

NEXT IAS

INDIAN POLITY

**CIVIL SERVICES
EXAMINATION 2026**

Published by





MADE EASY Publications Pvt. Ltd.

Corporate Office: 44-A/4, Kalu Sarai
(Near Hauz Khas Metro Station), New Delhi-110016
Contact: 011-45124660, 8860378007
E-mail: infomep@madeeasy.in
Visit us at: www.madeeasypublications.org

Indian Polity

© Copyright, by MADE EASY Publications Pvt. Ltd.

All rights are reserved. No part of this publication may be reproduced, stored in or introduced into a retrieval system, or transmitted in any form or by any means (electronic, mechanical, photo-copying, recording or otherwise), without the prior written permission of the above mentioned publisher of this book.

First Edition: 2017
Second Edition: 2018
Third Edition: 2019
Revised & Updated: 2020
Fourth Edition: 2021
Fifth Edition: 2022
Sixth Edition: 2023
Seventh Edition: Nov. 2023

Eighth Edition: 2025

Contents

Indian Polity

UNIT – I: CONSTITUTION OF INDIA

CHAPTER - 1

Evolution of Indian Constitution	2
1.1 Introduction	2
1.1.1 Aristotle's Classification of Constitutions	2
1.1.2 Significance of the Constitution	2
1.2 Classification of Constitutions.....	3
1.2.1 Codified Constitution	3
1.2.2 Uncodified Constitution	3
1.3 Development during British Era.....	3
1.3.1 The Company Rule (1772-1858)	3
1.3.2 The Crown Rule (1858–1947)	6

CHAPTER - 2

Making of the Constitution.....	15
2.1 Introduction	15
2.2 Evolution of The Indian Constitution	15
2.3 The Journey to Constituent Assembly	16
2.3.1 Cripps Mission	16
2.3.2 Cabinet Mission Plan.....	16
2.3.3 Attlee's Declaration	16
2.3.4 3rd June Plan	17
2.4 Composition of Constituent Assembly.....	17
2.5 Working of Constituent Assembly.....	18
2.5.1 Stages in Working of Constituent Assembly...	18
2.5.2 Objectives Resolution.....	19
2.5.3 Changes Made by the Indian Independence Act of 1947.....	19
2.6 Committees of the Constituent Assembly	20
2.6.1 Experts Committees of the Congress.....	20
2.6.2 Major Committees	20
2.6.3 Minor Committees	21
2.7 Drafting Committee	21
2.8 Some Important Facts	21
2.9 Enactment and Enforcement of Constitution	22
2.9.1 Other Functions Performed by Constituent Assembly.....	22
2.10 Hindi Text of the Constitution	22
2.11 Criticism of Constituent Assembly.....	22

CHAPTER - 3

Salient Features of Indian Constitution.....	23
3.1 Introduction	23
3.2 Single Citizenship.....	24
3.3 Inclusion of Justiciable and Non-Justiciable Rights.....	24
3.4 Secular Nature of the Constitution.....	24
3.5 Independent and Integrated Judiciary	24
3.6 Parliamentary form of Government.....	24
3.7 Synthesis of Parliamentary Sovereignty and Judicial Supremacy.....	25
3.8 Emergency Provisions.....	25
3.9 Longest Written Constitution.....	25
3.10 Supremacy of the Constitution	26
3.11 Separation of Power	26
3.12 Three Tier Government.....	26
3.13 Quasi-federal Structure	26
3.14 Flexibility and Rigidity.....	27
3.15 Detailed Administrative Provisions	27
3.16 Special Provisions for Certain States.....	27
3.17 Universal Adult Franchise	28
3.18 Drawn from Various Sources	28
3.19 Co-operative Societies	28
3.20 Independent Bodies.....	28

CHAPTER - 4

Comparison of Constitutions	30
4.1 Introduction	30
4.2 Salient Features of Other Constitutions	30
4.2.1 United States of America (USA)	30
4.2.2 United Kingdom (UK)	31
4.2.3 France	32
4.2.4 Russia	33
4.2.5 Germany.....	34
4.2.6 Japan	35
4.2.7 China.....	36
4.2.8 South Africa.....	37
4.2.9 Ireland	37
4.3 Indian Constitution and Other Constitutions: A Comparison	37

4.4	Working of Indian Constitution: A Comparative Analysis.....	39
4.4.1	Indian Constitution: A Synthesis of Parliamentary Sovereignty and Judicial Supremacy.....	39
4.4.2	Text of the Constitution-Preamble	40
4.5	Working of Constituent Assemblies: A Comparison.....	40
4.5.1	India	40
4.5.2	Other Countries.....	40
4.6	South Asian Constitutions: A Comparison	41
4.7	Unique Constitutional Provisions in SAARC Countries	42
4.7.1	Nepal.....	42
4.7.2	Maldives.....	42
4.7.3	Bhutan.....	42
4.7.4	Pakistan.....	43
4.7.5	Sri Lanka.....	43
4.7.6	Bangladesh.....	43
4.8	Conclusion	43

CHAPTER - 5

	Preamble to the Constitution of India	44
5.1	Introduction	44
5.2	Historical Background.....	44
5.2.1	Significance of Objectives Resolution	44
5.2.2	Need for Preamble	45
5.3	Preamble	45
5.3.1	Key Words in the Preamble.....	45
5.4	Significance of the Preamble in Constitution	47
5.5	Amendment of the Preamble.....	48
5.6	Issues Associated with Preamble.....	48
	Preamble: A Part of the Constitution	48
5.7	Analysis of Debate on Inclusion of 'Socialist' in Preamble	48
5.7.1	Constitutional Debates	49
5.7.2	Arguments Against.....	49
5.7.3	Arguments For.....	49
5.8	Analysis of Debate on Inclusion of 'Secular' in Preamble	49
5.9	Conclusion	50

CHAPTER - 6

	Union and its Territory	51
6.1	Introduction	51
6.2	Article 1: Name and Territory of the Union	51
6.2.1	Dr. B.R. Ambedkar's Opinion	51
6.3	Article 2: Admission or Establishment of New States	52
6.4	Reorganization of States	52
6.4.1	State Reorganization Committees	52
6.4.2	States Reorganization Act, 1956.....	53

6.5	Article 3 : Provision for Existing States	53
6.6	Article 4 : Other Matters Related to States	54
6.7	Background of Formation of Indian States	54
6.8	Demand for New and Smaller States.....	57
6.8.1	Division of Uttar Pradesh.....	57
6.8.2	Saurashtra or Southern Gujarat.....	57
6.8.3	Bodoland or Northern Assam.....	57
6.8.4	Gorkhaland (Northern West Bengal)	58
6.8.5	Vidarbha or Eastern Maharashtra.....	58
6.8.6	Kongu Nadu or Southern Tamil Nadu.....	58
6.9	State and Union Territory: A Comparison	59
6.9.1	Special Category Status State.....	59
6.9.2	Big States and Small States: A Comparison... ..	59
6.10	Delhi: Statehood.....	60
6.10.1	Arguments Favouring Statehood to Delhi.....	60
6.10.2	Arguments Against Full Statehood to Delhi....	60
6.11	Issue of Kachchatheevu Island	61
6.11.1	Illegality of Cessation of Katchatheevu in India	61
6.12	Boundary Issue with China.....	61
6.13	Delimitation of India's Maritime Boundaries	62
6.14	Way Forward	62

CHAPTER - 7

	Citizenship.....	63
7.1	Introduction	63
7.2	Citizenship of India : Constitutional Provisions	64
7.3	Citizenship Act, 1955	64
7.3.1	Acquisition of Citizenship	65
7.3.2	Termination or Loss of Citizenship	66
7.4	Issues and Debates	66
7.4.1	Dual Citizenship	66
7.4.2	OCI, PIO and NRI.....	67
7.4.3	Recent Changes.....	67
7.5	Citizenship of Migrants.....	68
7.6	Registration of Citizenship Data	68
7.6.1	National Register of Citizens (NRC)	68
7.6.2	Aadhaar	68
7.6.3	The National Population Register (NPR).....	69
7.6.4	Portuguese Citizenship	69
7.6.5	Monteiro Case.....	69
7.7	The Citizenship (Amendment) Act, 2019.....	69

CHAPTER - 8

	Fundamental Rights	71
8.1	Introduction	71
8.2	Historical Perspective.....	71
8.3	Types of Rights	71
8.4	Meaning of Human Rights	72
8.5	Meaning of Fundamental Rights.....	72

8.6	Constitutional Provisions of Fundamental Rights	73
8.7	Salient Features of Fundamental Rights	74
8.8	Fundamental Rights in India, US and UK: A Comparison	75
8.9	State and Laws	75
8.9.1	State	75
8.9.2	Test for Determining State	75
8.9.3	Laws	76
8.10	Amendability of Fundamental Rights	76
8.11	Right to Equality	77
8.11.1	Equality before Law and Equal Protection of Law	78
8.12	Prohibition of Discrimination	79
8.12.1	Meaning	80
8.12.2	Exceptions	80
8.13	Equality of Opportunity in Public Employment	81
8.14	Abolition of Untouchability	84
8.15	Abolition of Titles	85
8.16	Right to Freedom	86
8.16.1	Article 19(1)(a) Freedom of Speech and Expression	87
8.16.2	Article 19(1)(b) Freedom of Peaceful Assembly	91
8.16.3	Article 19(1)(c) Freedom of Association	92
8.16.4	Article 19(1)(d) Freedom of Movement	92
8.16.5	Article 19(1)(e) Freedom of Residence	92
8.16.6	Article 19(1)(g) Freedom of Profession	92
8.17	Protection from Conviction for Offences	94
8.18	Protection of Life and Personal Liberty	94
8.18.1	Meaning	94
8.18.2	Principle of Natural Justice Article 21	96
8.19	Right to Education	97
8.19.1	Evolution	97
8.19.2	Provision	97
8.20	Protection Against Arbitrary Arrest and Detention	98
8.20.1	Meaning	98
8.20.2	Arbitrary Arrest	98
8.20.3	Preventive Detention	99
8.21	Right Against Exploitation	100
8.21.1	Prohibition of Traffic in Human Beings and Forced Labour (Article 23)	100
8.21.2	Prohibition of Employment of Children in Factories (Article 24)	100
8.22	Right to Freedom of Religion	101
8.22.1	Freedom of Conscience, Profession, Practice and Propagation	101
8.22.2	Freedom to Manage Religious Affairs	102
8.22.3	Freedom from Payment of Taxes for Promotion of Religion	103
8.22.4	Freedom from Attending Religious Instructions	103
8.23	Cultural and Educational Rights	104
8.23.1	Protection of Interests of Minorities	104
8.23.2	Right to Establish and Administer Educational Institutions	104

