e., Centre and State but does not provide **Single Citizenship**.
- The Indian Government had decided to permit dual citizenship for People of Indian Origin (PIO) living in certain countries- USA, Britain, Canada, Australia, New Zealand, Finland, Ireland, Netherlands, Italy, Israel, Cyprus, Sweden, Switzerland, France, Greece, Portugal.
- The Constitution of India establishes a **Parliamentary form of Government** both at the Centre and in the States, in which Government is responsible to the legislature. In India, the president is the **Constitutional Head**. The **real executive power** is vested in the Cabinet which is responsible to the Lok Sabha.
- USA provides for **Presidential form of Government**.
- Indian Constitution separates powers between the Centre and the State. There should be an independent and impartial judiciary to interpret the constitution and the Supreme Court acts as the **guardian of the constitution**.
- Constitution is said to be **unitary** if it concentrates all authority at the Centre.
- The Indian Constitution provides for **Single Citizenship, Single Integrated Judiciary and Unified Administrative Services**. During an emergency the government can assume a unitary character.
- Hence Indian constitution is described as **Federal in term but Unitary in spirit**.

**Fundamental Rights (Part-III of Constitution):** Article 12-35. **Right to Equality (Article 14-18), Right to Freedom (Article 19-22), Right against Exploitation (Article 23-24), Right to Freedom of Religion (Article 25-28), Cultural and Educational Rights (Article 29-30), Right to Constitutional Remedies (Article 32-35)**

- **The 44<sup>th</sup> Amendment** (1978) has abolished the right to property as a fundamental right.
- Fundamental Rights can be suspended during an emergency by the Parliament.
- As per the **86<sup>th</sup> Amendment** (2002) Right to Education is also made as a Fundamental Right. But it is considered as part of **Article 21(A)**. Hence now also there are only six Fundamental Rights.

**Directive Principles of State Policy: Part IV** of the constitution (**Article 36-51**) deals with Directive Principles of State Policy. Directive Principles are the ideals which the Union and State Governments must keep in mind while they formulate policy or pass a law. The Directive Principles lay down certain economic and social policies to be followed by the various governments in India.

- **Article 40:** To organize Village Panchayats as units of self government.
- **Article 44:** Directs the state to secure a uniform civil code.



- **Article 45:** Free and compulsory education for children upto 14 years.
- **Article 38:** State to secure a social order for the promotion of welfare of the people.
- **Article 39(d):** Equal pay for equal work for both men and women.
- **Article 46:** Promotion of educational and economic interests of SC/ST and other weaker sections.
- **Article 50:** Separation of judiciary from executive.
- **Article 51:** Promotion of international peace and security.
- Distinction between Fundamental Rights and Directive Principles are: Fundamental Rights are **negative** as they prohibit the state from doing certain things whereas Directive Principles are **positive** as they require the state to do certain things. Fundamental Rights are **Justiciable**, that is they are legally enforceable whereas Directive Principles are **Non-Justiciable**. Fundamental Rights aim at establishing **political democracy** in the country whereas Directive Principles aim at establishing **Social and Economic democracy**. Fundamental Rights have **legal sanctions** whereas Directive principles have **moral and political sanctions**. Fundamental Rights **do not require any legislation** for their implementation. They are automatically enforced whereas directive Principles **require legislation** for their implementation. They are not automatically enforced. The courts are bound to **declare a law violation** of fundamental Rights as unconstitutional and invalid whereas The courts **cannot declare a law violative** of any of the Directive Principles as unconstitutional and invalid.

