



BIHAR PUBLIC SERVICE COMMISSION

ASSISTANT ENGINEER EXAMINATION

# INDIAN POLITY





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## **BPSC Assistant Engineer Examination: INDIAN POLITY**

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# Preface

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The compilation of this book **Indian Polity** was motivated by the desire to provide a concise book which can benefit students who are preparing for Bihar Public Service Commission (BPSC) Assistant Engineer Examination.

This particular textbook of Indian Polity provides all the requirements of the students and this concise presentation will help the readers grasp the theory of this subject with clarity and apply them with ease to solve objective questions quickly. This book not only covers the syllabus of BPSC Assistant Engineer Examination in a holistic manner but is also useful for other competitive examinations. All the topics are given the emphasis they deserve so that mere reading of the book clarifies all the concepts. We have put in our sincere efforts to present detailed theory and MCQs without compromising the accuracy of answers.

Our team has made their best efforts to remove all possible errors of any kind. Nonetheless, we would highly appreciate and acknowledge if you find and share with us any printing and conceptual errors.

It is impossible to thank all the individuals who helped us, but we would like to sincerely thank all the authors, editors and reviewers for putting in their efforts to publish this book.



With Best Wishes  
**B. Singh (Ex. IES)**  
CMD, MADE EASY Group

# INDIAN POLITY

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# Constitution of India: Historical Background

# 1 CHAPTER

***“The Constitution is an arrangement of Powers in a State, Especially of Supreme Power”***

**- Aristotle (Ancient Greek philosopher)**

Constitution of a country is the legal document which provides the basic structure of the political system and defines the powers of main organs of the State and demarcates their responsibilities and jurisdictions. In most countries, Constitution is a compact document that comprises a number of Articles about the State, specifying how the State is to be constituted and what norms it should follow. But in some countries, the United Kingdom for instance, do not have one single document that can be called the Constitution. Rather, they have a series of documents and decisions that taken collectively, are referred to as the Constitution.

The Constitution of India is a unique document which in turn became an exemplar for many other constitutions. It took 2 years, 11 months and 18 days to be compiled. The main purpose behind the long search that went on for this hectic span of time, was to strike the right balance so that institutions created by the Constitution would not be haphazard or tentative arrangements but would be able to accommodate the aspirations of the India for a long time to come.

## **Constitutional Developments**

- It was in 1934 when the idea of Constituent Assembly for India was put forward for the first time by M. N. Roy (A pioneer of communist movement in India).
- In 1935, the Indian National Congress (INC) demanded a Constituent Assembly to frame the Constitution of India.
- In 1938, Jawaharlal Nehru, on behalf of INC declared that the Constitution of Free India must be framed without outside interference and by a Constituent Assembly elected on the basis of Adult Franchise. The demand was accepted by British Government during August Offer 1940.
- In 1942, Sir Stafford Cripps, a member of the British Cabinet came to India with draft proposal of the British Government on the framing of an independent Constitution which to be adopted after the World War II.
- The Cripps Proposals were rejected by the Muslim League which wanted India to be divided into two autonomous States with two separate Constituent Assemblies.
- Finally, the Constituent Assembly was constituted in November, 1946 under the scheme formulated by the Cabinet Mission Plan.
- The Act recognised the political and administrative functions of the Company and laid the foundations of central administration in India.
- It designated the Governor of Bengal as the ‘Governor-General of Bengal’ and created an Executive Council consisting of four members to assist him. The first Governor General of Bengal was Lord Warren Hastings.
- This Act made the governors of Bombay and Madras presidencies subordinate to the Governor General of Bengal. Earlier these three presidencies were independent of one another.
- It made a provision of Supreme Court at Fort William in Calcutta, comprising one Chief Justice and three other judges.
- It strengthened the control of the British Government over the East India Company by requiring the Court of Directors which was a governing body of the Company to report on its revenue, civil and military affairs in India.