8.24	Right to Constitutional Remedies	105
8.25	Other Provisions	107
8.25.1	Fundamental Rights and Armed Forces	107
8.25.2	Fundamental Rights during Martial Law	108
8.25.3	Implementation of Certain Fundamental Rights	109
8.26	Exception to Fundamental Rights	109
8.26.1	Saving of Laws Providing for Acquisition of Estates, etc.	109
8.26.2	Validation of Certain Acts and Regulations	110
8.26.3	Saving Laws Giving Effect to Certain Directive Principles	110
8.27	Rights Outside Part III	110
8.28	Criticism of Fundamental Rights	110

CHAPTER - 9

Directive Principles of State Policy.....	113
9.1 Introduction	113
9.2 Directive Principles of State Policy	113
9.2.1 Classification of DPSP	113
9.3 Directives Outside Part IV of the Constitution....	117
9.4 DPSP: A Critical Analysis	118
9.4.1 Utility	118
9.4.2 Enforceability.....	118
9.4.3 Criticism	118
9.5 Fundamental Rights and DPSP: Relationship....	119
9.6 Current Issues Related to DPSP.....	120
9.6.1 Uniform Civil Code	120
9.6.2 Ancient Monuments Conservation.....	121
9.6.3 Child Labour (Prohibition and Regulation) Act, 2016.....	121
9.6.4 Liquor Ban.....	122
9.6.5 Cow Slaughter Ban.....	122

CHAPTER - 10

Fundamental Duties	124
10.1 Introduction	124
10.2 Historical Background.....	124
10.2.1 Opinion of Constituent Assembly	124
10.3 Need for Fundamental Duties.....	124
10.4 Swaran Singh Committee	125
10.5 Features of Fundamental Duties.....	125
10.6 Fundamental Duties at a Glance	125
10.7 Criticism of Fundamental Duties.....	126
10.8 Fundamental Rights, DPSP and Fundamental Duties: Relation.....	126
10.8.1 Fundamental Duties and Fundamental Rights: Relation	126
10.8.2 Fundamental Duties and DPSP: Relation	127
10.8.3 Fundamental Duties and Preamble: Relation	127

10.9	Issues Based Critical Analysis	127
10.9.1	Constitution and National Flag, National Anthem and Institutions	127
10.9.2	Ideals of Freedom Struggle	128
10.9.3	Sovereignty, Unity & Integrity of India	128
10.9.4	Defending the Country and Rendering National Service.....	128
10.9.5	Promoting Harmony, Brotherhood and Respecting Womens Dignity	128
10.9.6	Preserving Rich Heritage of Our Composite Culture.....	129
10.9.7	Protecting Natural Environment	130
10.9.8	Developing Scientific Temper and Spirit of Inquiry and Reform	130
10.9.9	Safeguarding Public Property and Abjuring Violence	130
10.9.10	Striving towards Excellence.....	130
10.9.11	Providing Opportunities for Education to Children.....	131
10.10	Fundamental Duties: Current Issues	131
10.10.1	Voting: A Fundamental Duty	131
10.10.2	Duty to Pay Tax.....	132
10.11	NCRWC Recommendations	133
10.12	"Rights and Duties go Hand in Hand" - Justice J.S. Verma Committee (1999)	133
10.13	Way Forward	134

CHAPTER - 11

Amendment of the Constitution	135
11.1 Introduction	135
11.2 Amending Process and its Types.....	135
11.2.1 By Simple Majority.....	135
11.2.2 By Special Majority.....	136
11.2.3 By Special Majority of Parliament and Consent of States	136
11.3 Salient Features of Amending Procedure in India	136
11.4 Basic Structure of Constitution and Amendment Debate	137
Basic Structure of Constitution.....	137
11.5 Criticism of Amendment Procedure.....	138
11.6 Conclusion	138

UNIT – II: THE LEGISLATURE

CHAPTER - 12

Parliament.....	141
12.1 Introduction	141
12.1.1 Comparison with Other Legislative Bodies of World.....	141
12.2 Evolution of Indian Parliament	141
12.3 Houses of Parliament	142
12.3.1 Lok Sabha	143
12.3.2 Rajya Sabha.....	143

12.3.3	Reasons for not using Proportional System for Lok Sabha Elections	145
12.3.4	Language used in Parliament.....	145
12.4	President: A Part of Parliament.....	146
12.5	Office Bearers of Parliament.....	146
12.5.1	Speaker of Lok Sabha.....	146
12.5.2	Deputy Speaker of Lok Sabha.....	147
12.5.3	Panel of Chairpersons of Lok Sabha	148
12.5.4	Chairman of Rajya Sabha.....	148
12.5.5	Deputy Chairman of Rajya Sabha	148
12.5.6	Panel of Vice Chairpersons of Rajya Sabha	148
12.6	Leaders in Parliament.....	148
12.6.1	Leader of House.....	148
12.6.2	Leader of Opposition.....	149
12.6.3	Whip	149
12.6.4	Whip, Anti-Defection Law and Legislative Independence.....	149
12.7	Membership of Parliament.....	150
12.7.1	Qualifications.....	150
12.7.2	Disqualifications/Vacation of Seats	150
12.7.3	Oath/Affirmation of Members.....	151
12.7.4	Salaries and Allowances of Members	152
12.8	Parliamentary Proceedings	152
12.8.1	Sessions.....	152
12.8.2	Dissolution.....	153
12.8.3	Devices of Parliamentary Proceedings.....	154
12.9	Legislative Procedure.....	157
12.9.1	Public and Private Member Bill: A Comparison.....	157
12.9.2	Classification of Bills	157
12.10	Budget in Parliament.....	161
12.10.1	Parliamentary Control Over Finance.....	161
12.10.2	Budget	161
12.10.3	General Budget and Railway Budget: Separation and Unification	161
12.10.4	Budget: Constitutional Provision	162
12.10.5	Charged Expenditure.....	162
12.10.6	Stages in Enactment of Budget.....	162
12.10.7	Other Types of Grants	165
12.11	Multi-Functional Role of Parliament	165
12.11.1	Legislative Powers and Functions.....	165
12.11.2	Executive Powers and Functions.....	165
12.11.3	Financial Powers and Functions.....	166
12.11.4	Constituent Powers and Functions.....	166
12.11.5	Judicial Powers and Functions.....	166
12.11.6	Electoral Powers and Functions	166
12.11.7	Other Powers and Functions	167
12.12	Ineffectiveness of Parliamentary Control	167
12.13	Parliamentary Privileges	167
12.13.1	Individual Privilege	167
12.13.2	Collective Privileges.....	168
12.13.3	Codification of Parliamentary Privileges.....	168
12.13.4	Breach of Privilege and Contempt of House	168

12.14 Sovereignty of Indian Parliament.....	169
12.15 Working of Parliament So Far	169
12.16 Allocation of Seats in Parliament for States and Union Territories	170
12.17 Seats Reserved for SCs and STs in the Lok Sabha (2019).....	171
12.18 Durations of the Lok Sabha (from First Lok Sabha to Present Lok Sabha).....	173
12.19 Speakers of the Lok Sabha (from First Lok Sabha to Present Lok Sabha).....	173

CHAPTER - 13

Parliamentary Committees	176
13.1 Introduction	176
13.2 Need for Committees	176
13.3 Constitutional Provisions	176
13.4 Types of Parliamentary Committees	177
13.4.1 Standing Committees	177
13.4.2 Ad hoc Committees	177
13.4.3 Joint Committees and Select Committees	178
13.5 Important Committees and their Composition ...	179
13.5.1 Public Accounts Committee	179
13.5.2 Estimates Committee.....	179
13.5.3 Committee on Public Undertakings	180
13.5.4 Departmental Standing Committees.....	180
13.6 Committee to Inquire	182
13.6.1 Ethics Committee	182
13.6.2 Committee on Petitions.....	182
13.6.3 Committee of Privileges.....	182
13.7 Committee to Scrutinize and Control	182
13.7.1 Committee on Government Assurances.....	182
13.7.2 Committee on Subordinate Legislation.....	182
13.7.3 Committee on Papers Laid on the Table	182
13.7.4 Committee on Welfare of SCs and STs.....	183
13.7.5 Committee on Empowerment of Women	183
13.7.6 Joint Committee on Offices of Profit	183
13.8 Committee Relating to Day to Day Business of the House	183
13.8.1 Business Advisory Committee.....	183
13.8.2 Committee on Private Members Bills and Resolutions.....	183
13.8.3 Rules Committee	183
13.8.4 Committee on Absence of Members.....	184
13.9 House-Keeping Committees	184
13.9.1 General Purposes Committee	184
13.9.2 House Committee.....	184
13.9.3 Library Committee.....	184
13.9.4 Joint Committee on Salaries and Allowances of Members	184
13.10 Consultative Committee	184

13.11 Parliamentary Committees: A Critical Analysis..	184
13.11.1 Factors Responsible for Poor Effectiveness ..	185
13.11.2 Suggestions to improve Functioning of Committees	185
13.12 Conclusion	186

