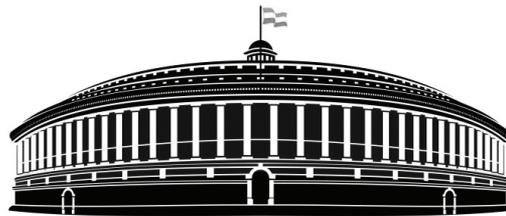


2025

INDIAN POLITY



for

**State Engineering Services Exams,
SSC, PSUs, Banking, RRB and
Other Exams**

by Mr. B. Singh



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Preface

This comprehensive textbook on **Indian Polity** provides all the requirements of the students, i.e., comprehensive coverage of theory, fundamental concepts and objective type questions articulated in a lucid language. This concise presentation will help the readers grasp the topics of **Indian Polity** with clarity and apply them with ease to solve objective questions quickly.

This book covers the syllabus of States Engineering Services Exams including APPSC, MPPSC, MPSC, BPSC, UPPSC; SSC, PSUs, Banking, RRB and other examinations. All the topics are given the emphasis they deserve so that mere reading of the book clarifies all the concepts. The book incorporates theory as well as previous year questions of various State Engineering Services Examinations, UPSC ESE, etc. It also contains plenty of objective type questions for practice. This book has been very well targeted for aforementioned exams covering all the aspects of subject matter required for these examinations.

We have put-in our sincere efforts to present detailed theory and MCQs without compromising the accuracy of answers. For the interest of the readers, some notes, do you know and interesting facts are given in the comprehensive manner.

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.

B. Singh (Ex. IES)

CMD, MADE EASY Group



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CONSTITUTION

1

Introduction

A constitution is a fundamental law of the country, which lays down the basic structure of political system under which its people are to be governed.

Constitutionalism

Constitutionalism is an idea or a principle which elaborates that the authority of the government is derived from a body of fundamental law and is also limited by it.

Growth of Constitution under the Company Rule

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.
- 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.
- 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

- 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, Pitt'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.
- 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 Bentinck was made the first Governor-General of 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.

Growth of Constitution under the Crown Rule

Government of India Act, 1858

- It brought an end to the Company's rule and transferred all powers to the British crown.
- The system of **Dual government** (Board of Control and Court of Directors) introduced by Pitt's India Act was abolished by this Act.
- 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.

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 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.

Indian Councils Act, 1909 (Morley-Minto Reforms)

- 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.

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

- 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.

UNION AND ITS TERRITORY

“ Article 1 to 4 under Part-I of the Constitution deal with the Union and its Territory ”

Constitutional Provisions regarding Union and Its Territory

Article-1

Name and territory of the Union

- **Article 1(1)** : India, that is, Bharat shall be Union of States.
- **Union of States means:**
 - States don't have right to secede/separate
 - Indestructible Union of destructible States.
 - Country is an integral whole and divided into different States only for convenience of administration.

DO YOU KNOW

- **USA** Constitution also known as - Federation of States which means - States came together.
 - USA Constitution is indestructible Union of indestructible States.



- **Article - 1(2):** The States and territories there of shall be specified in the first schedule.
- **Article - 1(3):** The territory shall comprise of
 - (a) The territories of States

(b)the Union territories specified in the first schedule.

(c)Such other territories as may be acquired. (Cession, occupation, conquest via treaty)

- **Union of India:** Only 28 States
 - Those states which are in federal scheme.
 - Which enjoys division of powers with Union.
- **Territory of India** means Union territory and Territories may be acquired in future. Thus, territory of India is wider expression than Union of India.

Difference between States and Union territories

State	Union territory
Part of federal polity	Under the direct control of Union
Enjoys distribution of power with Centre	Directly administered by Union, i.e., President
Under takes its own administration	It does not have own administration in general.
With a constitutional head i.e., Governor	It is governed by Lt. Governor or Administrator.

Article-2

Power of Parliament to admit or establish new states into the Union of India.