### **Pitt’s India Act, 1784**

## **Important British Acts of Constitutional Significance**

### **Regulating Act, 1773**

- The Regulating Act, 1773 was the first step taken by the British Government to control and regulate the affairs of the East India Company in India.
- This Act created a new body called Board of Control to manage the political affairs while Court of Directors were allowed to manage the commercial affairs. Thus, Pitts’s India Act made a provision of separation in company’s political and commercial activities.
- It empowered the Board of Control to supervise and direct all operations of the civil and military affairs and revenues of the British possessions in India.
- The Company’s territories in India were for the first time called **British Possessions in India**.

**Charter Act, 1793**

- This Act recognised the courts and redefined their jurisdictions. Accordingly, the revenue administration was separated from the judiciary functions. This provision led to disappearing of the Maal Adalats (Revenue courts).
- Salaries of the members of the Board of Control to be drawn from the Indian exchequer.

**Charter Act, 1813**

- The East India Company's monopoly over trade was abolished in India but its monopoly over trade with China and for trade in tea retained.
- The Constitutional position of the British territories in India was categorically defined for the first time.
- This Act asked Company to spend one lakh rupees every year on the education of Indians.
- Christian missionaries were permitted to propagate their religion in India.

**Charter Act, 1833**

- This Act made the Governor-General of Bengal as the Governor-General of India and vested in him all civil and military powers. Lord William Bentick was made the first Governor General of India.
- The Act deprived the Governor of Bombay and Madras of their legislative powers. The Governor General of India was given exclusive legislative powers for the entire British India.
- The East India Company lost its monopoly over trade with China also and it was asked to close the commercial business. The Company became a purely administrative body.
- This Act asked government to abolish **slavery** in India.

**Charter Act, 1853**

- This Act had provisions of separation of executive and legislative functions of the Governor General's Council. It provided for addition of six new members called Legislative Councillors to the **Indian (Central) Legislative Council**.
- For the first time, the local representation in the Indian (Central) Legislative Council was allowed.
- An open competition system of selection and recruitment of civil servants was introduced. For the first time, Indians were allowed to take part in Civil Services recruitment process. Consequently, the Macaulay Committee (the Committee on the Indian Civil Service) was appointed in 1854.

**Government of India Act, 1858**

- This Act was enacted in the wake of the Revolt of 1857—also known as the First War of Independence or the 'sepoy mutiny'.
- It brought an end to the Company's rule and transferred all powers to the British crown.
- The Act changed the designation of Governor General of India to that of **Viceroy of India** and he was appointed as the direct representative of British Crown in India. Lord Canning thus became the first Viceroy of India.
- The system of **Dual government** (Board of Control and Court of Directors) introduced by Pitt's India Act was abolished by this Act.
- This Act proposed highly centralised administration. It was also known as the Act for the Good Government of India.
- A new office of **Secretary of State for India** was created and he was vested with complete authority and control over Indian administration. He was a member of the British Cabinet and was ultimately responsible to the British Parliament. Lord Stanley was the first Secretary of State for India.
- This Act established a 15-member Council of India which was an advisory body to assist the Secretary of State for India. The Secretary of State was made the chairman of the council.

**Indian Councils Act, 1861**

- The Viceroy was empowered to issue ordinances in case of emergency without the concurrence of the legislative council. The life span of such ordinances was six months.
- This Act made a beginning of representative institutions by associating Indians with the law-making process. As per these provisions, Lord Canning, the then Viceroy nominated three Indians (The Raja of Benaras, the Maharaja of Patiala and Sir Dinkar Rao) to his legislative council in 1862.
- This Act also introduced the 'portfolio' system. Under this, a member of the Viceroy's council was made in-charge of one or more departments of the government.

**Indian Councils Act, 1892**

- This Act empowered the Universities, district boards, municipalities, zamindars and chambers of Commerce to recommend members to the Provincial Legislative Council which were to be nominated by governors.