CHAPTER - 14

State Legislature.....	187
14.1 Introduction	187
14.2 Bicameral and Unicameral Legislatures.....	188
14.3 Legislative Assembly.....	189
14.3.1 Speaker of Legislative Assembly	189
14.3.2 Deputy Speaker	190
14.4 Creation and Abolition of Legislative Council....	190
14.5 Legislative Council	190
14.5.1 Composition of the Vidhan Parishad	190
14.5.2 Duration of Legislative Council.....	191
14.5.3 Chairman of Legislative Council.....	191
14.5.4 Deputy Chairman	191
14.6 Qualification for Membership	191
14.7 Disqualification.....	192
Disqualification on Ground of Defection.....	192
14.8 Sessions of State Legislature	192
14.9 Powers and Functions of State Legislature	193
14.9.1 Law Making Function	193
14.9.2 Financial Powers	193
14.9.3 Control over the Executive	193
14.9.4 Electoral Functions.....	193
14.9.5 Constitutional Functions	194
14.10 Comparison of Two Houses of State Legislature	194
14.10.1 Ordinary Bills	194
14.10.2 Money Bill.....	194
14.10.3 Control over the Executive.....	195
14.10.4 Electoral Functions	195
14.11 Legislative Council: A Critical Analysis	197
14.11.1 Reasons for Inferior Position.....	197
14.11.2 Criticisms of Legislative Council.....	197
14.11.3 Importance of Legislative Council	197
14.12 Privileges of State Legislature	197
14.12.1 Collective Privileges	197
14.12.2 Individual Privileges	198

CHAPTER - 15

The Union Territories	199
15.1 Introduction	199
15.1.1 Genesis of Union Territories	199
15.2 Administration of Union Territories	200
15.2.1 Role of Administrator.....	200
15.2.2 Union Territory: A Separate Entity	200
15.2.3 Ministerial Interface for Union Territory.....	200

15.3	Legislature of Union Territories.....	201
15.3.1	Legislative Powers over the Union Territories.....	201
15.3.2	Article 239B: Ordinances	201
15.4	High Courts for Union Territories	202
15.5	Advisory Committees of Union Territories	202
15.6	Special Provision for Delhi.....	202
15.6.1	Legislative Assembly of NCT.....	202
15.6.2	Council of Ministers of NCT	202
15.6.3	Struggle for Supremacy: Lt. Governor and Chief Minister	202
15.6.4	Government of National Capital Territory of Delhi Act, 2021	203
15.6.5	Conclusion	203
15.7	Union Territories of Jammu & Kashmir and Ladakh	204
15.7.1	Background.....	204
15.7.2	Article 370 - Features and Provisions.....	204
15.7.3	Jammu and Kashmir Reorganisation Act, 2019.....	204
15.7.4	Conclusion	206

UNIT – III: THE EXECUTIVE

CHAPTER - 16

President	208
16.1 Introduction	208
16.1.1 Constituent Assembly Debate	208
16.1.2 Significance of the President.....	209
16.2 Election of President.....	209
16.3 Qualifications for the President.....	211
16.4 Oath of the President.....	211
16.5 Conditions for Office of the President.....	211
16.6 Emoluments.....	212
16.7 Term	212
16.8 Impeachment of the President	212
16.8.1 Procedure of Impeachment of President.....	212
16.8.2 Impeachment Process: An Analysis.....	212
16.9 Vacancy in Office	213
16.10 Immunities and Privileges.....	213
16.11 Powers and Functions	213
16.11.1 Executive/Administrative Powers.....	213
16.11.2 Legislative Powers	214
16.11.3 Judicial Powers	216
16.11.4 Military Powers	217
16.11.5 Diplomatic Powers.....	217
16.11.6 Financial Powers	217
16.11.7 Emergency Powers	218
16.11.8 Discretionary Powers.....	218
16.12 Historical Analysis	220

CHAPTER - 17

Vice-President	222
17.1 Introduction	222
17.2 Election	222
17.2.1 Qualifications.....	222
17.2.2 Election of Vice-President: Disputes	223
17.2.3 Term of Office.....	223
17.2.4 Vacancy in Office	223
17.3 Conditions of Office.....	223
17.4 Emoluments.....	224
17.5 Roles and Powers.....	224
17.5.1 Discharge of Presidential Duty.....	224
17.5.2 Ex-Officio Chairman of Rajya Sabha	224
17.6 Indian and US Vice-President: A Comparison.....	225
17.7 Vice-President: A Critical Analysis	225

CHAPTER - 18

Prime Minister and Council of Ministers	227
18.1 Introduction	227
18.2 Constitutional Provisions related to Prime Minister.....	228
18.2.1 Appointment of Prime Minister	228
18.2.2 Oath, Term and Salary	229
18.3 Powers and Functions	230
18.3.1 In Relation to Council of Ministers	230
18.3.2 In Relation to President	231
18.3.3 Appointment of Important Officials.....	231
18.3.4 In Relation to Parliament.....	231
18.3.5 Role in Planning	232
18.3.6 Role in International Relations	232
18.3.7 Other Powers and Functions of Prime Minister.....	232
18.4 Prime Minister: Head of Committees	233
18.5 Prime Minister's Office (PMO)	233
18.5.1 Role of Prime Minister.....	233
18.5.2 Rationale for PMO	233
18.5.3 Evolution of PMO	233
18.5.4 Composition of PMO	234
18.5.5 Functions of PMO	234
18.5.6 PMO: A Critical Analysis.....	234
18.5.7 PMO vis-a-vis Cabinet Secretariat.....	235
18.6 Central Council of Ministers.....	235
18.6.1 Constitutional Provisions	236
18.6.2 Nature of Advice by Council of Ministers	236
18.6.3 Appointment of Ministers.....	237
18.6.4 Responsibility of Ministers.....	237
18.6.5 Composition of Council of Minister	238
18.6.6 Dismissal of Council of Minister.....	239
18.6.7 Size of Council of Ministers	239
18.7 Cabinet.....	240
18.7.1 Role of Cabinet.....	240
18.7.2 Cabinet Committees.....	240

18.7.3	Group of Ministers (GoM) and Empowered Group of Ministers (EGoM).....	241
18.7.4	Cabinet Committee: A Critical Analysis.....	241
18.7.5	Kitchen Cabinet.....	242
18.8	Criticism of Council of Ministers	242
18.9	Cabinet Secretariat and Central Secretariat.....	243
18.9.1	Cabinet Secretariat	243
18.9.2	Cabinet Secretary	244
18.9.3	Working of Cabinet Secretariat: A Critical Analysis.....	244
18.9.4	Central Secretariat	244
18.9.5	Structure of Ministries/Departments	245
18.9.6	Functions of Central Secretariat	246

CHAPTER - 19

Governor.....	247
19.1 Introduction	247
19.2 Appointment, Conditions, Terms and Removal	247
19.2.1 Appointment.....	247
19.2.2 Appointment of Lieutenant Governor	248
19.2.3 Conditions of Office of Governor	248
19.2.4 Terms of Office.....	248
19.2.5 Removal of Governor.....	248
19.3 Constitutional Position	249
19.4 Power and Functions of the Governor	249
19.4.1 Executive Powers of the Governor	249
19.4.2 Legislative Powers	250
19.4.3 Financial Powers	251
19.4.4 Judicial Powers	251
19.4.5 Discretionary Powers.....	251
19.5 Immunities Enjoyed	252
19.6 Powers of President and Governor: A Comparison.....	252
19.7 Recommendation of Various Commissions	255
19.7.1 Sarkaria Commission.....	255
19.7.2 S.R. Bommai Case	255
19.7.3 Punchhi Commission.....	255
19.8 Recent Issues with Office of Governor	256

CHAPTER - 20

Chief Minister and Council of Ministers.....	258
20.1 Introduction	258
20.1.1 Eligibility for Appointment.....	259
20.1.2 Appointment.....	259
20.1.3 Member of Either House.....	259
20.1.4 Removal	259
20.1.5 Oath, Term and Salary	260
20.2 Powers and Functions	260
20.2.1 In Relation to Council of Ministers	260
20.2.2 In Relation to State Legislature.....	261
20.2.3 In Relation to the Governor.....	261

20.3	State Council of Ministers.....	261
20.3.1	Appointment.....	261
20.3.2	Responsibility	262
20.3.3	Nature of Advice by Ministers	262
20.3.4	Composition	263
20.4	Parliamentary Secretaries.....	263
20.4.1	Meaning	263
20.4.2	Office of Profit.....	263
20.4.3	Disqualifications for Holding Office of Profit	263
20.4.4	Exemptions to Office of Profit Rule.....	263

CHAPTER - 21

Local Self Government	264
21.1 Introduction	264
21.2 Significance of Local Self Government.....	264
21.3 Evolution of Panchayati Raj	265
21.3.1 Pre-British.....	265
21.3.2 During British Rule	265
21.3.3 Post-Independence.....	265
21.4 Constitutionalization Process.....	267
21.4.1 Rajiv Gandhi Government	267
21.4.2 V.P. Singh Government	268
21.4.3 P.V. Narsimha Rao Government.....	268
21.5 73rd Amendment Act, 1992	268
21.5.1 Salient Features.....	268
21.5.2 Compulsory and Voluntary Provisions.....	270
21.6 PESA Act, 1996	271
21.6.1 Features	271
21.6.2 Powers of Gram Sabha	271
21.7 Issues with Local Self Government.....	271
21.8 Developmental Impacts.....	272

CHAPTER - 22

Urban Local Bodies.....	274
22.1 Introduction	274
22.2 Evolution of Urban Local Bodies during British Rule	274
22.3 Need for Constitutional Status	275
22.4 Steps towards Constitutional Status	275
22.5 74th Amendment Act, 1992.....	276
22.6 Types of Urban Governments	280
22.6.1 Municipal Corporation	280
22.6.2 Municipality	280
22.6.3 Notified Area Committee	281
22.6.4 Town Area Committee	281
22.6.5 Cantonment Board	281
22.6.6 Township.....	281
22.6.7 Port Trust.....	282
22.6.8 Special Purpose Agency	282
22.7 Municipal Personnel	282