FUNDAMENTAL RIGHTS IN THE CONSTITUTION OF INDIA

RIGHT AGAINST EXPLOITATION (Articles:23-24)

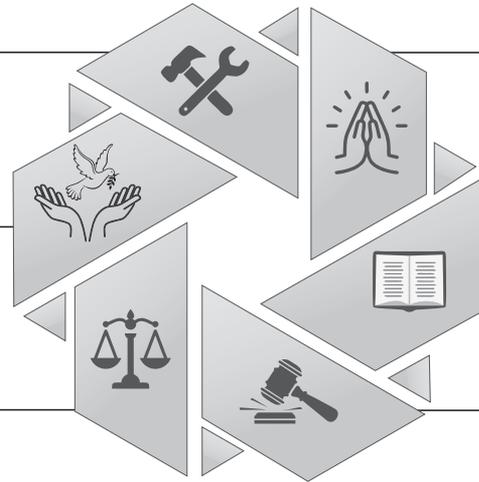
prohibits all forms of forced labour, child labour (children under age 14) and trafficking of human beings. Children over age 14 are not allowed to work in a factory, mine or in hazardous employment.

RIGHT TO LIFE & LIBERTY (Articles:19-22)

includes right to life, freedom of speech and expression, assembly, association or union or cooperatives, movement, residence, and right to practice any occupation.

RIGHT TO EQUALITY (Articles:14-18)

includes equality before the law, the prohibition of discrimination on grounds of religion, race, caste, sexual orientation, gender or gender identity and/or place of birth, equality of opportunity in matters of employment, the abolition of untouchability and abolition of titles.



RIGHT TO FREEDOM OF RELIGION (Articles:25-28)

includes freedom of conscience and free profession, practice, and propagation of religion, and freedom to manage religious affairs.

RIGHT TO CULTURE AND EDUCATIONAL (Articles:29-30)

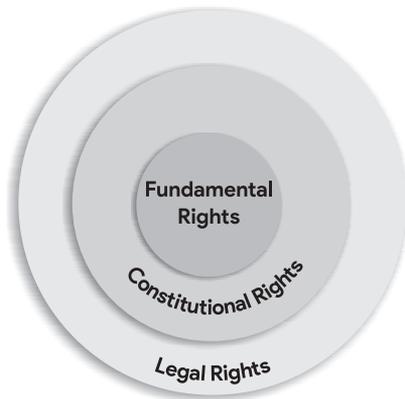
preserve the right of any section of citizens to conserve their culture, language or script, and right of minorities to establish and administer educational institutions of their choice.

RIGHT TO CONSTITUTIONAL REMEDIES (Articles:32, 266)

empowers citizens to move to a court of law in case of any denial of the fundamental rights. When a national or state emergency is declared, Article-32 is suspended by the Government.

Constitutional Rights : 300 A, Provided in Constitution other than Part-III

Legal Rights : Under statutory laws (Right to self defence in Indian Penal Code)



Constitutional Rights and Legal Rights cannot directly approach Supreme Court has to follow due process i.e. from Lower Court to Higher Court.

Fundamental Rights are justiciable in nature.

In case of violation of Fundamental Rights write applications can be directly filed before the Supreme court under Article-32 of the Constitution and the individual can seek immediately remedy. Ex.: Freedom of Speech.

However, in case of other provisions, i.e. in case of Constitutional and legal rights, relief can be sought by ordinary suit or by an application under Article-226 to the High courts. **Ex.:** Article-300(A) : Right to Property

Feature of Fundamental Rights

- All Fundamental Rights are available to citizens** and some are available to foreigners too. Ex.” Only citizens – Article 15, 16, 19, 29, 30 to Foreigners too – Article 21
- Qualified in nature** restrictions can be imposed by state on the grounds mentioned / provided in the Constitution.

FUNDAMENTAL DUTIES

5

Introduction

The Fundamental Duties are defined as the moral obligation of all the citizens to help promote a spirit of Patriotism and to uphold the unit of India.

These duties set out in the Part-IV-A of the Constitution.

Key features of Fundamental Duties

- Not a part of original Constitution.
- Introduced through 42nd Constitutional Amendment Act, 1976.
- Based on the recommendations of Swaran Singh Committee (most of the recommendations are accepted).
- Originally 10 duties (i.e., as per 42nd CAA, 1976) but through 86th CAA, 2002, a new duty was added 51-A(K). Thus at present 11 Duties.
- They are non-justiciable.
- Codification of tasks integral to Indian way of life.
- There is no legal sanction against their violation, but Parliament is free to enforce them by suitable legislation.