- According to this Act, the members of the Legislatures were for the first time entitled to take part in debate over Annual Statement of Revenue and Expenditure i.e. Budget. They could also put questions within certain limitations.
- It increased the number of additional (non-official) members in the Central and provincial legislative councils.

#### Indian Councils Act, 1909 (Morley-Minto Reforms)

- This Act was the first ever attempt to bring in a representative and popular element in the governance of India.
- This Act is also known as **Morley-Minto Reforms**. Morley was the then Secretary of State for India and Lord Minto was the then Viceroy of India.
- Muslims were given separate representation and hence Lord Minto came to be known as the **Father of Communal Electorate**.
- A provision was made for the association of Indians with the Executive Council of the Viceroy and Governors. **Satyendra Prasad Sinha** became the first Indian to join the Viceroy's Executive Council. He was appointed as Law Member.
- The principle of election was introduced, but only in some cases.

#### Government of India Act, 1919 (Montague-Chelmsford Reforms)

- The idea of **Responsible Government** was emphasized upon by this Act.
- This Act is also known as **Montague-Chelmsford Reforms or Montford Reforms**. Montague was the then Secretary of State for India and Chelmsford was the then Viceroy of India.
- All administrative subjects were divided into two groups viz. central and provincial subjects. Provincial subjects were further divided into two parts- transferred and reserved. The **transferred subjects** were to be administered by the Governor with the aid of ministers responsible to the Legislative Council whereas Governor was not responsible towards Legislative Council in the discharge of **reserved subjects**.
- This dual scheme of governance was known as 'dyarchy', a term derived from the Greek word diarche, which means double rule.

- This Act separated the provincial budgets from the Central budget and authorised the provincial legislatures to enact their budgets.
- Separate representation was given to Sikhs, Christians, Anglo-Indians, Europeans, etc.
- For the first time, Indian Central Legislature was made **bicameral** (two Houses).
- For the first time, **direct elections** in the country were introduced. It granted franchise to a limited number of people on the basis of property, tax or education.
- It also provided for the establishment of the Public Service Commission, which was established in 1926.
- It created a new office of the High Commissioner for India in London and transferred to him some of the functions hitherto performed by the Secretary of State for India.

#### Government of India Act, 1935

- This Act had provision for the establishment of an All India Federation inclusive of Governor's provinces, Chief Commissioner's provinces and States.
- The Act divided the powers between the Centre and provinces in terms of three lists, namely Federal List (for Centre, with 59 subjects), Provincial List (for provinces, with 54 subjects) and the Concurrent List (for both, with 36 subjects).
- Council of States having 260 members (156 from British India & 104 from Indian States) was to be permanent House with 1/3 members to retire every three years.
- A Federal Assembly to have 5 years duration consists of 375 members (250 from British India and 125 from provinces).
- This Act introduced bicameralism in six out of eleven provinces. Thus, the legislatures of Bengal, Bombay, Madras, Bihar, Assam and the United Provinces were made bicameral consisting of a legislative council (upper house) and a legislative assembly (lower house).
- It abolished dyarchy in the provinces and introduced provincial autonomy in its place. By these provisions, the provinces were allowed to act as autonomous units of administration in their defined spheres in which the Governor was required to act with the advice of ministers responsible to the provincial legislature.

- The Act provided for the establishment for a Federal Court which was set up in 1937.
- It also provided for the adoption of dyarchy at the Centre.
- It provided for the establishment of Reserve Bank of India to control the currency and credit of the country.
- It also provided for the establishment of Federal Public Service Commission, Provincial Public Service Commission and Joint Public Service Commission for two or more provinces.
- It abolished the 15-member Council of India established by the Government of India Act, 1858.
- It extended franchise, i.e. about 10 per cent of the total population got the voting right.

