20-10-2022

INDIAN CONSTITUTION

UNIT - I

* Constitution :-

→ The basic principles & laws of a 'nation', 'state', or 'social group' that determine the 'powers' and 'duties' of the government and guarantee certain rights to the people in it.

* Indian constitution :-

→ The constitution of India ['Bharatiya - samvidhana'] is the supreme law of India.

→ It is the longest written constitution of any country on earth.

* Historical Evolution :-

Historical Evolution

- company's Rule
- crown's Rule.

1. Company's Rule :-

① → The Regulating Act of 1773 :-

→ British decided to regulate the activities of EIC [East India company]

→ In 1773, it laid the foundations of central administration in India.

→ They designated the 'Governor of Bengal' as the 'Governor General of Bengal'.

→ First Governor General was "Warran ~~William~~ Hasting"

→ They also assisted '4 members' and term as 'council'.

→ They gave powers to governor general to control 'civil' & 'millitary' of British provision.

→ 'Bengal', 'Bihar' and 'orissa' also monitorized by Governor general.

→ The British govt provided for the establishment of a supreme court at calcutta (1774) comprising '1 chief justice' & '3 judges'.

② → Amending Act, 1781 :-

→ To rectify defects of regulating act of 1773, the British parliament passed this "Act of settlement" or "Declaratory Act, 1781".

→ They established relations b/w supreme court & the Governor general in council.

③ → Pitt's India Act, 1784 :-

→ All Indian affairs came under control of British govt in Britain.

→ They distinguished affairs of EIC into 'Political' & 'commercial' bodies.

→ 'commercial affairs' are under control of 'court of Directors'.

→ A new body called 'Board of control' [6 members] was created to manage 'political affairs'.

→ Board of control has power to monitor Bihar, Bengal, odissa.

→ Governor General assitants were reduced to 3 from 4.

④ → charter Act - ~~1813~~ 1793 :-

→ It extended the trading 'licence power' of EIC to '20' years.

→ It also changed the 'financial affairs' of EIC.

They were

(i) The 'salaries' of Board of control should be paid by EIC.

(ii) The '10%' profit of EIC should be given as dividend to British govt.

⑤ ➡ charter Act, 1813 :-

→ It ended 'monopoly of EIC' in India except 'trade with china' & 'trade in Tea' with India

→ For the first time, British govt gave 'job opportunities' in EIC to Indians also.

→ 'christian Machineries' were also established

→ British govt released funds to develop 'religious' and 'educational activities' in India

⑥ ➡ charter Act, 1833 :-

→ Final step towards 'centralization'.

→ 'Governor general of Bengal' became 'Governor General of India' ['Lord william Bentinck'].

→ It deprived Governors of Bombay & Madras of their legislative powers.

→ The laws made under previous acts were known as 'Regulations', while the laws made under this act were 'Acts'.

→ It ended the activities of EIC as a commercial body, making it a purely administrative body.

→ Introduced 'law member' [Macaulay] in Governor General's council.

(7) → Charter Act, 1853:-

→ separated legislative & executive functions of the Governor General's council.

→ provided for addition of 6 new members called legislative councilors to the council known as "Indian (central) Legislative council".

→ It introduced local representation in Indian Legislative council for the first time.

→ Introduced an open competition for civil services.

→ The covenanted civil service was thus thrown open to Indians also.

* Crown's Rule :-

① Indian council Act, 1861 :- (viceroy)

→ viceroy nominated 'non-official members'

→ 3 members of them were 'Indians'.

① 'Raja of Banaras'

② 'Maharaja of Paliola'

③ 'Sir Dinkar Rao'

→ viceroy → To frame the 'rules of Business'.

→ To issue the 'ordinance' during 'emergen

② Indian council Act, 1892 :- (council)

→ They classified three categories.

① 'Executive council' [Governing / Administering] → viceroy

② 'Legislative council'

③ 'Provincial legislative' [Non-official members - nominated by Bengal chamber of commerce]

→ Ex :- Direct elections - 'Legislative'

Indirect elections - 'provincial'

→ The power of 'executive council' was they can involve in Budget planning.