Significance

- Serve as a reminder to citizens that while enjoying rights, they should also be conscious of duties they owe to their country, their society and their fellow citizens.
- Serve as a warning against anti-national and anti-social activities.
- Serve as a source of inspiration for the citizens and promote a sense of discipline and commitment among them.
- They help courts in examining constitutional validity of law.
- The Verma Committee on Fundamental Duties of the citizens (1999) identified the existence of legal provisions for implementation of some

Fundamental Duties. [Prevention of Insults to National Honor Act, 1971. Wildlife (Protection) Act, 1972, Forest (Conservation) Act, 1980, etc.]

Relation between Rights and Duties

- It is the imperative duty of a citizen to use his rights in such a way as to contribute to social richness.
- The enjoyment of one's right also involves the duty to let others to enjoy the same rights.
- Since State protects my rights, therefore it is one's duty to perform certain obligations towards it.

“ **Action is the duty; fruit is the right**
- *Bhagavad Gita* ”

FR, DPSP and FD

Despite being part of the same constitution, a contrast is often made between part III and part IV i.e. between fundamental rights and directive principles. The main reason for the judicial enforceability of Fundamental Rights is its nature being negative obligation of the state.

The Directive Principles are non-justiciable but are moral guidelines and fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws. However, in recent time, some of the directives have been made a part of chapter on Fundamental Rights to be in tune with the requirements of changing polity. Right to education under Article 21A and Article 45 of DPSP can be seen in complementarity.

Like the Directive Principles, the fundamental duties are also non-justiciable. The Constitution does not provide for their direct enforcement by the courts. Moreover, there is no legal sanction against their violation in constitution. However, the Parliament can enforce them by suitable legislation.

A right possessed by the citizens also involves the obligation to respect that right. This obligation

THE LEGISLATURE

9

Parliament

Our country has adopted the Parliamentary form of government which is based upon the harmonious independence and interdependence of executive and legislature. Union Parliament is the Supreme Legislative body of the Country. The Hindi term for Parliament is SANSAD.

Articles 79 to Article 122 of the constitution are devoted to organization, procedure, power and privileges etc of the parliament. As per Article 79 of the constitution, Indian Parliament comprises of -

- Lok Sabha (The House of People/Lower house)
- Rajya Sabha (The Council of States/Upper House)
- President of India

As our country has chosen the 'Indirect Democracy' as the form of polity, Parliament reflects the collective will of the people of India, through their representatives, which make the laws of the land for better governance and welfare of the citizens of the country. It occupies the central and pre-eminent position in Indian political system.

Houses of Parliament

As per Article 79 of the constitution, the Indian Parliament consists of The Lok Sabha, The Rajya Sabha and The President. The Lok Sabha and Rajya Sabha are the two houses of the Parliament. The former represents the people of India as a whole while the later represents the states and Union Territories of the Indian Union.

Lok Sabha

The Lok Sabha (House of the People) is the lower house of India's bicameral Parliament. Lok Sabha is composed of representatives of the people chosen by direct election on the basis of the adult suffrage.

- **Composition:** The maximum strength of Lok Sabha is fixed at 552 members. Out of this:-
 - 530 members are to be the representatives of the states.
 - 20 members are to be the representatives of the Union Territories [Article 81 of Constitution].
 - 104th Constitutional Amendment Act, 2019 abolished the provisions of nominating 2 members from Anglo-Indian community, but the strength remain 552 until the dissolution of the existing Lok Sabha and Legislative

The **Indian Parliament building** was designed by **Sir Edwin Lutyens** and **Sir Herbert Baker**, who were responsible for the planning and construction of New Delhi too.

The parliament building was formally inaugurated by the then Viceroy Lord Irwin on January 18, 1927.

The first Lok Sabha and Rajya Sabha were constituted in 1952 in the Independent India, after the first general elections.

The Legislature having 2 legislative houses with distributed powers between them, is generally known as Bicameralism.



