

Independent Bodies

- Judiciary

- CAG (148)

- UPSC

CAG → Art 148

Comptroller & Auditor General of India

→ 1) collected & audit the Finances of Govt of India & States.

→ Report is given to President.

& President presented it to Parliament.

→ Public Account Committee in Parliament & Committee on Public Undertakings investigate the Reports with the help of Departmental representatives.

Independence of CAG

Removal difficult

No threat of Reduction in salary

- Election Commission of India

- Democracy



free & fair election

- chief Election Commissioner



only can be removed by the same process of impeachment as in the case of Supreme Court & high court judges

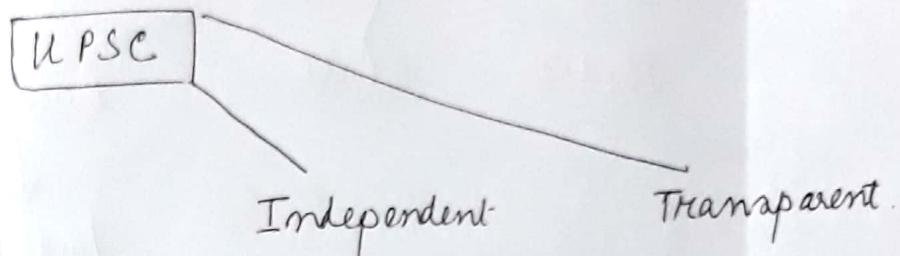
- His salary / conditions of service can't be changed to his disadvantage after his appointment.

- Charged upon Consolidated Fund of India.

- Post-retirement, he/she will be ineligible for any other appointment

charged upon Consolidated Fund of India

But there is no ban on future appointment of CAG.



"to recruit the best Talent"

- Chairman can't be appointed in other posts in future.

Ref. PPT

• Election Commission of India

Role of T. N. Seshan

→ EVM

• Moral Code of Conduct.

like how much time before election Govt. should not announce new policy or programme.

• Free & Fair Election.

• Emergency Provisions:

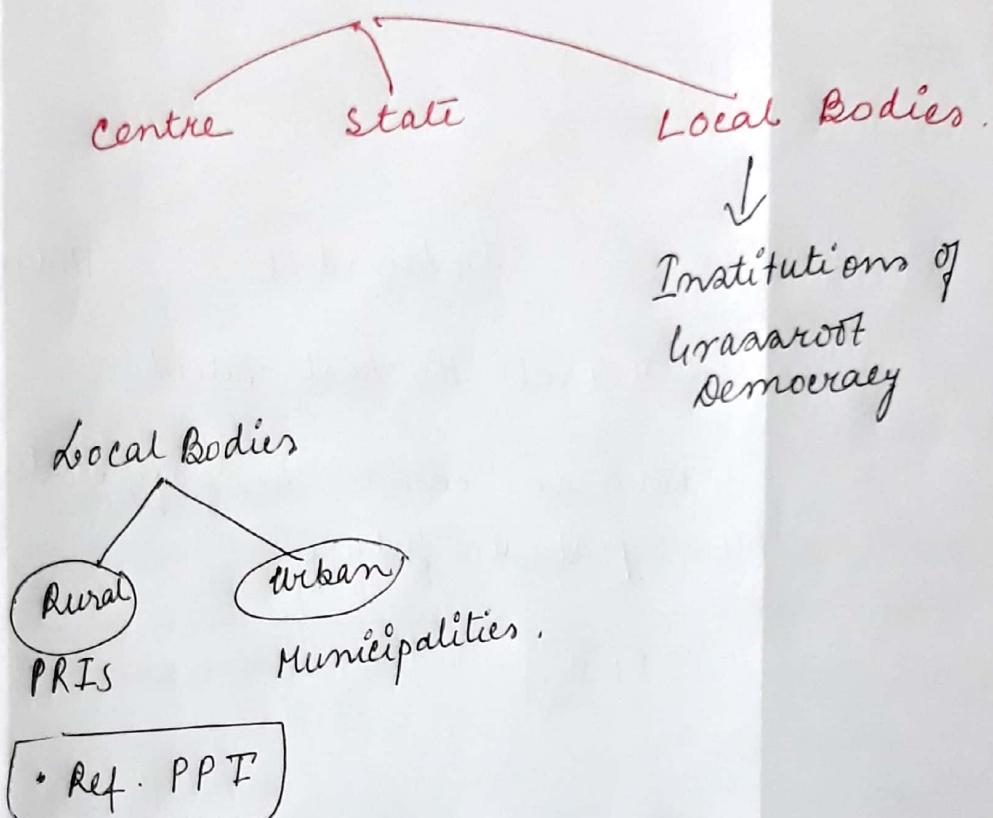
Ref. the PPT .