**Fundamental Duties** : Part IVA of the Constitution provides for fundamental duties. Article 51A of the constitution deals with fundamental duties. These duties are incorporated in the Constitution by the 42<sup>nd</sup> Amendment of 1976 by the recommendation of **Swaran Singh Committee**. These duties require the citizen to observe certain basic norms of democratic conduct and democratic behaviour. Like the Directive Principles, Fundamental duties are non-justiciable. They are:- **Respect its ideals, the National Flag and National Anthem**. To cherish and **follow the noble ideas** which inspired our national struggle for freedom. **Uphold and protect the sovereignty, unity and integrity of India**. Every citizen shall **render national service** when called upon to. **Promote harmony and the spirit of brotherhood**. Preserve the rich **heritage of our composite culture**. **Improve natural environment**. **Safeguard public property**. **To develop scientific temper**. **To strive towards excellence** in all kinds of individual and collective activity. Every parent to provide opportunities for education to his child as the case may be ward between the age of 6 and 14 years.

**Emergency powers** : Indian Constitution provides three types of emergencies.

1. **National Emergency** on the ground of war or external aggression or armed rebellion (**Article 352**). The proclamation of National Emergency should be approved by the parliament within one month, otherwise it will be ceased to operate. National Emergency was declared 3 times in India (1962 Indo-China war, 1971 Indo-Pak war and 1976. Fakhruddin Ali Ahmed was then President of India and Indira Gandhi was PM.
2. **State Emergency** (President's Rule): On the ground of failure of constitutional machinery in the states (**Article 356**)
3. **Financial Emergency** (**Article 360**):- Financial Emergency has not yet been declared.

**Preamble to the Constitution**: The preamble to the Indian Constitution was prepared by

Jawaharlal Nehru. It says India is a **Sovereign Socialist Secular Democratic Republic** state

- The words Socialist and Secular have been introduced by 42<sup>nd</sup> Amendment on 18<sup>th</sup> Dec 1976.
- **Citizenship**:- The Part II (Articles 5-11) of the Constitution deals with the Citizenship of India.



- Indian Citizenship can be acquired are; 1. By descent 2. By Naturalisation 3. By Registration 4. By Birth and 5. By Incorporation of territory.
- **Types of Writs**:- A person whose fundamental rights are violated can move either the **Supreme Court under Article 32** or **High Court under Article 226** of the constitution for the enforcement of his fundamental rights.
- The Supreme Court and High Courts can issue the following writs for the enforcement of Fundamental Rights.
- **Habeas Corpus**: The writ of Habeas Corpus is issued when a person is detained by another illegally or without any lawful justification. It is issued to release the detained person from illegal detention.
- **Mandamus**: If a public authority who has to perform a public duty fails to do his duty and which has violated a person's fundamental right, the court will issue the writ of Mandamus to that authority and command the authority to perform his function.
- **Certiorary**: A writ of Certiorary is issued by the Supreme Court or High Courts to quash or nullify an order made without jurisdiction or in violation of the rules of natural justice by an inferior court or body exercising judicial or quasi-judicial function.
- **Prohibition**: It is issued by Supreme Court or High Courts to keep the inferior courts within the limits of their jurisdiction.
- **Quo-warrato**: The word 'Quo warranto' means what is your authority? This writ is issued to a person who holds a public office to show the court under what authority he holds the office.
- **Union executive** : Article 52 to 78 in part V of the Constitution deals with the Union Executive.
- Part V of the Indian Constitution deals with Union Executive, Legislature, Union Judiciary and Comptroller & Auditor General.
- Union executive consists of **President, Vice-President, Cabinet and Attorney general** (Art 52-78).
- **Qualification of President**:- The President of India must be a citizen of India, must have completed the age of 35 years and qualified for election as a member of the Lok Sabha. He should not hold an office of profit under any govt. Union, State or Local.
- **Election**: (Article 55): The president of India is elected by an Electoral College in accordance with the system of proportional representation by means of single transferable vote by secret ballot.
- The Electoral college consisting of each elected member of both houses of Parliament, every elected member of State Assemblies and the elected members of the Legislative Assemblies of Union Territory of Delhi & Puduchery.
- President shall make an oath of affirmation in the presence of the Chief Justice of India. If CJI is absent, the senior most judge of the Supreme Court available.
- Emoluments of President is Rs. 1,50,000/pm.
- **Impeachment** : (Article-61):- The President of India can be impeached only on the ground of violation of Constitution.
- Impeachment procedure is a Quasi-Judicial Procedure.
- The Impeachment procedure of the President can be initiated in either Houses of the Parliament.
- President can be removed from office by the way of Impeachment by giving 14 days notice signed by not less than 1/4<sup>th</sup> of the total number of the either house. After 14 days resolution has to be passed in the same house with a 2/3<sup>rd</sup> majority of the total strength of the house. Then other house shall investigate the charges. After investigation, if the resolution passed by 2/3<sup>rd</sup> majority, the President stands impeached.
- **Powers and Functions of President**:-President appoints the high dignitaries of the state like Prime minister, Comptroller and Auditor General, Attorney General, Chief Justice and the Judges