22.8	Central Council of Local Government.....	282
22.9	Municipal Revenue.....	283
22.9.1	Municipal Bond	283
22.10	ULBs: A Critical Analysis.....	283
22.10.1	Problems with ULBs	283
22.11	Effectiveness of Governance at Local Level	286

CHAPTER - 23

	The Co-Operative Societies	288
23.1	Introduction	288
23.2	Constitutional Provisions	288
23.3	Reasons for 97th Constitutional Amendment Act, 2011.....	289
23.4	Features of 97th Constitutional Amendment Act, 2011	289
23.5	Ministry of Cooperation	291
23.6	Issues with Cooperative Societies.....	291

UNIT – IV: THE JUDICIARY

CHAPTER - 24

	Supreme Court	294
24.1	Introduction	294
24.2	Organization of Judiciary in India.....	294
24.2.1	Integrated Judiciary	294
24.2.2	Hierarchy of Courts	295
24.3	Supreme Court	295
24.3.1	Organization.....	295
24.3.2	Judges	295
24.4	Independence of Supreme Court.....	297
24.5	Jurisdiction and Powers of Supreme Court	298
24.5.1	Jurisdiction of Supreme Court.....	298
24.5.2	Powers of Supreme Court.....	300
24.6	Supreme Court as National Court of Appeal (NCA)	301
24.6.1	Background.....	301
24.6.2	Need for NCA.....	301
24.6.3	Criticism of NCA.....	302
24.6.4	Procedure of Court.....	302
24.7	Supreme Court Advocates	302
24.7.1	Senior Advocates	302
24.7.2	Advocates-on Records.....	303
24.7.3	Other Advocates	303
24.8	Role of Supreme Court in Strengthening the Constitution	303
24.8.1	Basic Structure Doctrine	303
24.8.2	Expansion of Article 21.....	304
24.8.3	Public Interest Litigation (PIL)	304
24.9	Judicial Review	304
24.9.1	Meaning of Judicial Review.....	304
24.9.2	Constitutional Provisions	304

24.9.3	Scope of Judicial Review	305
24.9.4	Judiciary on Judicial Review	305
24.9.5	State and Judicial Review	305
24.9.6	Judicial Review: Current Status.....	305
24.9.7	Judicial Review of IXth Schedule	306

24.10	Judicial Activism	306
24.10.1	Meaning of Judicial Activism.....	306
24.10.2	Rationale Behind Judicial Activism	307
24.10.3	Apprehensions About Judicial Activism.....	308
24.11	Judicial Restraints	308
24.11.1	Meaning of Judicial Restraints	308
24.11.2	Assumptions of Judicial Restraints	308
24.11.3	Supreme Court on Judicial Restraint.....	309
24.11.4	Judicial Activism and Judicial Restraint: A Comparison	309
24.12	Judicial Overreach	309
24.12.1	Impact of Judicial Overreach	309
24.12.2	Basic Problem with Judicial Overreach.....	311
24.13	Judicial Underreach	311
24.14	Public Interest Litigation (PIL)	311
24.14.1	Meaning of PIL	312
24.14.2	Features of PIL	312
24.14.3	Scope of PIL.....	312
24.14.4	Principles behind PIL	313
24.14.5	PIL: A Critical Analysis	313

CHAPTER - 25

	High Court	319
25.1	Introduction	319
25.2	Historical Background.....	319
25.3	Composition	321
25.4	Judges	321
25.4.1	Appointment of Judges	321
25.4.2	Qualifications.....	322
25.4.3	Oath of Affirmation	322
25.4.4	Tenure of Judges of High Court	322
25.5	Removal of Judges.....	323
25.6	Salaries and Allowances	323
25.7	Transfer of Judges	323
25.8	Acting Chief Justice	324
25.9	Additional and Acting Judges.....	324
25.10	Retired Judges.....	324
25.11	Independence of Judiciary.....	324
25.11.1	Need for an Independent Judiciary.....	324
25.11.2	Independence of High Courts	324
25.12	Jurisdiction and Powers	325
25.12.1	Original Jurisdiction	326
25.12.2	Writ Jurisdiction.....	326
25.12.3	Appellate Jurisdiction.....	326
25.12.4	Supervisory Jurisdiction	327
25.12.5	Control over Subordinate Courts	327

25.12.6	Jurisdiction over Administrative Tribunals.....	328
25.12.7	A Court of Record	328
25.12.8	Power of Judicial Review.....	329
25.13	Supreme Court and High Court: A Comparison	329

CHAPTER - 26

Sub-Ordinate Courts	331
26.1 Introduction	331
26.2 Constitutional Provisions	331
26.2.1 Appointment of District Judges	331
26.2.2 Appointment of Other Judges	331
26.2.3 Control Over Subordinate Courts	331
26.3 Structure and Jurisdiction	331
26.4 National Legal Service Authority	332
26.5 Lok Adalat	332
26.5.1 Composition	332
26.5.2 Statutory Status	332
26.5.3 Benefits of Lok Adalat	333
26.5.4 Permanent Lok Adalat	333
26.5.5 Critical Analysis.....	333
26.6 Family Court	334
26.6.1 Reason for Establishment.....	334
26.6.2 Features	334
26.6.3 Working of Family Court	334
26.7 Fast-Track Court.....	335
26.7.1 Appointment of Judges	335
26.7.2 Features	335
26.7.3 Working of Fast Track Courts: A Critical Analysis.....	335
26.8 Gram Nyayalayas	336
26.8.1 Features	336
26.8.2 Working of Gram Nyayalayas: A Critical Analysis.....	337
26.9 Tribunals.....	337
26.9.1 Central Administrative Tribunal	337
26.9.2 Tribunals for Other Matters (Art. 323B)	338
26.9.3 State Administrative Tribunals.....	338
26.9.4 Supreme Court Judgement on Administrative Tribunals.....	339
26.9.5 Working of Administrative Tribunals: A Critical Analysis.....	339
26.10 Alternate Dispute Redressal.....	339
26.10.1 Arbitration.....	340
26.10.2 Mediation	340
26.10.3 Conciliation	340
26.10.4 Negotiation.....	340
26.10.5 Objectives of Arbitration and Conciliation Act, 1996	341

CHAPTER - 27

Issues of Judiciary.....	343
27.1 Introduction	343
27.2 Judicial Delay	343

27.3 Corruption in Judiciary	346
27.4 Judicial Accountability	347
27.5 Issues with Judicial Appointments	348
27.6 Undertrials.....	349
27.7 Judiciary and Right to Information (RTI)	351
27.8 Contempt of Court.....	351
27.9 Low Women Representation in Judiciary	352
27.10 Retirement Age of Judges.....	353
27.11 Fixing Tenure of CJI	353
27.12 Baseless Recusal	353

UNIT – V: FEDERAL SYSTEM OF POLITY

CHAPTER - 28

Federal System of Indian Polity	355
28.1 Introduction	355
28.2 Federalism.....	355
28.3 Federal Features of Indian Constitution.....	356
28.4 Unitary Features of Indian Constitution.....	357
28.5 Issues with Indian Federalism	358
28.6 Quasi Federal Nature of Indian Constitution.....	358
28.7 Federal System: A Critical Analysis.....	359

CHAPTER - 29

Centre-State Relations.....	361
29.1 Introduction	361
29.2 History of Centre State Relations.....	361
29.3 Legislative Relations.....	361
29.4 Administrative Relations	364
29.5 Financial Relations	367
29.6 Trends in Centre-State Relations.....	370
29.7 Issues in Centre-State Relations.....	370
29.8 Recent Issues Between Centre and the States	373

CHAPTER - 30

Inter-State Relations	374
30.1 Introduction	374
30.2 Public Acts, Records and Judicial Proceedings.....	374
30.3 Inter-State Water Disputes	374
30.4 Inter-State Councils.....	375
30.4.1 Role and Responsibilities of Inter State Councils	375
30.4.2 Standing Committee of Council.....	376
30.5 Zonal Councils	376
30.6 North Eastern Council (NEC).....	377
30.7 Inter-State Trade, Commerce and Intercourse	377

CHAPTER - 31

Emergency Provisions.....	379
31.1 Emergency Provisions.....	379
31.2 National Emergency.....	380
31.3 Financial Emergency.....	383
31.4 President's Rule.....	384
31.4.1 Ground for Imposition of President Rule.....	384
31.5 Application of Article 356: Recommendations.....	387
31.6 Additional Information.....	389

CHAPTER - 32

Special Provisions in Constitution.....	392
32.1 Introduction.....	392
32.1.1 Article 371: Maharashtra, Gujarat.....	392
32.1.2 Article 371-A: Nagaland.....	392
32.1.3 Article 371-B: Assam.....	393
32.1.4 Article 371-C: Manipur.....	393
32.1.5 Article 371-D: Andhra Pradesh and Telangana.....	393
32.1.6 Article 371-E: Central University in Andhra Pradesh.....	393
32.1.7 Article 371-F: Sikkim.....	393
32.1.8 Article 371-G: Mizoram.....	394
32.1.9 Article 371-H: Arunachal Pradesh.....	394
32.1.10 Article 371-I: Goa.....	394
32.1.11 Article 371-J: Hyderabad and Karnataka Region.....	394

