

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

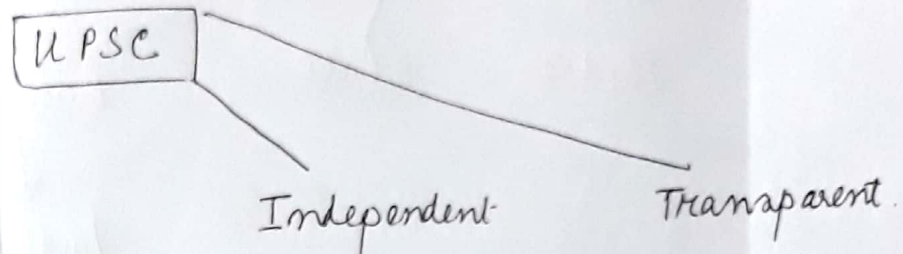
• His salary / conditions of service
can't be changed to his
disadvantage after his
appointment.

• 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:

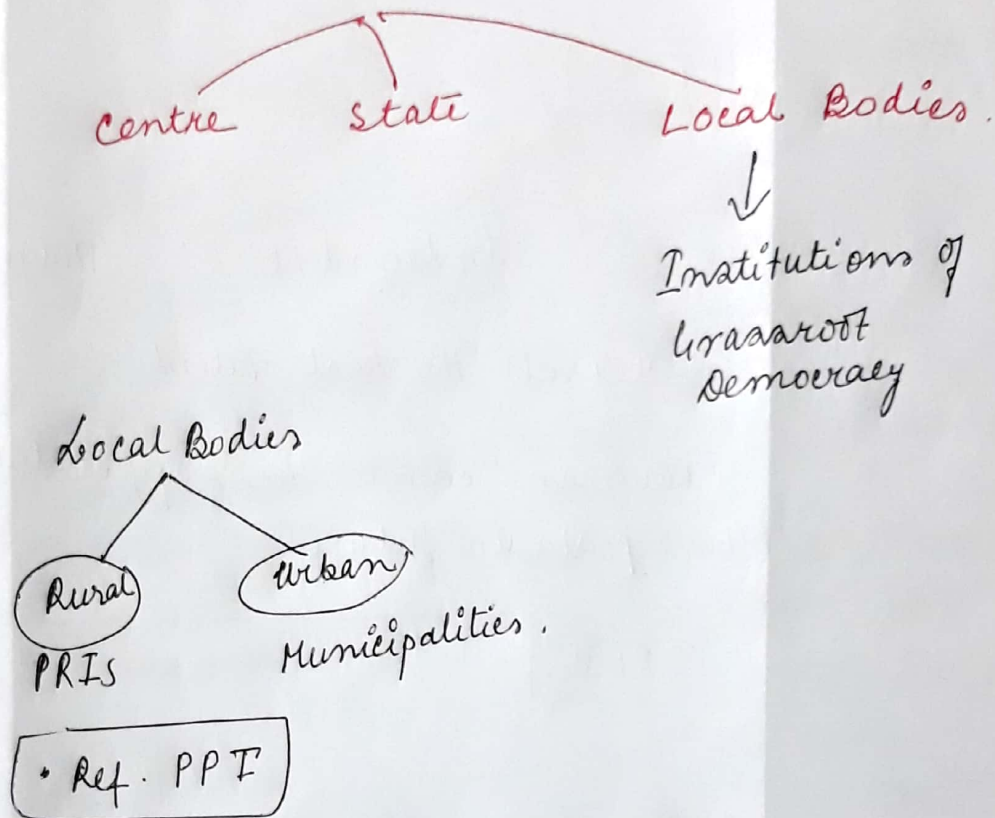
Ref. the PPT

Ivor Jennings "Indian Political system

sui-generis
one of its own kind.

sui-generis
↓
unique

• Three Tier Government



PREAMBLE

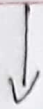
12th December, 1946, in Constituent Assembly, Pt. Nehru moved the "Objective Resolution".

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

• Ref. PPT

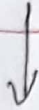
• Through Preamble, it is easier to understand the minds of the maker of the Constitution wherever constitution is silent.

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

Text of the Preamble

- The Purpose of the Preamble
- Main Points of Objective Resolution

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

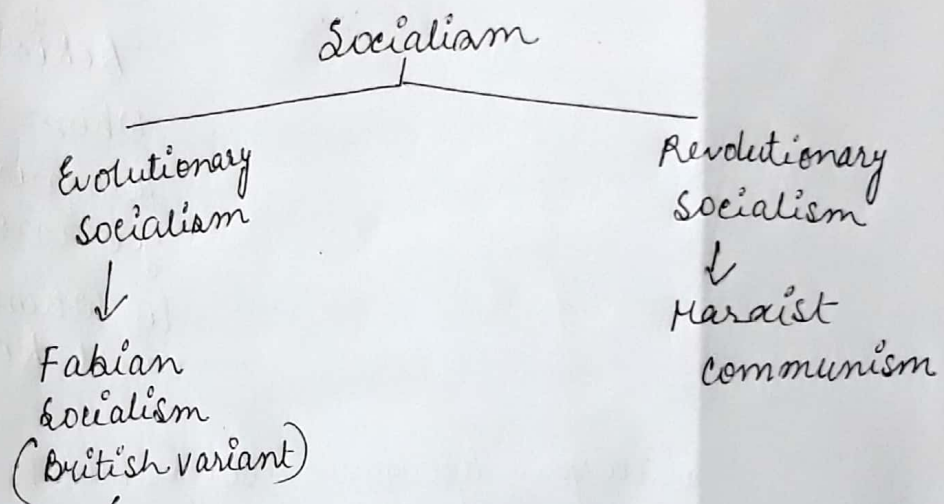
Ref
PPT

Ingredients of Preamble

Ref.
PPT &
earlier class.

Sovereignty

Socialist



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
↳ PPT

Secular

Democratic Republic

Direct Democracy V Indirect Democracy



- Referendum
- Initiative
- Recall
- Plebisite



Representative
Democracy.

- India follows Parliamentary form of
Democracy

Republic

Everything
is explained
in PPT

Other Important terms

Amendability of the Preamble

Berebari Union Case (1960)

Keshvananda Bharti Case (1973)

Views on Preamble

Fundamental Rights

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

Ref. PPT
for the
Fundamental
Rights with
Explanation.

Background →

1689 → Bill of Rights
after glorious Revolution of 1688.

1787 → U.S. Bill of Rights

1789 → France 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