#### Indian Independence Act, 1947

- The Indian Independence Act, 1947 ended the British rule in India and declared India as an independent and sovereign state from August 15, 1947.
- This Act provided for the partition of India and creation of two independent dominions of India and Pakistan.
- It abolished the office of Viceroy and provided, a Governor General for India and Pakistan separately, who was to be appointed by the British Monarch on the advice of the cabinet of both countries.
- It empowered the constituent assemblies of the both dominions to frame and adopt any constitution for their respective nations and to repeal any Act of the British Parliament, including the Independence Act, 1947 itself.
- This Act granted freedom to the Indian princely states either to join the dominion of India or dominion of Pakistan or to remain independent.

#### Interim Government 1946

- In the interim government formed in 1946, the Viceroy continued to be the head of Executive Council. However, Jawaharlal Nehru was designated as the Vice-President of the council and he also headed the interim cabinet.
- The members of the Interim Government were members of the Viceroy's Executive Council. The specific portfolios was allotted to each member.

#### Member from Indian National Congress

- (i) Jawaharlal Nehru (External Affairs and Commonwealth relations)
- (ii) Sardar Vallabhbhai Patel (Home, Information and Broadcasting)
- (iii) Dr. Rajendra Prasad (Food and Agriculture)
- (iv) Sardar Baldev Singh (Defence)
- (v) Jagjivan Ram (Labour)
- (vi) C. Rajagopalachari (Education and Arts)
- (vii) Dr. John Mathai (Industries and Supplies)
- (viii) C. H. Bhabha (Works, Mines and Power)
- (ix) Asaf Ali (Railway and Transport)

#### Member from Muslim League

- (i) Liaquat Ali Khan (Finance)
- (ii) Abdur Rab Nishtar (Posts and Air)
- (iii) I.I. Chundrigar (Commerce)
- (vi) Ghazanafar Ali Khan (Health)
- (v) Joginder Nath Mandal (Law)

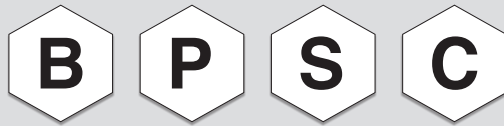
#### Framing of Constitution of India

- The Constituent Assembly which was set up in 1946 as per the Cabinet Mission Plan, was given the task of framing of Constitution of India.
- The members of Constituent Assembly were elected indirectly by the provincial assemblies in the ratio of one member per million population. There were a total of 389 members in the Constituent Assembly, of which 296 were elected by the members of the Provincial Assemblies and the rest were nominated by the princely states.
- Its first meeting was held on 9th December 1946 with **Sachidanand Sinha** as the Interim President. He was the oldest member of the assembly and was elected as Interim President following the French practice.
- Later, on December 11, 1946 Rajendra Prasad was elected as the President of the Constituent Assembly. Similarly, both H.C. Mukherjee and V.T. Krishnamachari were elected its Vice-presidents. Besides, Sir B.N. Rau was appointed as the Constitutional advisor to the Assembly.
- The seats allocated to each British province were to be decided among the three principal communities namely Muslims, Sikhs and general (all except Muslims and Sikhs), in proportion to their population. The representatives of princely states were to be nominated by the heads of the princely states.