UNIT – VI: CONSTITUTIONAL BODIES**CHAPTER - 33**

Election Commission.....	396
33.1 Introduction.....	396
33.2 Vision, Mission, and Guiding Principles.....	396
33.3 Composition.....	397
33.4 Eligibility.....	397
33.5 Appointment.....	398
33.6 Term of Office.....	398
33.7 Removal.....	398
33.8 Independence of Election Commission.....	398
33.9 Powers and Functions of Election Commission.....	398
33.10 CEC Superior or Equal with ECs.....	399
33.11 Challenges and Opportunities.....	399
33.12 Greater Powers for EC.....	400
33.13 Way Forward.....	400

CHAPTER - 34

Public Service Commission.....	401
34.1 Introduction.....	401
34.2 Constitutional Status.....	401

34.3 Union Public Service Commission (UPSC).....	402
34.4 State Public Service Commission (SPSC).....	405
Issues and Recommendations.....	407
34.5 Joint State Public Service Commission.....	408
34.6 All India Services.....	409

CHAPTER - 35

Finance Commission.....	411
35.1 Introduction.....	411
35.2 Composition.....	411
35.3 Roles and Responsibilities.....	411
35.4 Report of the 15th Finance Commission for 2021-26.....	412
35.4.1 Terms of Reference (ToR).....	412
35.4.2 Major Recommendations of 15th Finance Commission.....	412
35.5 Finance Commission - Some Concepts and Definitions.....	414
35.6 Limitations.....	416

CHAPTER - 36

National Commissions for SCs and STs.....	417
36.1 National Commission for Scheduled Castes.....	417
36.1.1 Introduction.....	417
36.1.2 Composition.....	417
36.1.3 Eligibility.....	417
36.1.4 Terms of Office.....	418
36.1.5 Resignation and Removal.....	418
36.1.6 Functions of NCSC.....	418
36.1.7 Powers of NCSC.....	418
36.1.8 Reports.....	419
36.1.9 Advisory Role.....	419
36.1.10 List of Services Provided.....	419
36.2 National Commission for Scheduled Tribes.....	419
36.2.1 Introduction.....	419
36.2.2 Composition.....	419
36.2.3 Eligibility.....	420
36.2.4 Terms of Office.....	420
36.2.5 Resignation and Removal.....	420
36.2.6 Functions of NCST.....	420
36.2.7 Other Functions of NCST.....	421
36.2.8 Powers of NCST.....	421
36.2.9 Advisory Role of NCST.....	421
36.2.10 Annual Report of NCST.....	421
36.3 Constitutional Provisions for Protection and Development of Scheduled Castes and Scheduled Tribes.....	421
36.4 Challenges to NCSC and NCST: A Critical Analysis.....	422
36.4.1 Way Forward.....	423

CHAPTER - 37

National Commission for Backward Classes (NCBC)	424
37.1 Introduction	424
37.1.1 Composition	424
37.1.2 Eligibility	424
37.1.3 Terms of Office	424
37.1.4 Resignation and Removal	424
37.2 Functions of the Commission	425
37.3 Powers of the Commission	425
37.4 Annual Report of the Commission	425
37.5 Recent Issue of OBC Sub-Categorisation	426
37.5.1 The Need for Sub-Categories	426
37.5.2 Findings of Commission	426
37.5.3 Extent of OBC Recruitment in Central Jobs	426
37.5.4 Criticism of OBC Sub-Categorisation	427
37.5.5 Government's Stance on Caste Census	427
37.5.6 Way Forward	427

CHAPTER - 38

Goods and Services Tax Council	428
38.1 Introduction	428
38.2 Composition of the Gst Council	428
38.3 Working of the GST Council	429
38.4 Functions of the GST Council	429
38.5 Advantages of GST	429
38.5.1 For the Government	429
38.5.3 For the States	430
38.6 Issues in GST Implementation and Functioning	430

CHAPTER - 39

Financial and Legal Authorities	431
39.1 Comptroller and Auditor General	431
39.1.1 Appointment and Term of Office	432
39.1.2 Independence	432
39.1.3 Role of CAG	433
39.1.4 Types of CAG Auditing	433
39.1.5 CAG and Corporations	434
39.1.6 Issues in Functioning of CAG	434
39.1.7 Criticism of CAG	436
39.1.8 Social Audit and CAG Audit	436
39.1.9 Significance of CAG	436
39.2 Attorney General of India	437
39.2.1 Appointment and Terms	438
39.2.2 Duties and Functions	438
39.2.3 Rights and Limitations	438
39.3 Solicitor General and Additional Solicitors General of India	439

39.4 Advocate General	440
39.4.1 Appointment and Term of Advocate General	441
39.4.2 Remuneration	441
39.4.3 Duties and Functions	441
39.4.4 Rights and Limitations of Advocate General	441
39.5 Controller General of Accounts (CGA)	442
39.5.1 Duties and Functions	442
39.5.2 Mandate	442

UNIT - VII: OTHER BODIES AND ISSUES**CHAPTER - 40**

Non Constitutional Bodies	444
40.1 Planning Commission	444
40.1.1 Role Played by Commission	444
40.1.2 Issues with Planning Commission	445
40.1.3 Reasons for Scrapping Planning Commission	445
40.2 NITI Aayog	445
40.2.1 Functions of NITI Aayog	446
40.3 National Development Council	448
40.3.1 Functions of NDC	448
40.3.2 Critical Analysis of Working of NDC	448
40.4 National Human Rights Commission	448
40.4.1 Functions of NHRC	449
40.4.2 Powers of NHRC	450
40.5 State Human Rights Commission	451
40.5.1 Functions of SHRC	451
40.5.2 Powers of SHRC	452
40.5.3 Major Concerns	452
40.6 Central Information Commission	452
40.6.1 Composition	452
40.6.2 Appointment	452
40.6.3 Eligibility Criteria	452
40.6.4 Tenure and Service Conditions	453
40.6.5 Autonomy Provisions for CIC	453
40.6.6 Provision of Appeal	453
40.6.7 Powers and Functions	454
40.6.8 Other Activities/Initiatives	455
40.6.9 Present Status of CIC	455
40.6.10 Way Forward	455
40.6.11 Further Suggestions	456
40.6.12 Proposed New Amendment in RTI Act	456
40.7 State Information Commission	456
40.7.1 Composition	457
40.7.2 Appointment	457
40.7.3 Eligibility Criteria	457
40.7.4 Tenure and Service Conditions	457
40.7.5 Autonomy Provisions for State Information Commission	457
40.7.6 Powers and Functions	458

CHAPTER - 41**Anti-Corruption Bodies 460****41.1 Central Vigilance Commission..... 460**

- 41.1.1 Composition 460
- 41.1.2 Appointment of Members 460
- 41.1.3 Qualification 460
- 41.1.4 Term of Office..... 460
- 41.1.5 Removal of Members 460
- 41.1.6 Salary and Allowance..... 461
- 41.1.7 Powers and Functions 461
- 41.1.8 Commission's Advisory Role 461
- 41.1.9 Jurisdiction of CVC..... 462
- 41.1.10 CVC's Role so Far 462
- 41.1.11 Critical Analysis of CVC..... 462
- 41.1.12 Way Forward 463

41.2 Central Bureau of Investigation (CBI)..... 463

- 41.2.1 Evolution and Establishment 463
- 41.2.2 Legal Position of CBI..... 464
- 41.2.3 CBI 464
- 41.2.4 Organisation and Composition..... 464
- 41.2.5 Appointment..... 464
- 41.2.6 Roles and Functions of CBI..... 464
- 41.2.7 Delhi Special Police Establishment 465
- 41.2.8 Role of Judiciary in CBI Investigation..... 466
- 41.2.9 Need for an Independent Law..... 466
- 41.2.10 Way Forward 466

41.3 Lokpal and Lokayuktas 467

- 41.3.1 Ombudsman: Meaning and Importance..... 467
- 41.3.2 Lokpal 467
- 41.3.3 Lokpal and Lokayuktas Act, 2013 468
- 41.3.4 Lokayuktas 471

41.4 Enforcement Directorate 472**41.5 National Investigation Agency (NIA)..... 472****CHAPTER - 42****Commissions for Socially Vulnerable Groups..... 474****42.1 National Commission for Women..... 474**

- 42.1.1 Establishment..... 474
- 42.1.2 Composition 474
- 42.1.3 Term of Office..... 474
- 42.1.4 Powers and Functions 474
- 42.1.5 Parivarik Mahila Lok Adalat..... 476

42.2 National Commission for Protection of Child Rights (NCPCR)..... 476

- 42.2.1 Establishment of NCPCR..... 476
- 42.2.2 Composition 476
- 42.2.3 Power and Functions..... 476
- 42.2.4 Working 477
- 42.2.5 Jurisdiction..... 477
- 42.2.6 Critical Analysis..... 478
- 42.2.7 Suggestions for Commission..... 478

42.3 National Commission for Minorities (NCM)..... 478

- 42.3.1 Establishment of NCM..... 478
- 42.3.2 Composition of NCM 478
- 42.3.3 Terms of Office..... 479
- 42.3.4 Powers and Functions 479
- 42.3.5 Jurisdiction of NCM..... 479
- 42.3.6 Additional Powers or Duties of NCM 480
- 42.3.7 Annual Reports of NCM..... 480
- 42.3.8 Critical Analysis of the Working of NCM..... 480

42.4 Chief Commissioner for Person with Disabilities..... 480

- 42.4.1 Appointment and Terms of Office 481
- 42.4.2 Power, Functions and Working of Commissioners..... 481
- 42.4.3 Annual Report 481
- 42.4.4 Annual reports to be prepared by the Commissioner 482
- 42.4.5 Critical Analysis of the Officer of Chief Commissioner 482
- 42.4.6 Recommendations for the Institution 482

CHAPTER - 43**Other Bodies 483****43.1 National Green Tribunal 483**

- 43.1.1 National Green Tribunal Act, 2010 483
- 43.1.2 Current Issues/Debates..... 484
- 43.1.3 Best Practices in Other Countries 485