of Supreme Court and High Courts, Governors of states, Chief Election Commissioners, Ambassadors, UPSC Chairman, Dy. Chairman of Planning Commission.

- President addresses both Houses of the Parliament at the commencement of the first session.
- As per Article 143 President can seek advice from the Supreme Court on any question of law or fact.
- President can dissolve the Lok Sabha on the advice of the Prime Minister. According to Article 108 President can summon a joint sitting of both the Houses.
- Budget is laid before the Parliament in the name of President.
- President has the power to nominate 12 members to Rajya Sabha and 2 members to the Lok Sabha.
- When a bill is passed by both the houses of parliament, it shall be presented to the president and the president shall declare either **assents or withhold** to the bill.
- A money bill is to be introduced only on president's recommendation.
- According to **Article 123**, the President has the power to promulgate ordinance when both the houses of parliament are not in session. Ordinance usually remains in force for six weeks after the commencement of the next session of the parliament. But to become an act the ordinance should be passed within six weeks from the reassembly of the parliament.
- All the treaties and international agreements are negotiated and concluded in the name of President.
- President has the power to appoint Finance Commission for a term of 5 years.
- In the absence of President, Vice President shall hold the office of the President. President shall give his resignation letter to the Vice President and vice versa. In the absence of President and vice president, Chief Justice of India can hold the office of the President.
- **Vice President:-** According to **Article 63** there shall be a Vice President in India.
- Vice President is the ex-officio Chairman of the Rajya Sabha. The qualification is same as the President.
- The first vice president of India- Dr. S Radhakrishnan. His works (Indian Philosophy, The Hindu view of life, An idealist view of life)
- **Council of Ministers:-** Even though the President is the Constitutional Head of the state, the real executive power is vested with the Council of Ministers.
- The Prime Minister is appointed by the President and other ministers are appointed by the President on the advice of Prime Minister.
- The council of ministers shall be collective responsibility to the House of people (**Article 75**).
- The Prime Minister who never attended the Parliament during his tenure-**Charan Singh**.
- The longest serving Prime Minister of India- **Jawaharlal Nehru**.
- The youngest Prime Minister – **Rajiv Gandhi**
- **Parliament:-** According to **Article 79**, there shall be a **parliament for the Union which shall consist of the President and two houses** i.e., Council of State (Rajya Sabha) and the House of People (Lok Sabha).
- **Lok Sabha:-** The Lok Sabha is the lower house of Parliament. The first session of the Lok Sabha was held on **13<sup>th</sup> May 1952**.
- Maximum strength of Lok Sabha envisaged by the constitution is **552**. Out of this, 530 members from the states, 20 to represent the Union Territories and 2 members are nominated by the President from the Anglo Indian community.
- At present the strength is 545. Out of these 530 from the states, 13 to represent the Union Territories and 2 to represent Anglo-Indian community.
- **Qualification:-** He must be a citizen of India, Not less than twenty five years of age and Possess such other qualifications as may be prescribed by Parliament by law.