Previous Years' Questions & Practice Questions

1. What is the guiding principle behind establishment of NITI Aayog?

- (a) Collateral federalism
- (b) Competitive federalism
- (c) Compulsive federalism
- (d) Cooperative federalism

[APPSC (AEE) : 2016]

Ans. (b)

2. Out of the bills given below, with regard to which bill, can the President neither return nor withhold his assent ?

- (a) Defence Bill
- (b) Money Bill
- (c) Law Bill
- (d) Financial Account Committee Bill

[APPSC (AEE) : 2016]

Ans. (b)

3. The President of India can be removed from office by

- (a) the Prime Minister of India
- (b) the Chief Justice of India
- (c) the Parliament
- (d) the Lok Sabha

[BPSC (AE) : 2001]

Ans. (c)

4. Who is the chairman of the Planning Commission?

- (a) The President
- (b) The Vice-President
- (c) The Planning Minister
- (d) The Prime Minister

[BPSC (AE) : 2001]

Ans. (d)

5. The number of members of State Legislative Assembly cannot be more than

- (a) 500
- (b) 250
- (c) 425
- (d) 540

[BPSC (AE) : 2001]

Ans. (a)

6. The ceremonial head of the Municipal Corporation is

- (a) the nominated Chairman
- (b) the elected mayor
- (c) the nominated Commissioner
- (d) the elected Commissioner

[BPSC (AE) : 2001]

Ans. (b)

7. All the human beings are born free and all are equal in dignity and rights" has been outlined in the

- (a) UN Charter
- (b) French Revolution
- (c) Declaration of Human Rights
- (d) Magna Carta

[BPSC (AE) : 2001]

Ans. (c)

8. The right to property is

- (a) a legal right
- (b) a fundamental right
- (c) an ordinary right
- (d) a statutory right

[BPSC (AE) : 2001]

Ans. (a)

9. Which one is not a Fundamental Right?

- (a) Right to equality
- (b) Right to religion
- (c) Right to assembly
- (d) Right to property

[BPSC (AE) : 2006]

Ans. (d)

10. Who was second President of India?

- (a) Dr. Zakir Hussain
- (b) V. V. Giri
- (c) Dr. Radhakrishnan
- (d) Zail Singh

[BPSC (AE) : 2006]

Ans. (c)

11. Collectively the Council of Minister is responsible to

- (a) President
- (b) Parliament
- (c) Prime Minister
- (d) People

[BPSC (AE) : 2006]

Ans. (d)

12. Who was the President of the Constituted Assembly?

- (a) Dr. Ambedkar
- (b) Dr. Rajendra Prasad
- (c) Dr. Kidwai
- (d) Dr. B. N. Rau

[BPSC (AE) : 2006]

Ans. (b)

13. Governor of a State is appointed by the President on the advice of

- (a) Vice President
- (b) Prime Minister
- (c) Chief Minister
- (d) Chief Justice

[BPSC (AE) : 2006]

Ans. (c)

14. In which state it is compulsory to have a separate Minister for Tribal Welfare?

- (a) Gujarat
- (b) Bihar
- (c) Maharashtra
- (d) Kerala

[BPSC (AE) : 2006]

Ans. (b)

15. What is the maximum strength of Lok Sabha?

- (a) 525
- (b) 537
- (c) 550
- (d) 545

[BPSC (AE) : 2006]

Ans. (c)

16. Indian Constitution, came into force on

- (a) August 15, 1947
- (b) November 26, 1949
- (c) January 26, 1950
- (d) January 30, 1950

[BPSC (AE) : 2006]

Ans. (c)

17. President of India submits his resignation too:

- (a) Vice President
- (b) Prime Minister
- (c) Speaker of Lok Sabha
- (d) Chief Justice of India

[BPSC (AE) : 2006]

Ans. (a)

18. The words "Socialist Secular" were added to the Preamble of Indian Constitution by

- (a) 2nd Amendment
- (b) 24th Amendment
- (c) 42nd Amendment
- (d) 44th Amendment

[BPSC (AE) : 2006]

Ans. (c)

19. When is the Rajya Sabha dissolved?

- (a) During Emergency
- (b) During President's Rule
- (c) During a war
- (d) Never

[BPSC (AE) : 2006]

Ans. (d)

20. India is a Welfare State because of the provisions

- (a) Preamble
- (b) Fundamental Rights
- (c) Directive Principles
- (d) VIIth schedule

[BPSC (AE) : 2006]

Ans. (c)