43.2 Consumer Dispute Redressal..... 485

- 43.2.1 Consumer Protection Act, 2019..... 486
- 43.2.2 National Consumer Disputes Redressal Commission..... 486
- 43.2.3 Overhaul of NCDRC and Consumer Act..... 487

43.3 Law Commission of India 487

- 43.3.1 Historical Background..... 487
- 43.3.2 Establishment of Law Commission 487
- 43.3.3 Composition of Law Commission 487
- 43.3.4 Importance of Law Commission 488
- 43.3.5 Major Recommendations..... 488

43.4 National Disaster Management Authority (NDMA) 491

- 43.4.1 State Disaster Management Authority 492
- 43.4.2 District Disaster Management Authority 492
- 43.4.3 National Disaster Response Force (NDRF) .. 492
- 43.4.4 Conclusion 492

CHAPTER - 44**Language 493****44.1 Introduction 493**

- 44.1.1 Need for a National Language 493
- 44.1.2 Need for an Official Language 493

44.2 Official Language of Union..... 493

- 44.2.1 Language Commission..... 494
- 44.2.2 Official Language of States 495

44.3	Official Language for Inter State Communication	495
44.3.1	Special Provision	495
44.4	Language in Supreme Court, High Court and Legislation	495
44.5	Official Language Act, 1963	495
44.5.1	Special Directives	496
44.5.2	Development of Hindi Language	496
44.6	Eighth Schedule	496
44.6.1	Classical Languages in India	496
44.6.2	Conclusion	497

CHAPTER - 45

Political Parties	498
45.1 Political Parties	498
45.2 Features of Political Party	498
45.3 Functions of Political Party	498
45.4 Party System in India	499
45.5 Features of Indian Party System	499
45.6 National and State Parties	500

CHAPTER - 46

Representation of People Act.....	501
46.1 Introduction	501
46.2 Constitutional Provisions	501
46.3 Representation of People Act, 1950.....	501
46.3.1 Salient Features of RoPA, 1950.....	501
46.4 Representation of People Act, 1951 (RoPA).....	502
46.4.1 Salient Features of RoPA, 1951.....	503
46.5 Important Amendments to Representation of the People Act.....	504

CHAPTER - 47

Election and Electoral Reforms	506
47.1 Introduction	506
47.2 Salient Features of Election System in India.....	506
47.3 Electoral Mechanism.....	507
47.4 Election Machinery	509
47.5 Issues with Indian Election System	509
47.6 Electoral Reform Committees	511
47.7 Financing of Political Parties	512
47.8 Supreme Court on Electoral Reforms	513
47.9 The Law Commission of India Recommendations	514
47.9.1 Electoral Disqualifications (244th Report)	514
47.9.2 Election Finance (255th Report).....	515
47.9.3 Regulation of Political Parties and Inner Party Democracy.....	515

47.9.4	Proportional Representation as an Electoral System	515
47.9.5	Strengthening the Office of the Election Commission of India	515
47.9.6	Paid News and Political Advertisements	515
47.9.7	Opinion Polls	515
47.9.8	Compulsory Voting	515
47.9.9	Election Petitions	515
47.9.10	NOTA	516
47.9.11	Right to Recall	516
47.9.12	Counting of Votes	516
47.9.13	Restriction on Government Sponsored Advertisements	516
47.9.14	Independent Candidates	516
47.9.15	Preparation and use of Common Electoral Rolls	516
47.10	None of the Above (NOTA) Option	516
47.10.1	Concerns Over NOTA	516
47.10.2	Issue of 'No Electoral Value'	516
47.10.3	Scrapping of NOTA in Rajya Sabha	516
47.11	Model Code of Conduct (MCC)	517
47.12	Simultaneous Elections	518
47.13	Political Parties and RTI	519
47.14	Anti-Defection Law	520
47.14.1	The Primary Intentions of the Anti-Defection Law	521
47.14.2	The 91st Amendment Act of 2003	521
47.14.3	Key Controversies Surrounding Defection Laws	522
47.15	Paid News	523
47.16	Hate Speech	524
47.17	Fake News and Elections	525
47.17.1	Role of Embedded Misinformation	525
47.17.2	Key Players in Social Media's Role in India's Electoral Process	525
47.17.3	Implications of this Trend of Fake News	526
47.17.4	Way Forward	526

CHAPTER - 48

Schedules of the Constitution.....	527
48.1 Introduction	527
48.2 Analysis of Specific Schedules	528
48.2.1 Administration of Schedule V Areas	528
48.2.2 Administration of Schedule VI Tribal Areas ..	529
48.2.3 Powers of Sixth Schedule Councils	530
48.2.4 Fifth and Sixth Schedule: A Critical Analysis	530
48.2.5 Schedule IX	531
48.2.6 Schedule X (Anti-Defection Law).....	532
48.2.7 Conclusion	533

CHAPTER - 49

Introduction to Political Theory	534
49.1 What is the Meaning of Politics?.....	534

CHAPTER - 50

Freedom	536
50.1 The Ideal of Freedom	536
50.2 Freedom	536
50.3 Why Constraints are Important	537
50.4 Sources of Constraints	537
50.5 Negative and Positive Liberty	537
50.5.1 Negative Liberty	537
50.5.2 Positive liberty	537

CHAPTER - 51

Equality	539
51.1 Equality-Meaning and Concept	539
51.2. Equality as a Leveling Process	539
51.3. Kinds of Equality	539
51.3.1 Social Equality	539
51.3.2 Civil Equality	539
51.3.3 Political Equality	540
51.3.4 Universal Adult Suffrage	540
51.3.5 Economic Equality	540
51.3.6 Equality of Opportunity and Education	540
51.4 Ways to promote Equality	540
51.4.1 Affirmative action	540
51.4.2 Establishing formal Equality	540
51.4.3 Equality through differential treatment	540
51.5 Some Important Philosophies	541
51.5.1 Feminism	541
51.5.2 Marxism	541
51.5.3 Socialism	541
51.5.4 Liberalism	541

CHAPTER - 52

Nationalism	543
52.1 Nationalism, Meaning	543
52.2. Effects of Nationalism	544
52.3 Separatism	544

52.4 National Self Determination	544
52.5 Merits and Demerits of Nationalism	544
52.5.1 Merits	544
52.5.1 Demerits	545
52.6 Difference between State and Nation	545

CHAPTER - 53

Secularism	546
53.1 Secularism and its Key Aspects	546
53.1.1 Key aspects of secularism include	546
53.2 Inter Religious Dominations	546
53.3 Intra Religious Dominations	546
53.4 Secular State	547
53.5 Theocratic State	547
53.6 Principles of Secular State:	547
53.7 Western Model of Secularism	547
53.8 Indian Model of Secularism	548
53.9 Criticism of Indian form of Secularism	548
53.10 Ataturk's Secularism	548

CHAPTER - 54

Justice	550
54.1 What is Justice?	550
54.2 Principles of Justice	550
54.3 What is Just Distribution?	551
54.4 John Rawls: Theory of Justice (Veil of Ignorance)	551
54.5 Pursuing Social Justice	551
54.6 The Balance between Free Markets and State Intervention	551
54.7 Why is State Intervention Required? to maintain Free Markets	552

Appendix I: Union, States and Concurrent Lists.....553

Appendix II: Table of Precedence.....557

Appendix III: Constitutional Amendments.....560

CONSTITUTION OF INDIA

Unit

I

Constitution of India

1. Evolution of Indian Constitution.....	2
2. Making of the Constitution.....	15
3. Salient Features of Indian Constitution	23
4. Comparison of Constitutions	30
5. Preamble to the Constitution of India	44
6. Union and its Territory.....	51
7. Citizenship.....	63
8. Fundamental Rights	71
9. Directive Principles of State Policy	113
10. Fundamental Duties	124
11. Amendment of the Constitution	135

CHAPTER 3

SALIENT FEATURES OF INDIAN CONSTITUTION

3.1 Introduction

The Constitution of India has some distinct features which make it unique among the Constitutions of other countries of the world. The Constitution of India has borrowed many features from other Constitutions of the world and these have been blended to suit in the Indian context. It is a living document which addresses the peculiar problems and needs of the country.

It should be noted here that a number of original features of the Constitution (as adopted in 1949) have

undergone a substantial change, on account of several amendments, particularly 7th, 42nd, 44th, 73rd, 74th, 97th and 101st Amendments. In fact, the 42nd Amendment Act (1976) is known as '*Mini-Constitution*' due to the important and large number of changes made by it in various parts of the Constitution. However, in the Kesavananda Bharati case (1973), the Supreme Court ruled that the constituent power of *Parliament under Article 368* does not enable it to alter the '*Basic structure*' of the Constitution.

VARIOUS PARTS OF CONSTITUTION OF INDIA		
Parts	Subject	Articles
I	The Union and its Territory	1 to 4
II	Citizenship	5 to 11
III	Fundamental Rights	12 to 35
IV	Directive Principles of State Policy	36 to 51
IV A	Fundamental Duties	51 A
V	The Union Government	52 to 151
VI	The State Government	152 to 237
VII	Deleted by 7 th Amendment Act, 1956	238
VIII	The Union Territories	239 to 242
IX	The Panchayats	243 to 243 O
IX A	The Municipalities	243 P to 243 ZG
IX B	The Cooperative Societies	243 ZH to 243 ZT
X	The Scheduled and Tribal Areas	244 to 244 A
XI	Relations between the Union and the States	245 to 263
XII	Finance, Property, Contracts and Suits	264 to 300 A
XIII	Trade, Commerce and Intercourse within the Territory of India	301 to 307
XIV	Services under the Union and the States	308 to 323
XIV A	Tribunals	323 A to 323 B
XV	Elections	324 to 329 A
XVI	Special provisions relating to certain classes	330 to 342
XVII	Official Language	343 to 351
XVIII	Emergency Provisions	352 to 360
XIX	Miscellaneous	361 to 367
XX	Amendment of the Constitution	368
XXI	Temporary, Transitional and Special provisions	369 to 392
XXII	Short Title, Commencement, Authoritative Text in Hindi and Repeals	393 to 395

3.2 Single Citizenship

The Constitution of India provides for single citizenship. Single citizenship is an essential feature for promoting unity and integrity in the nation. United States has dual citizenship unlike India.