**PRACTICE QUESTIONS**

- Q.1** In the Interim Government formed in 1946, the Vice-President of the Executive Council was  
(a) Jawaharlal Nehru  
(b) Dr. S. Radhakrishnan  
(c) C. Rajagopalachari  
(d) Dr. Rajendra Prasad
- Q.2** Who headed the Interim Cabinet formed in the year 1946 ?  
(a) Rajendra Prasad  
(b) Jawaharlal Nehru  
(c) Sardar Vallabhbhai Patel  
(d) C. Rajagopalachari
- Q.3** Which portfolio was held by Dr. Rajendra Prasad in the Interim Government formed in the year 1946?  
(a) Defence  
(b) External Affairs and Commonwealth  
(c) Food and Agriculture  
(d) None
- Q.4** January 26 was selected as the date for the inauguration of the Constitution, because  
(a) The Congress had observed it as the Independence Day in 1930  
(b) On that day the Quit India Movement was started in 1942  
(c) It was considered to be an auspicious day  
(d) None of the above
- Q.5** Cabinet Mission, 1946 comprised of three cabinet ministers. Who among the following was not its member?  
(a) Lord Pathic Lawrence  
(b) A. V. Alexander  
(c) Sir Stafford Cripps  
(d) Lord Emery
- Q.6** Constituent Assembly of India was established on:  
(a) 10.06.1946      (b) 09.12.1946  
(c) 26.11.1949      (d) 26.12.1949
- Q.7** The Chairman of Drafting Committee of Indian Constituent Assembly was:  
(a) Dr. Rajendra Prasad  
(b) Jawaharlal Nehru  
(c) B.R.Ambedkar  
(d) Purushottam Das Tandon
- Q.8** The Indian Council Act of 1909 provided for  
(a) Dyarchy  
(b) Communal representation  
(c) Federation  
(d) Provincial autonomy
- Q.9** Which one of the following Acts empowered the Governor General of India to issue ordinances?  
(a) Charter Act of 1833  
(b) Indian Council Act of 1861  
(c) Indian Council Act of 1992  
(d) Indian Council Act of 1909
- Q.10** 'India is a Republic' means:  
(a) it is the people who are final authority in all matters  
(b) there is a parliamentary system of government in India  
(c) there are no hereditary rulers in India  
(d) India is Union of States
- Q.11** The reason for the Indian Constitution being the bulkiest is that:  
(a) it incorporates the experience of many Constitutions  
(b) it contains detailed administrative provisions  
(c) it deals with the government of a large country  
(d) it contains the Constitution of both Union and State Government
- Q.12** The resolution for giving a Constitution to India was adopted by the Constituent Assembly on:  
(a) January 22, 1946 (b) January 22, 1947  
(c) February 20, 1947 (d) July 26, 1946
- Q.13** The Supreme Court was set up for the first time in India under the  
(a) Regulating Act, 1773  
(b) Charter Act, 1853  
(c) Government of India Act, 1935  
(d) Constitution of India, 1952
- Q.14** On the first occasion, the Prime Minister of India was appointed by :  
(a) The Governor General  
(b) The British Emperor  
(c) Mahatma Gandhi  
(d) The Viceroy
- Q.15** Under the Cabinet Mission Plan, the total number of seats allotted each province in the Constituents Assembly was roughly in the ratio of one representative to the population of:  
(a) 8 lakh persons    (b) 10 lakh persons  
(c) 12 lakh persons    (d) 15 lakh persons