- The term of Lok Sabha is 5 years. But while a proclamation of emergency is in operation, period may be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the proclamation has ceased to operate.
- First opposition leader in Lok Sabha- **Dr. Ram Subhag Singh**.
- The Speaker (chosen by the members) is the Presiding Officer of Lok Sabha. The first speaker of Lok Sabha was- **GV Mavlankar**.
- If the speaker is vacant, Dy. Speaker will perform his duty. Joint sitting of the Parliament is presided over by the Speaker under **Article 108**.
- The Secretary General of the Lok Sabha is appointed by Speaker.
- A dispute between two houses of the parliament can be resolved by the Speaker of the Lok Sabha.
- **Rajya Sabha**:- According to the constitution, the maximum strength of Rajya Sabha is 250. Out of 12 members are nominated by the President shall consist of persons having special knowledge or practical experience in respect of such matters as the following, namely, literature, science, art and social service.
- The tenure of members is 6 years. But Rajya Sabha is a permanent body. 1/3<sup>rd</sup> members retire every 2 years.
- The representative of each state in the Council of States (Rajya Sabha) shall be elected by the elected members of the Legislative Assembly of the state in accordance with the system of proportional representation by means of the single transferable vote.
- Rajya Sabha is a permanent body and hence it shall not be subjected to dissolution, but one third of the members shall retire once every two years.
- **Qualification**:- Must be a citizen of India, Not less than 30 years of age and possess such other qualifications as may be prescribed by Parliament.
- The Vice-President of India is the ex-officio Chairman of Rajya Sabha (Presiding Officer). But he is not a member of Rajya Sabha and he has no right to vote except in the event of tie.
- The Council of States shall choose a member of the Council to be Deputy Chairman.
- First opposition leader in Rajya Sabha –**SN Mishra**.
- **Functions of the Parliament**:- As per the provisions of **Article 109 and 117** all bills except a money bill and other financial bills may originate in either House of Parliament.
- Without the sanction of both Houses on a bill, a bill shall not be deemed to have been passed by the Parliament. But a money bill shall not be introduced in the Council of States.
- Money bill can be introduced only in Lok Sabha. **Article-110** deals with Money Bill. Rajya Sabha has no power on Money Bill.
- After a money bill has been passed by the House of People, it shall be sent to the Council of States for its recommendations and the Rajya Sabha shall within a period of 14 days from the date of its receipt of the Bill return the Bill to the Lok Sabha with its recommendations.
- The House of People may thereupon either accept or reject all or any of the recommendations of the Rajya Sabha.
- If a money bill passed by the House of People and sent to the Council of States for its recommendations is not returned to the House of People within the said period of 14 days, it shall be deemed to have been passed by both Houses at the expiration of the said period in the form in which it was passed by the House of People.
- When bill is passed by both the Houses of Parliament, it shall be presented to the President, and the President shall declare either that he assents to the bill or that he withholds assent therefore and if the President returns the bill for amendments and when a bill so returned, the Houses shall reconsider the bill accordingly and if the bill is passed again by the Houses with or without



amendment and presented to the President for assent, the President shall not withhold assent therefrom.