Ivor Jennings " Indian Political system

sui-generis
↓
unique

sui-generis
one of its own kind .

Three Three Tier Government



PREAMBLE

13th December, 1946, in Constituent Assembly,
Pt. Nehru moved the "Objective Resolution"

On the basis of this documents, Preamble
was prepared which is the Preface
to our constitution.

→ Ref. PPI

- Through Preamble, it is easier to understand the minds of the maker of the constitution wherever constitution is silent -

Legal Sovereignty



Constitution

Political
Sovereignty



Parliament

Popular
Sovereignty



A. V. Dicey,

"Behind the sovereign whom the lawyers recognise, there is yet another sovereign to whom the former must bow."

Lawyers recognise—Constitution

But ^{Source of} Authority of the Constitution

→ "We the people of India"

i.e. known as Popular Sovereignty.

Ref. PPT

Tent of the Preamble

. The Purpose of the Preamble

. Main Points of Objective Resolution

Am was to make India as a Union of States with a few federal features.

Ref
PPT

Ingredients of Preamble

Ref.
PP I &
earlier class.

Sovereignty

Socialist

Socialism

Evolutionary
socialism

Revolutionary
socialism



Fabian
socialism
(British variant)

↓
Marxist
communism



We can bring Socialism
through education &
Democratic means.

Pt. Nehru was a great
follower of this.

When masses are
educated, they will
demand their rights
through democratic
way, & they will
get their rightful place
in the society. Then,
the exploitation of the
masses will end.

→ In India, we follow this variant of
Democratic or Fabian Socialism.

Secular

Ref.
earlier
class
k PPT

Democratic Republic

Direct Democracy v Indirect Democracy



- Referendum
- Initiative
- Recall
- Plebiscite



Representative
Democracy.

- India follows Parliamentary form of Democracy

Everything
is explained
in PPT

Republic

Other Important terms

Amendability of the Preamble

Berubari Union Case (1960)

Kesavananda Bharti Case (1973)

Views on Preamble

Fundamental Rights

Part III of the Constitution
(Art 12 - 35) in the Constitution.

Ref. PPI
for the
Fundamental
Rights with
Explanation.

Background —

1689 → Bill of Rights
after Glorious Revolution of 1688.

1787 → U.S. Bill of Rights

1789 → French Declaration of the
Right of Men.

In India,

1928 → Motilal Nehru Report.

1931 → Karachi Session of Congress
passed a resolution of Fundamental
Rights.

U.N. Declaration of Human Rights.

on the basis of all these, Fundamental
Rights are designed in our constitution
by ensuring dignity of each & every
individual.

Various Types Of Rights :-

Natural Rights
Human Rights
Civil Rights
Legal Rights
Constitutional Rights
Fundamental Rights

Ref. PPT for explanation.

Meaning & Significance of Fundamental Rights

- promote political democracy
- prevent authoritarianism
- protect the liberties & freedom of people.
- limitations on the tyranny of the executive & arbitrary laws of legislature.
- establish "a government of laws & not of men".
- guaranteed & protected by the fundamental law of the land i.e. the Constitution.
as they are essential for the development of human personality.
- Ambedkar Comments :-

from PPT

Features of Fundamental Rights.

Ref. PPT