3.3 Inclusion of Justiciable and Non-Justiciable Rights

One of the most novel features of the Constitution of India is the inclusion of Fundamental Rights, Directive Principles of State Policy and Fundamental Duties enumerated in part III, part IV and part IV-A respectively. India is the only country which has both Fundamental Duties and Rights side by side. Both rights and duties are correlated.

Fundamental Rights are check against the power of state. Fundamental Rights are enjoyed by the citizen and they exert limitations on the power of state. They aim to ensure political democracy. Fundamental Rights protect the people from arbitrary action of the state. These rights are not absolute in nature. Reasonable restrictions can be put for ensuring security of state, friendly relations with foreign states, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

Although the Directive Principles of State Policies and Fundamental Duties are non-justiciable in nature, the Supreme Court in **Minerva Mills Case V. Union of India (1980)** held that the Indian Constitution is founded on the bedrocks of the balance between the Fundamental Rights and Directive Principles of State Policy (DPSP). DPSPs aim to ensure 'social and economic democracy'. The Constitution itself declares DPSPs to be fundamental in the governance of the country and it shall be the duty of state to apply these principles in making laws.

The Fundamental Duties were added to the Constitution by 42nd Constitutional Amendment Act of 1976 on the recommendations of the **Swaran Singh Committee** (Setup by Congress in 1976 to make recommendations about fundamental duties). They serve as a reminder to citizens that while enjoying the rights they also need to be quite conscious of their duties towards their country, society and fellow citizens.

3.4 Secular Nature of the Constitution

Not only does the Preamble clearly entail that India is a secular state but other provisions of Constitution like Article 14, 15, 16, 25, 26, 27, 28 etc. express the proof of India being a secular state.

However, the Indian concept of secularism is different from western concept where there is a complete separation between the religion and the state. Indian state does not have any religion. It promotes individual rights to preach, propagate and practice the religion. In India we follow the Philosophy of **Sarva Dharma Samabhava** which is a **positive concept of secularism** i.e., giving equal respect to all religion and protecting all the religions equally.

3.5 Independent and Integrated Judiciary

The Indian Constitution provides for a judiciary that is both independent and integrated. At the **top is Supreme Court/Apex Court** below which lies the High Courts in the state. District Courts and lower courts are at the bottom of hierarchy. The Integrated judicial system means that a single court enforces both the central laws and the state laws. The decision from the lower courts can be appealed in the courts above it, in hierarchical level unlike to USA where Federal Court enforces federal laws while state judiciary enforces state laws.

The **Supreme Court is guardian of Indian Constitution** and the guarantor of the Fundamental Rights of citizens. It is highest court of appeal in India. The Constitution has various provisions to safeguard the independence of judiciary – security of tenure of judges, salary of judges charged on Consolidated Fund of India, ban on practice after retirement, separation of judiciary from legislature and executives.

3.6 Parliamentary form of Government

There are two basic forms of government in a democracy. One is Presidential form of government as is followed by American Constitution and the second is Parliamentary form of government as is followed by British Constitution.

The Indian Constitution is based on the British model of governance rather than Presidential form of USA. The Parliamentary system is also known as the Westminster Model of government (This system takes its name from palace of Westminster, where model of Parliament of 1295 was held) or responsible government or cabinet government. The Parliamentary System may be laying greater stress on the concept of the responsibility of the executive while the Presidential system promotes

the stability of the executive. India has many features of Parliamentary forms such as:

1. **Presence of Nominal and Real Executives:** India is a republic and the head of the state is President. But head of the government is Prime Minister. **President is the Dejure head** (nominal head) while **Prime Minister is the Defacto head (real head)**.
2. Collective Responsibility of the executive to the legislature (**Article-75**).
3. Majority party rule
4. Leader is Prime Minister or the Chief Minister

However, it would be wrong to assert that we have adopted the British Parliamentary system in its entirety. There are some fundamental differences and departures. For Example,

1. The British system is Monarchy with a hereditary King/Queen while India is a Republic with an elected President.
2. Unlike the British, India has a written Constitution and our Parliament is therefore not a sovereign body and legislations passed by it are subject to judicial review.
3. The Indian Constitution includes a charter of justiciable Fundamental Rights which are enforceable by the courts not only against the executive but also against the legislature unlike the position in U.K.

3.7 Synthesis of Parliamentary Sovereignty and Judicial Supremacy

The doctrine of sovereignty of Parliament is associated with the British Parliament, while the principle of judicial supremacy with the American Supreme Court.

Just as the Indian parliamentary system differs from the British system, the scope of 'judicial review power' of the Supreme Court in India is narrower than that of what exists in US. This is because the *American Constitution* provides for '*due process of law*' against that of '*procedure established by law*' contained in the *Indian Constitution* (**Article 21**).

Basis	Due Process of Law	Procedure established by Law
Doctrine	Rights of Citizens are protected	Law is valid only if procedure is followed
Process	Checks on fairness of Law	Follows process of Law
Origin	Constitution of USA	British Constitution

Mention in Constitution	Not specifically mentioned in the Indian Constitution	Introduced in Article 21 of Constitution of India
-------------------------	---	---

Therefore, the framers of the Indian Constitution have preferred a proper synthesis between the British principle of parliamentary sovereignty and the American principle of judicial supremacy. The Supreme Court, on the one hand, can declare the parliamentary laws as Unconstitutional through its power of judicial review. The Parliament, on the other hand, can amend the major portion of the Constitution through its constituent power.

3.8 Emergency Provisions

The Indian Constitution has specifically provided for emergency provision to deal with any unforeseen situation arising in the country. The logic behind them is to protect unity, integrity, sovereignty, and to protect the democratic fabric of the country.

1. **National Emergency:** Proclamation of emergency on the basis of war, external aggression and armed rebellion (**Article 352**).
2. **President Rule**
 - Emergency on the ground of failure of Constitutional machinery (**Article 356**).
 - Emergency on the ground of failure to comply with the directions given by the Union (**Article 365**).
3. **Financial Emergency:** For securing Financial stability of India (**Article 360**).

During emergency our governance structure transform from federal to unitary system of governance.

3.9 Longest Written Constitution

The Constitutions of the world can be classified into two categories. Written Constitution like the American Constitution and Unwritten Constitution like the British Constitution. The Indian Constitution is a Written Constitution which originally contained a Preamble, with 395 Articles categorized in 22 parts and contained 8 schedules. Various amendments from time to time has led to the expansion of the Articles to 470 categorized in 25 parts and 12 schedules. There are many reasons for having such comprehensive nature of the Indian Constitution like:

1. **Administrative Structure:** The major part of the Constitution is based on the model of Government of India Act 1935 which was detailed.

2. **Futuristic Vision:** Certain matters has been worked out in greater details to avoid the controversies that may arise in future due to the doubtful nature of the subject matters.
3. **Diversity of Nation:** The vastness of country with its complexities and diversities necessitated several special, temporary, transitional and miscellaneous provisions for certain regions of the countries or classes of people.
4. **Single Constitution:** The Constitution of India is not only the Constitution of the union but also the Constitution of states.
5. **Legal Luminaries:** Dominance of legal Luminaries in the Constituent Assembly.

3.10 Supremacy of the Constitution

Constitution is a supreme law of the land. It is the prime source of 'Rule of law' and removes arbitrariness in governance. It sets up responsibility and authority for executive, legislature and judiciary. Various features allow coordination and assurance in governance. Constitution provides basic rules that allow minimal coordination amongst members of a society.

A.V. Dicey gave the concept of Rule of law, which is a governing principle in Britain. Equality before law is a part of Rule of law.

Principles in Rule of Law:

- **Supremacy of Law:** This principle focuses on:
 - ♦ law does not discriminate between the people.
 - ♦ law is supreme which means no person is above law.
- **Absence of Arbitrariness:** No man can be punished except for a breach of law.
- **Primacy to Rights of Individual:** Constitution is the result of rights of individual as defined and enforced by courts of law.

In India, Constitution is the source of individual rights. So third principle of Dicey's Rule of law is not applicable in Indian context. Whereas other two are applicable in India.

3.11 Separation of Power

The doctrine of Separation of Power was given by *Montesquieu (French scholar)*. According to Montesquieu, if the powers are placed in the hands of only one organ or group then it may entail tyranny. Indian Constitution in Article 50 (DPSPs) talks about Separation of Power.

American system is based on water tight Separation of Power. However, in a Parliamentary democracy like India, the Executive are responsible to the Legislature for their actions and are part of the Legislature. For e.g. Ministers are the member of Parliament as well. Therefore, Indian governance is not based on strict Separation of Power.

Indian governance is based on two doctrines. (a) *Doctrine of Separation of Power* (b) *Doctrine of Checks and Balances*. Separation of Power can be witnessed in separation of responsibilities and authorities between various organs of state. Checks and Balances can be seen through various accountability mechanisms such as judiciary can nullify any Unconstitutional law made by Parliament.

3.12 Three Tier Government

Originally the Constitution provided a two tier Government. One at Central level and the other at State level. But later the **73rd Constitution Amendment Act** and the **74th Constitutional Amendment Act 1992** have added third tier to the structure of governance in the country.

The 73rd Constitutional Amendment Act 1992 gave the Constitutional status to the Panchayats by adding a new part IX and a new schedule XI whereas the 74th Constitutional Amendment Act of 1992 did the same at urban level by giving Constitutional status to the municipality and adding a new part IX A and a new schedule XII to the Constitution.

These provisions were brought in line with *Gandhian vision* of decentralized governance. It further strengthened the federal spirit and governance structures reached closer to the people. This also helped in reducing the gap between representation and participation.