- The Parliament has the power to remove the judges of the Supreme Court, High Court, The Chief Election Commission, Comptroller and Auditor General, and the members of the Union Public Service Commission.
- Both Houses of Parliament can prefer the charge for impeachment of President.
- The resolution to remove the Vice-President of India, passed by the Rajya Sabha must be ratified by the Lok Sabha.
- At the commencement of the first session after each general election to Lok Sabha and at the commencement of the first session of each year, the President shall address both Houses of the Parliament assembled together and inform Parliament of the causes of its summons.
- The time gap between two sessions of parliament is not more than 6 months.
- **Article 108** of the Constitution provides for joint sitting of both the Houses of Parliament. Normally the Speaker has no right to vote in the house, but he can exercise a casting vote if there is a tie in passing a bill.
- First joint sitting of the Parliament was held in 1961.
- **Attorney General of India (Article -76):-** Attorney General of India is appointed by the President. He is a person qualified to be appointed as a judge of the Supreme Court.
- The duty of the Attorney General is to give advice to the Government of India upon such legal matters assigned to him by President of India.
- He has the right to speak and otherwise take part in the proceedings of either houses of the Parliament and to be a member of any parliament committee in India but is not entitled to vote.
- The first Attorney General of India was **MC Setalvad**.
- Present Attorney General-----?, Present Solicitor General-----?
- **Comptroller and Auditor General of India (Article-148):-** CAG is act as the **Financial watch dog** of the Parliament in matters of exercising vigilance over the expenditure of public money in a way sanctioned by it.
- He is appointed by the President and he controls the entire financial system of the country. He is the guardian of public finance. He holds the office for a term of 6 years or till he attains the age of 65 years whichever is earlier. His monthly salary is **90,000/-**
- The first CAG of India was **Nar Hari Rao**. Present CAG is -----?
- **Supreme Court of India (Article 124-127):-** The Chief Justice and every other judges of the Supreme Court are appointed by the President of India.
- **CJI Qualification:-** Must be a citizen of India, has been for at least five years a judge of a High Court or of two or more such courts in succession or has been for at least 10 years an advocate of a High Court or two or more courts in succession or is in the opinion of the President, a distinguished jurist.
- The maximum age limit of Supreme Court Judge is 65 years.
- The monthly salary of CJI is **1,00,000/-** Present CJI is-----?
- Under **Article-137**, Supreme Court can review its own judgements.
- **Advisory Jurisdiction (Article-143):-** On Presidential reference, Supreme Court can tender its advice to the President on a matter of law or fact of public importance. However, neither Supreme Court is bound to tender its advice nor the President is bound to accept.
- **Right to Information Act-2005:-** Right to information law was passed by the Parliament on 15<sup>th</sup> June 2005. It came into force on 12<sup>th</sup> October 2005.
- This Act applies to all states and union territories of India except the state of Jammu and Kashmir.



- The Act empowers every citizen to @ Ask any questions from the Govt. or seek any information. @Take copies of any Govt. documents. @Inspect any governmental documents. @ Inspect any governmental works. @ Take samples of materials of any governmentsl work.
- Information Exclusions:- The following is exempt from disclosure. Information affect the sovereignty and integrity of India, Information forbidden to be published by any court, Information which would cause a breach of privilege of Parliament or the State Legislature, Information which would harm the competitive position of a third party, Information received in confidence from foreign Govt., Information endanger the physical safety or life, Cabinet papers, Personal information, etc.
- Under the Act, all authorities covered must appoint their **Public Information Officer**. If the request has been made to an PIO, the reply is to be given within **30 days** of receipt.
- The Chief Information Commisssioner and Information Commissioner hold office for a term of 5 years or until they attain the age of 65 years whichever is earlier.
- The present Chief Information Commissioner of India---?, CIC of Kerala-----?
- **Right to Education Act,2009**:- An Act to provide for free and compulsory education to all the children of the age of 6-14 years.
- **RTE** enacted on 4<sup>th</sup> August 2009, under **Article 21A** of the Indian Constitution.
- India became one of 135 countries to make education a fundamental right of every child when the act came into force on 01 April 2010 under 86<sup>th</sup> Amendment (2002).
- There must be 25% reservation for poor children even in private and minority schools. There must be one teacher for every 30 students. A Child Rights Commission will look into violation of the RTE law.

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#### - **State Executive**

The executive at the state level has been modelled on the central pattern. It consists of The Governor, The Council of Ministers, and The Chief Minister.

**The Governor**:- As in the Union, the Government in the states is based on the Parliamentary

model. The head of state is called the Governor who is the Constitutional head of the state as the president is for the Union.