- Q.16** The Constitution of India was completed by:  
 (a) January 26, 1950  
 (b) November 26, 1949  
 (c) February 11, 1948  
 (d) None of the above
- Q.17** Who among the following was the member of the Drafting Committee of the Constitution ?  
 (a) S. K. Dar  
 (b) Jawaharlal Nehru  
 (c) Alladi Krishnaswami Ayyar  
 (d) Sardar Patel
- Q.18** Dyarchy was introduced in India under:  
 (a) Government of India Act, 1935  
 (b) Morley-Minto Reforms  
 (c) Montague-Chelmsford Reforms  
 (d) Simon Commission Plan
- Q.19** The First day session of Indian Constituent Assembly was chaired by  
 (a) Dr. Rajendra Prasad  
 (b) Jawahar Lal Nehru  
 (c) Dr. B.R. Ambedkar  
 (d) Dr. Sachchidanand Sinha
- Q.20** Which Act for the first time made it possible for Indians to take some share in the administration of their country by Civil Services?  
 (a) Charter Act 1833  
 (b) Charter Act 1853  
 (c) Government of India Act 1858  
 (d) Indian Councils Act 1861
- Q.21** The Constitutional advisor to the Constituent Assembly was  
 (a) Sachchidananda Sinha  
 (b) K. M. Munshi  
 (c) B. N. Rao  
 (d) T. T. Krishnamachari
- Q.22** Which one of the following Statements is correct?  
 (a) The Constituent Assembly of India was elected by the provincial assemblies in the year 1946.  
 (b) Jawaharlal Nehru, M.A. Jinnah and Sardar Vallabhbhai Patel were members of the Constituent Assembly of India.
- (c) The First Session of the Constituent Assembly of India was held in January, 1947  
 (d) The Constitution of India was adopted on 26th January, 1950.
- Q.23** The members of the Constituent Assembly which drafted the Constitution of India were  
 (a) nominated by the British Parliament  
 (b) nominated by the Governor General  
 (c) elected by the Legislative Assemblies of various provinces  
 (d) elected by the Indian National Congress and the Muslim League
- Q.24** Which one of the following is not a feature of the Government of India Act of 1935?  
 (a) Dyarchy at the Centre  
 (b) A bicameral Legislature  
 (c) Provincial autonomy  
 (d) Federal Public Service Commission
- Q.25** Match **List-I** with **List-II** and select the correct answer using the codes given below the lists:
- List-I**  
**A.** Lord Mountbatten  
**B.** Dr. Rajendra Prasad  
**C.** Dr. B. R. Ambedkar  
**D.** Pandit J. L. Nehru  
**E.** Dr. K. M. Munshi
- List-II**  
**1.** Chairman of the Drafting Committee  
**2.** First Prime Minister of India  
**3.** Member of the Constituent Assembly  
**4.** Last British Governor-General  
**5.** President of the Constituent Assembly  
**6.** Legal Adviser to the Constituent Assembly
- Codes:**
- |     | A | B | C | D | E |
|-----|---|---|---|---|---|
| (a) | 4 | 1 | 5 | 2 | 6 |
| (b) | 4 | 5 | 6 | 2 | 1 |
| (c) | 4 | 5 | 1 | 2 | 3 |
| (d) | 4 | 3 | 6 | 2 | 1 |
- Answer key**
- |         |         |         |         |         |
|---------|---------|---------|---------|---------|
| 1. (a)  | 2. (b)  | 3. (c)  | 4. (a)  | 5. (d)  |
| 6. (b)  | 7. (c)  | 8. (b)  | 9. (b)  | 10. (c) |
| 11. (d) | 12. (b) | 13. (a) | 14. (a) | 15. (b) |
| 16. (b) | 17. (c) | 18. (c) | 19. (d) | 20. (b) |
| 21. (c) | 22. (a) | 23. (c) | 24. (b) | 25. (c) |



BIHAR PUBLIC SERVICE COMMISSION

ASSISTANT ENGINEER EXAMINATION

Prelims Exam, 2018

# GENERAL PAPER (GENERAL STUDIES SECTION)

- Q.1** Who has served as the 11<sup>th</sup> President of India?  
(a) Shri Pranab Mukherjee (b) Shri K.R. Narayanan  
(c) Shri A.P.J. Adbul Kalam (d) Smt. Pratibha Patil
- Q.2** Dr. B.R. Ambedkar was independent India's first  
(a) Textile Minister (b) Law Minister  
(c) HRD Minister (d) Foreign Minister
- Q.3** India's first mobile court was inaugurated in  
(a) Maharashtra (b) Haryana  
(c) Uttar Pradesh (d) Rajasthan

BPSC Prelims Exam (General Paper • General Studies Section : AE), 2018

ANSWER KEY

1. (c)      2. (b)      3. (b)

BPSC Prelims Exam (General Paper • General Studies Section : AE), 2018

EXPLANATIONS

**1. (c)**

Avul Pakir Jainulabdeen Abdul Kalam was an Indian scientist who served as the 11<sup>th</sup> President of India from 2002 to 2007.

**2. (b)**

After Independence of India on 15 August, 1947, Dr. B. R. Ambedkar was appointed as the first Union Law Minister and Chairman of the Constitution Drafting Committee, which was given the responsibility to write India's new Constitution.