3.13 Quasi-federal Structure

The Federal character of the Indian Constitution has been described by different names. According to *K.C. Wheare* Indian political system is described as *Quasi Federal* whereas *Morris Jones* call it as a *Bargaining federalism*. *Granville Austin* terms it as *Cooperative Federalism* with the centralizing tendency.

The Constitution of India is a federal system of Government and contains all features of federation system such as a written constitution, supremacy of the constitution, division of power of governments at the union and state level, independent judiciary that act as an arbitrator for any dispute between the Union and the States, bicameralism, rigidity of Constitution etc. However, there are features like a strong center, single citizenship, integrated judiciary, flexible constitution, along with a few other provisions in

the Constitution which show that the federal system has more unitary bias. For example, the residuary power is vested in the union. Under **Article 249**, the Parliament can legislate on state list items enumerated in schedule seven of the Constitution of India.

The Constitution can be converted into an entirely unitary one if emergency is proclaimed under Article 352 of the Constitution. Here all the executive as well as legislative powers and even matters under the state list may be taken over by the union. Another instance where the Constitution appears to be more unitary than federal is under Article 2, 3 and 4 in which new states may be formed and areas, boundaries or names of existing states can be altered by the Parliament by ordinary law passed by simple majority votes.

Part XI (Article 245 to 263) explicitly deals with the relationship between the center and the states (legislative and administrative relations). Financial relations between union and states have also been dealt by Constitution such as through Article 280 (Finance Commission), 101st amendment act (Goods and services tax) etc. These detailed provisions in the Constitution upheld the Federal character of the country which is necessary for ensuring a cooperative federalism.

3.14 Flexibility and Rigidity

A Constitution is said to be a Rigid Constitution if the amendment to the constitutional provisions requires a special procedure. For example– American Constitution.

On the other hand, if the constitutional provisions can be amended in the same manner as the ordinary laws then it is said to be flexible. For example– British Constitution.

The Constitution of India cannot be strictly categorized in either of the two categories. In other words, the Constitution of India is a blend of both the categories. There are three types of amendment procedures in the Constitution of India:

- 1. Special Majority:** Some provisions are amended by special majority of the Parliament, i.e., a majority of members of each house present and voting, plus a majority of 2/3rd the total members of each house. For example, any amendment to the Fundamental Rights or Directive Principles shall be done by this type of majority. **(Article 368)**
- 2. Special Majority Plus Ratification by State Legislature:** Some provisions are amended by the special majority of Parliament plus ratification by half of the total states. For example, amendment of

the Constitutional provision related to election of the President and its manners, extent of executive power of the union and the states etc. **(Article 368)**

- 3. Simple Majority:** A third type is amendment by a simple majority of the Parliament similar to that of ordinary process. For example, amendments to admission or establishment of new states, abolition or creation of legislative councils in states etc. **(Not under Article 368)**

The first two types of amendments come under Article 368 of the Constitution of India.

3.15 Detailed Administrative Provisions

The founding fathers of the Constitution of India have dealt in details some administrative provisions to avoid the ambiguity and conflict for the future generations. For example, the administrative provisions in the center-state relations (Article 256 to Article 263) and the emergency provisions (from Article 352 to Article 360) which elaborately deal in the administrative arenas in case of emergency are provided in the Constitution itself. Similarly, the role of various Constitutional bodies like the President, Governor, CAG, Election Commission etc. has been dealt in detail for good governance of the country.

3.16 Special Provisions for Certain States

The framers of the Constitution of India have widely taken into account the geographical and political situations of some states and given them special provisions. **Article 371 to 371-J in Part XXI** of the Constitution contains special provisions for eleven states. The objective behind these provisions is to meet the aspirations of the people of backward regions of the states or to protect the cultural and economic interests of the tribal people of the states or to deal with the disturbed law and order condition in some parts of the states or to protect the interests of the local people of the states.

Not only the framers of the Constitution were concerned with special needs of the states but the latter governments also paid equal attention to such needs of the states. For example, the **53rd Constitutional Amendment Act of 1986** provides a special provision to Mizoram under **Article 371G** and **55th Constitutional Amendment Act did the same for Arunachal Pradesh (Article 371H)**.

3.17 Universal Adult Franchise

The Indian Constitution made Universal Adult Franchise as a basis for election to the Lok Sabha and State Legislative Assembly. Every citizen who is not less than 18 years of age has right to vote (A Constitutional right) without any discrimination on the basis of caste, race, religion, sex, literacy, wealth and so on. *The 61st Constitutional Amendment Act of 1988 reduced the voting age from 21 years to 18 years.* This has made democracy more inclusive and legislature more representative.

3.18 Drawn from Various Sources

The structural part of the Constitution is derived from the Government of India Act 1935 whereas the philosophical part of the Constitution draws its inspiration from Constitution of countries like America and Ireland. The legislative part of the Constitution, that is, the principle of cabinet form of Government and the relation between the executive and legislature have been largely drawn from British Constitution. Dr. B.R. Ambedkar proudly acclaimed that the *Constitution of India has been framed after 'ransacking all the known Constitutions of the World.*

However, many Constitutional experts criticize this as a patchwork which contains nothing new and original. This criticism is however unfair and illogical. The framers of the Constitution made a necessary modification in the features borrowed from other Constitutions for their suitability to the Indian conditions. Various amendments have been made in the Constitution for making it more suitable to the present needs. *The 42nd Constitutional Amendment Act is even recognized as "mini Constitution".* So even D.D.Basu has stated that if it is a patchwork, it is a beautiful patchwork.

3.19 Co-operative Societies

The 97th Constitutional Amendment Act of 2011 gave a Constitutional status and protection to co-operative societies. This Amendment made the following three changes in the Constitution:

1. It made the right to form co-operative societies a fundamental right (Article 19).
2. It included a new Directive Principle of State Policy on promotion of co-operative societies (Article 43-B).
3. It added a new Part IX-B in the Constitution which is entitled as "The Co-operative Societies" (Articles 243-ZH to 243-ZT).

The new Part IX-B contains various provisions to ensure that the co-operative societies in the country function in a democratic, professional, autonomous and economically sound manner. It empowers the Parliament in respect of multi-state cooperative societies and the state legislatures

in respect of other co-operative societies to make the appropriate law.

3.20 Independent Bodies

The Indian Constitution has established certain bodies which are independent of the government and are envisaged as bulwarks of the Indian Constitution as for keeping checks and balances on the government. The Constitution ensures their independence through provisions like security of tenure, fixed service conditions, their expenses being charged on Consolidated Fund of India etc.

Bulwarks of Indian Constitution

- | | |
|------------------------|------------------|
| 1. UPSC | 2. CAG |
| 3. Election Commission | 4. Supreme Court |

BORROWED FEATURES IN INDIAN CONSTITUTION

Sources	Features Borrowed
British	<ul style="list-style-type: none"> • Parliamentary Government • Rule of Law • Speaker Lok Sabha • Legislative procedure • Single citizenship • Cabinet system • Prerogative writs • Parliamentary privileges • Bicameralism
USA	<ul style="list-style-type: none"> • Impeachment of the president • Functions of president and vice-president • Removal of judges • Fundamental Rights • Judicial review • Independence of judiciary • Preamble • Equal protection of law
Russia (erstwhile USSR)	<ul style="list-style-type: none"> • Fundamental duties • The ideals of justice (social, economic and political)
Ireland	<ul style="list-style-type: none"> • Directive Principles of State Policy • Method of Election of the president • Members nomination to the Rajya Sabha by the President
Japan	<ul style="list-style-type: none"> • Concept of "Procedure Established by Law"
Canada	<ul style="list-style-type: none"> • Centrifugal form of federalism (centre is stronger than states) • Residuary powers with centre • Centre appoints the Governors • Advisory jurisdiction of the SC

BORROWED FEATURES IN INDIAN CONSTITUTION	
Sources	Features Borrowed
South Africa	<ul style="list-style-type: none"> Election of members of the Rajya Sabha Amendment of the Constitution
Germany	<ul style="list-style-type: none"> Fundamental Rights are suspended during Emergency
France	<ul style="list-style-type: none"> Concept of "Republic" Ideals of Liberty, Equality and Fraternity
Australia	<ul style="list-style-type: none"> Concept of Concurrent list Article 108 i.e. Joint sitting of the two houses Freedom of trade and commerce

BORROWED FEATURES IN INDIAN CONSTITUTION	
Sources	Features Borrowed
Government of India Act (1935)	<ul style="list-style-type: none"> Federal Scheme (also from Constitution of Canada) Office of Governor Judiciary Public Service Commission Emergency Provisions Administrative Details

■■■■



TRY SOME PRELIMS PREVIOUS YEAR QUESTIONS

1. Which one of the following statements best reflects the Chief purpose of the 'Constitution' of a country?
- It determines the objective for the making of necessary laws.
 - It enables the creation of political offices and a government.
 - It defines and limits the powers of government.
 - It secures social justice, social equality and social security.

(2023)

Ans. (c)

2. A Parliamentary System of Government is one in which
- all political parties in the Parliament are represented in the Government
 - the Government is responsible to the Parliament and can be removed by it
 - the Government is elected by the people and can be removed by them
 - the Government is chosen by the Parliament but cannot be removed by it before completion of a fixed term

(2020)

Ans. (b)

3. Out of the following statements, choose the one that brings out the principle underlying the Cabinet form of Government:

- An arrangement for minimizing the criticism against the Government whose responsibilities are complex and hard to carry out to the satisfaction of all.
- A mechanism for speeding up the activities of the Government whose responsibilities are increasing day by day.
- A mechanism of parliamentary democracy for ensuring collective responsibility of the Government to the people.
- A device for strengthening the hands of the head of the Government whose hold over the people is in a state of decline.

(2017)

Ans. (c)