- The Governor is appointed by the President and holds office during the pleasure of the President. Governor is appointed for a term of 5 years. His salary is Rs. 1,10,000/-
- Qualification:- Must be a citizen of India, 35 years of age, should not be a member of either House of Parliament or the State legislature, must not hold any office of profit.
- Like The President of India he has also Executive powers, Legislative powers and Financial powers and Judicial powers.
- Indian Constitution does not provide any procedure to remove Governor.
- The Chief Miniser is appointed by the Governor. The chief ministers recommends the names of minisers Governor who then appoints them.
- The States having one house are called **Unicameral** and the states having two houses , **Bicameral**.
- In Karnataka, Bihar, Maharashtra, Uttar Pradesh and Jammu Kashmir, there ar two House known as Legislative Council and Legislative Assembly.
- Legislative Council is known as the Upper house. It is like Rajya Sabha at the centre.
- The number of members of the Assembly shall be not more than 500, nor less than 60. But the Legislative Assembly of Sikkim has only 32 members.
- Qualification:- A person can become a member of the Legislative Assembly only if he is a citizen of India, is more than 25 years of age and possesses such other qualifications as my be prescribed by or under the law enacted by the Parliament.





- The presiding officer of the Legislative Assembly is known as Speaker.
- The Presiding officer of the Legislative Council is the Chairman.
- **High Court:-** Each state has a High Court, which is the highest judicial organ of the state.
- The High Court consists of a Chief Justice and such other other judges as the President may determine from time to time deem it necessary to appoint.
- At present there are 21 High Courts in the country.
- A judge of a High Court holds his office until he attains the age of 62 years.
- At present the Chief Justice and other judges of the High Court draw a monthly salary of Rs. 90,000/- and Rs. 80,000/- respectively.
- The first Chief Justice of kerala High Court was Justice **KT Koshi**. At present-----?
- The first woman Chief Justice of Kerala High Court was **Sujatha Manohar**.
- **Advocate General:-** There is an Advocate General for each state, appointed by the Governor. He is like Attorney General of India.
- He has a right to take part in the state legislature but he has no right to vote.
- **Panchatati Raj system :-** Panchayati Raj is a system of local self government in rural areas administered by a council or Panchayat duly elected in a democratic manner.
- The concept behind Panchayati Raj is that the people in the village should undertake the responsibility of governing themselves. It confers on the rural people the power of decision making regarding development activities.
- On the recommendations of **Balwant Rai Mehta Committee of 1956**, started the implementation of Panchayati Raj insstitutions throughout the country.
- The Panchayati Raj scheme was introduced first in **Rajasthan on 02 October 1959**.
- By the **73<sup>rd</sup> Amendment Act in 1993** the Panchayati Raj had come into effect.
- Panchayati Raj system has a three tier structure ie, Village level, the District level and the intermediate level between Village and District Panchayat.
- The 74<sup>th</sup> Amendment Act constituted the Local Urban Government, Nagar Palika Bill.
- **Finance Commission:-** Under **Article-280** of the Constitution, a Finance Commission is to be constituted every **Five Year**. It makes recommendations to the President as to the distribution between the Union and the States of the net proceeds of taxes enumerated in the Constitution and the allocation between the states of the respective shares of such proceeds.
- The Finance Commisssion consists of a Chairman and four other members. The Finance Commission submits its report to the President.
- Chairman of 13<sup>th</sup> Finance Commission- **Vijay L Kelkar**.
- **Planning Commission:-** The Planning Commission was constituted in 15<sup>th</sup> March 1950 by a Resolution of the Government of India, and works under the overall guidance of the National Development Council.
- It is an extra-constitutional and non-statutory body.
- Prime Minister Jawaharlal Nehru was it first Chairman.
- **NITI Aayog:-** The **National Institution for Transforming India Aayog** is a Govt of India policy think-tank established by Prime Minister Narendra Modi to **replace the Planning Commission**.
- The aim of NITI Aayog is to foster involvement and participation in the economic policy making process by the State Govt.
- One of the important mandates of NITI Aayog is to bring cooperative competitive federalism and improve centre state relation.
- NITI Aayog formed on 01 January 2015. First meeting held on 08 February 2015.
- Chairperson- **Prime Minister** Narendra Modi, CEO- **Amitabh Kant**, Vice Chairperson- Arvind Panagariya.
- **Election Commission:-** The Election Commission is a statutory body set up under **Article 324** of the Constitution.
- The term of office of the Election Commission is **6 years** from the date he assumes office or till the day he attains the age of 65 years, whichever is earlier.
- First Chief Election Commissioner- Sukumar Sen. Present----?
- First General Election-1952. Sixteenth General Election—2014.
- **Central Vigilance Commission:-** Central Vigilance Commission was formed in the year **1964**, on the recommendation of the **Santhanam Committee** on prevention of corruption.



