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B± Formation of Constituent Assembly.

- It was a crucial step in the process of drafting the C.O.I
- The idea of a Constituent Assembly for India was first proposed by MN Roy in 1934
- He was a constitutionalist & political theorist
- It gained momentum in the context of India's struggle for Independence

* Background

① Demand of Self-Government:-

During the early phases of Indian independence movement, leaders like MN Roy and others advocated the need of Constituent Assembly to draft a constitution for Independent India.

② Cripps mission, August offer & Quit India movement (1942)

(1942)

(1945)

The failure of Cripps mission & rejection of August offer, and launching the Quit India Movement reinforced the idea that India's political destiny should be in the hands of its people.

* Composition & Representation

- CA had a total of 389 members initially
- They were elected by indirect election, by Provincial legislative assembly & Panchayati states.
- The CA represented a diverse cross-section of Indian society, from various communities, religions & social groups.

* Leadership.

- Dr. Rajendra Prasad was elected as president of Constituent Assembly
- Dr. B.R. Ambedkar was appointed as the chairman of the drafting committee, responsible for preparing the first draft of Constitution.

* Conclusion

- The CA, through its collective efforts & debates, successfully drafted the first C.O.I, which came into effect on January 26, 1950.

B5. Use of Technology in Judicial process & Role of IT professionals in Judiciary.

- Transforming the legal landscape, & enhancing the efficiency & accessibility of the judicial system
- IT professionals play a crucial role in enabling and maintaining these technological advancements.

Use of Tech in Judicial process

- ① Electronic Case management
- ② E-filing & E-Service
- ③ Digital Court Record
- ④ Video Conferencing
- ⑤ Online legal research
- ⑥ Data analytics & Predictive Analysis.

Role of IT Professionals in Judiciary

- ① System Implementation & Maintenance
- ② Cyber Security
- ③ Training & Support
- ④ Custom Software development
- ⑤ Integration of Emerging Tech.
- ⑥ Ensuring Accessibility

B2/6.B Lokpal Jurisdiction & its power

- Anti-corruption institution in India, established to enquire into allegations of corruption against public officials, including the Prime Minister
- The Lokpal & Lokayuktas Act 2013, provides the framework for the establishment, composition, jurisdiction, and powers of the Lokpal.

* Lokpal Jurisdiction

- ① Public Servent
 - officers
 - MPs
 - employee ... controlled by central govt.
- ② Prime Minister
 - only if complaint is valid & not done by any form of opposition party
- ③ Central govt. Entities.
 - Any org. that receives fund from c. govt.
 - Any NGO that receives foreign funding above specified threshold.

* Power of Lokpal.

- ① Investigation: → conduct independent investigations into allegations of corruption
it can also initiate investigation on its own
- ② Prosecution: → initiate prosecution against in so called Special Court for Lokpal cases
- ③ Search & Seizure
- ④ Whistleblower protection: § 29A of CrPC against victimization.
- ⑤ Jurisdiction over NGOs.
- ⑥ Advisory Role: → They can advise central govt., Depts. & org. on way to prevent corruption
- ⑦ Monitoring of investigations: → ... done by CBI or any other agencies under jurisdiction.

3B Powers & function of the President under Indian Constitution.

Powers of President.

- (1) Supreme Commander of Indian Armed forces
- (2) Executive Power:-
As per the advice of council of ministers, led by P.M
- (3) Appointment of P.M:-
who is usually the leader of Majority party in Lok Sabha
- (4) Council of Ministers:
On the advise of P.M, & President can also ask the council of Ministers to reconsider its advice
- (5) Resolution of Lok Sabha:-
on the advise of P.M
- (6) Ordinance making power
- (7) Dissolution of State assemblies:-
On the advise of state Governor
- (8) Pardoning Power:-
Can Pardon or commute sentence of any person convicted of an offence

Functions of President

- (1) opening of Parliament.
- (2) Summoning & Proroguing Parliament:-
Summon & prorogues sessions of Parliament & can dissolve the Lok Sabha
- (3) Appointing State Governors
- (4) Signing bills into law
- (5) Representing India Internationally
- (6) Emergency power
- (7) Dismissal of State government:-
... in extreme situations based on the report of the governor.

* Information Technology act 2000

- It is a comprehensive legislation in India, that addresses various aspects related to electronic governance & electronic commerce
- It primarily focuses on issues related to electronic transactions, data security, and digital signatures, it also contains provisions related to intellectual property rights.

- (1) Electronic Signature & Intellectual property
- (2) Digital Signature & Intellectual property
- (3) Data protection & Privacy
- (4) Cyber Crime & Intellectual property
- (5) Digital Right Management & Copyrights (DRM)
- (6) Liability of Intermediaries
- (7) Adjudication and Authority.

Section 3 of IT Act

3A & 3B
43A & 72A
66
65
79

* Fundamental Rights.

→ Fundamental Rights refers to the basic rights and freedoms that are guaranteed to individuals by a constitution or a legal system.