- Central Vigilance Commissioner is appointed by the President. Present Commissioner---?
- **National Human Rights Commission (NHRC)**:- National Human Rights Commission was established on 12 October 1993. Present--?
- The Chairperson and other members of the NHRC are appointed by the President of India.
- First Chairperson of NHRC- **Rangnath Misra**. Present Chairperson -----?
- State Human Rights Commission was formed on 11 December 1998.
- First Chairman of State Human Rights Commission- **MM Pareeth Pillai**.
- **National Commission for Women**:- It was formed in 1992.
- The first chairperson – **Jayanthi Patnaik**. Present--?
- State Womens Commission was formed on **14<sup>th</sup> March 1996**.
- The First Chairperson – **Sugatha Kumari**. Present--?
- **National Green Tribunal** formed on 19 October 2010.
- First Chairman **Justice Lokeshwar Singh Pant** . Present--?
- **National Knowledge Commission**:- It was formed in the year 2005.
- First Chairman – **Sam Pitroda** Present--?
- **Lists in Indian Constitution**:- **7<sup>th</sup> Schedule** of the Indian Constitution deals with three list **Union List, State List and Concurrent List**.
- **Union List**:- Subjects of National importance like Defence, Foreign Affairs, Atomic Energy, Banking, Post, Telegraph etc. are included in this list. It has 97 subjects.
- **The State List**:- The subjects like Police, Local Government, Trade and Commerce within the state, Agriculture are included in this list. It has 66 subjects.
- **Concurrent List**:- These are the subjects which are of common concern both to the Centre and the State governments. It has 47 subjects.eg. Education, Trade Unions, Marriage and Divorce etc.
- In case of conflict between the Central and State law on a subject in the concurrent list, the Central law will prevail.
- **Law Commission**:- First Law Commission of Independent India was established in 1955.
- **Amendment of the Constitution**:- Article 368 provides for amendment of the Constitution.
- The Constitution was first amended in 1951.
- Amendment procedure taken from **South Africa**.
- 42<sup>nd</sup> Amendment(1976) "**Mini Constitution**".
- **Lokpal and Lokayuktas**:- On the recommendation of the Administrative Reforms Commission (ARC) of India, two special authorities are formed Lokpal and Lokayukta for redressal of citizen's grievances.
- **Lokayukta**:- It is an anti-corruption Ombudsman organization in the Indian States.
- The Institution of Lokayukta was established first in Maharashtra in 1971.
- **Lokpal**:- Lokpal would deal with complaints against public functionaries in the Central Government level.
- **The Jan Lokpal Bill**:- It is a proposed independent anti- corruption law in India. It would be empowered to register and investigate complaints of corruption against politicians and bureaucrats without prior government approval.
- **In April 2011**, Civil activist Anna Hazare started a satyagraha movement by commencing an indefinite fast in Delhi to demand the passing of the bill.
- **Parliamentary Committees**:- There are 12 Parliamentary committees. Three financial committees of the Parliament are The Estimate Committee, The Public Accounts Committee, The Committee on Public Undertakings.
- **The Estimate Committee**:- It is the largest committee of the Indian Parliament to examine the budget estimates. The committee consists of members; the term of the Committee is one year.
- **Committee on Public Accounts (PAC)**:- It is a joint committee consisting of members (15 from Lok Sabha and 7 from Rajya Sabha, The term is one year. The Comptroller and Auditor General of India is considered as the philosopher and guide to PAC.
- **The Committee on Public Undertakings**:- The Committee on Public Undertakings consists of 15 members elected by the Lok Sabha and 7 members of Rajya Sabha are associated with it. The main function of the Committee is to examine the reports and accounts of the Public



Undertakings, the reports, if any of the Comptroller and Auditor General on the public Undertakings.