→ In the Indian Constitution, following are the fundamental rights:-

- ① Right to Equality:- Ensures equality before law, prohibition of discrimination - Race, Caste, Sex, ...
- ② Right to freedom:- of speech and expression, assembly, association
- ③ Right against exploitation:- Prohibits, trafficking, forced labor, children working, ...
- ④ Right to freedom of Religion:- profession, practice and propagation of religion.
- ⑤ Cultural & Educational Right:- preserve the rights of minorities...
- ⑥ Right to Constitutional Remedies:- Provides for the enforcement of fundamental rights, through the judiciary, allowing citizens to move to court if their rights are violated.

→ These rights are considered fundamental because they are essential for the protection, well-being, and dignity of individuals.

* PIL and Procedure to file it.

→ PIL stands for Public Interest Litigation

→ It is a legal mechanism in many jurisdictions, that allows any individual or org. to approach the court, seeking legal remedies, for issues that affect the public interest or the general public at large.

Procedure to file a PIL in India:-

- ① Identify the issue.
- ② Locate the appropriate court.
- ③ Draft the PIL Petition
- ④ Verification and authentication
- ⑤ Filing the petition
- ⑥ Court review and hearing
- ⑦ Legal Representation.
- ⑧ Court Decision.

* Function of Lok Sabha.

The Lok Sabha, or the House of People, is one of the two houses of the parliament of India, with the other being the Rajya Sabha (Council of States).

The Lok Sabha serves several important functions in the Indian Parliamentary System:-

- (1) Legislative function :- Enacts laws. (Introduce bill → discussion → vote → Law)
- (2) Representation of People :-
- (3) Financial function :- Have the power to approve budget presented by the government.
- (4) Oversight and Accountability :-
- (5) Electing the Prime Minister :-
- (6) Constitutional Amendments :-

* Powers and functions of PM.

- (1) Head of the govt :- Leads the council of minister and is responsible for coordinating and supervising the functioning of various ministries and department.
- (2) Leader of the cabinet :- Presides of meeting of cabinet, which comprises senior minister responsible for policy making & decision making on key issues affecting the country.
- (3) Chief Advisor to the president :-
- (4) Formulation of policies :- Plays central role in formulating and implementing policies and programs for the government.
- (5) Parliamentary Leadership :- Represent govt. in parliament, present govt. policies, defend govt. decisions, and answer questions asked by MPs during parliamentary session.
- (6) Appointment & supervision of ministers :- Appoints and allocates portfolios to them.
- (7) Crisis Management :- Guidance during crises or Natural Disaster.
- (8) International Representation :- at international forums, summits, and conferences
Also engages in diplomatic relations with foreign leaders.
- (9) Economic Management :- works with finance minister and other economic advisers to steer the country's economic growth and development.

At Annual General Meeting:-

- AGM in India is a mandatory yearly gathering of a company's shareholders, directors and management.
- Its purpose is to discuss and approve important matters related to the company's financial performance, corporate governance, and future plans.

Key aspects of an AGM includes:-

- ① Financial Reports:- financial statements, including balance sheets, profit & loss statement, cashflow statement for the preceding financial year.
 - ② Appointment of Auditors:- shareholder may appoint or reappoint auditors to examine the company's financial records.
 - ③ Declaration of Dividends:- if profits are available for distribution, shareholder may approve the declaration of dividends.
 - ④ Election of Directors:- shareholder may elect directors to the company's board, or re-elect existing director.
 - ⑤ Resolutions:- shareholder votes on various resolutions, including changes to the company's charter, capital, structure, or significant business decisions.
 - ⑥ Question & Answer Session :- SH - Questions / Company's Management - Answers
 - ⑦ Compliance:- the AGM ensures compliance with legal requirements under the Companies Act.
- AGM provides transparency, accountability, and a platform for shareholder to participate in corporate decision making.

* The Companies Act

- It is a comprehensive piece of legislation that governs the formation, management, and operation of companies in India.
- The act provides a legal framework for the incorporation, functioning, and dissolution of companies, ensuring transparency, accountability, and protection of stakeholder's interests.

Key features and components of Companies Act:-

- ① **Incorporation** :- The act specifies the procedure & requirements for incorporating different types of companies:- Pvt. Ltd, Pub Ltd, One Person Company (OPC).
- ② **Corporate Governance** :- This act establishes the principles of corporate governance to ensure transparency, accountability, and ethical conduct within companies.
- ③ **Financial Reporting & Audit** :- Companies are required to maintain proper accounting records and prepare financial statements.
- ④ **Shareholder Rights and Meetings** :-
- ⑤ **Compliance & Regulatory Framework** :- It establishes regulatory bodies such as Ministry of Corporate Affairs (MCA), and the National Company Law Tribunal (NCLT)

Types of Companies Under the Company Act:-

- ① **Private Limited Company** :- Business entity that is privately held by a small group of shareholders.
- ② **Public Limited Company** :- Business entity, whose shares are publicly traded on stock exchange.
- ③ **One Person Company** :- A type of company that can be formed with only one person as its member.