- **Ashok Mehta Committee:-** Reviewed the working of Panchayati Raj Institutions.
- **Balwant Rai Meha Committee:-** Introduction of Panchayati Raj Institutions.
- **Sen Committee:-** Decentralisation of power to Panchayati Raj Institutions.
- **RS Sarkarian Commission:-** Studied centre –state relations.
- **Constitution Review Committee:-** Reviewed the Constitution (Justice MV Venkatchelliah).
- **Mandal Commission:-** Reservation for other backward classes in Central Govt. Services.
- **Vohra Committee:-** Nexus between criminals and politicians in India.
- **Dinesh Goswami Committee:-** Studied about electoral reforms.
- **Sakia Committee:-** Proposed to make free and compulsory education as fundamental rights.
- **Indrajith Gupta Committee:-** Recommended state funding of elections.
- **KK Narendran Committee:-** Set up to identify the creamy layer in Kerala.
- **Delimitation Commission:-** Readjustment of the Parliament and State Assembly seats.
- **DP Singh Commission:** Reservation for economically backward.

### **CONSTITUTION WITH REFERENCE TO ARTICLES**

- **Article 1:** India is a Union of States instead of Federation.
- **Article 2:** Parliament can admit new states into the Union
- **Article 3:** Parliament can create new states
- **Article 5:** Domicile for those who were already domiciled in India.
- **Article 8:** Indian residing abroad.
- **Article 9:** It provides for Single Citizenship
- **Article 11:** Only parliament can make laws regarding citizenship.
- **Article 12-35:** Fundamental Rights
- **Article 36-51:** Directive Principles of State Policy
- **Article 52-61:** President
- **Article 63-69:** Vice President
- **Article 74-76:** Union Council of Ministers.
- **Article 79-123:** Parliament
- **Article 124-143:** Union Judiciary
- **Article 148-149:** Comptroller and Auditor General of India.
- **Article 155-213:** Governor of states
- **Article 214-233:** High Courts.
- **Article 266-280:** Financial Relations.
- **Article 352-368:** Emergency Provisions.
- **Article 370:** Special Provisions for J&K

### **SCHEDULES OF THE CONSTITUTION**

- **1<sup>st</sup> Schedule :** Description of States and Union Territories.
- **2<sup>nd</sup> Schedule :** Salaries and allowances of the President, Governors, Speakers etc.
- **3<sup>rd</sup> Schedule :** Oaths and Affirmations of Union Minister, MPs, MLCs and MLAs etc.
- **4<sup>th</sup> Schedule :** Allocation of seats in Rajya Sabha.
- **5<sup>th</sup> Schedule :** Administration and control of Scheduled Areas.
- **6<sup>th</sup> Schedule:** Administration and control of Tribal Areas (Assam, Meghalaya, Tripura and Mizoram)
- **7<sup>th</sup> Schedule:** Three lists-Union List, State List and Concurrent List.
- **8<sup>th</sup> Schedule:** Languages
- **9<sup>th</sup> Schedule:** (1<sup>st</sup> Amendment) Contains Acts which are beyond the jurisdiction of courts.
- **10<sup>th</sup> Schedule:** 52<sup>nd</sup> Amendment- Anti defection law
- **11<sup>th</sup> Schedule:** 73<sup>rd</sup> Amendment- Gram Panchayats
- **12<sup>th</sup> Schedule:** 74<sup>th</sup> Amendment- Nagarpalikas

### **IMPORTANT CONSTITUTIONAL AMENDMENTS**

- **1<sup>ST</sup> Amendment:** (1956):