③ Indian council Act, 1909 :- (Morley-Minto Reform)

→ They introduced the element of election to Legislative council.

→ Provincial legislative members > legi council.

→ Electorate for muslims.

→ viceroy nominated Indian [satyendra prasad sinha] as a low member (Official)

④ Government of India Act, 1919 :- [Montague - chlemford Reform]

→ They thought about 'Responsible Government'.

→ They appointed an Indian as 'High commissinor of India' - office - London.

→ They introduced 'Bicameilism' [Parliament → LS, RS]

→ They introduced 'communist party' by sikhs.

→ They developed 'centre-state' Relations. [state & union].

⑤ Government of India Act, 1935 :-

→ They introduced 'RBI' - Balance the Money flow.

→ All the 'Residuary powers' given to 'viceroy'
↓
Emergency

Ex :- Lockdown during pandemic - president

→ Representative Institutions - SC, ST, worker sections, Labours.

→ 'Federal court' was established in '1937'.

→ Federal public se.
Joint

⑥ Indian Independence Act, 1947 :-

→ 'Aug 15', '1947' - ~~save~~ freedom.

→ 'India' & 'pakistan' separated.

→ constitute Assembly - Drafting committee

↓ chairman :- "Dr. Rajendra prasad"

↓ chairman :- "Dr. B.R. Ambedhkar"

→ Initially we have 342 Articles, at present 448 Articles.

* salient features of Indian constitution :-

① 'sovereign' - Independent

② 'social' - Public works

③ 'Republic' - freedom

④ 'Democratic' - Rule by the people

⑤ 'secular' - Anti Religious

⑥ 'Fundamental' Rights & Duties - 6 & 11

⑦ 'Directive' principles of state policies. (DPSP)

⑧ 'Fraternity' - Brotherlihood rel^n b/w states.

⑨ 'Federal' - Unity in Diversity.

⑩ 'Judicial' - It is an independent body.

⑪ 'single citizenship' - both state & union rules.

⑫ 'Bicamerlism' - Governing by two bodies → L.S, R.S

⑬ 'single constitution for Union & state'

⑭ 'Universal Adults' - Above 18years, they can elect.

* Fundamental Rights :-

① Right to Equality. [Religious, caste]

② Right to Freedom [Many aspects]

③ Right to Religious aspects

④ Right against Exploitation. [women trafficking etc]

⑤ constitutional Remedies [changes in I.c]

⑥ Right to children and culture.

⑦ Right to Property. [Now removed].

* Sources of Indian constitution :-

→ our constitution came into

'Existence' date : on 26th Nov, 1949

'Execution' date : on 26th Jan, 1950.

→ I.c
- → constituent assembly – Governing Dr. Rajendra prasad
- → Drafting committee – Dr. B.R. Ambedkar

① From Indian Government Act, 1935 :-

→ 'Federal scheme' – unity in Diversity

→ 'office of Governor' – Time period '6 years'.

→ 'Judiciary' – Independent from executive system

→ 'Public service commissions'

Ex: Results releasing, exams conducting etc

→ 'Emergency provisions'.

Ex: extending lockdown

→ 'Administrative details'

② constitution of canada :-

Can I know FED'S ADD-RESS

→ 'Federal' structure

→ Appointment of 'state governor' [from other sta

→ 'Advisory judicial jurirdiction power' of supreme court. [chief Justice].

→ 'Residuary powers' - Risastors.
union list, state list, concurrent list

③ constitution of U.S.A :-

President needs Funds for Removal of Present vice President & Judges in U.S.A

→ 'President of India' required. [Impeachment (or) removal, treats him as supreme commander

→ 'Fundamental Rights' adopted from U.S.A

→ 'Removal' of supreme court & hight court 'Judges.'

→ 'Judicial review' - supreme court must located at capital of country.

→ 'Preamble' [Preface] was adopted.

→ 'Role of vice president'

④ constitution of Ire Land :-

Ele's DP is No I.

→ 'Election procedure' for Indian presidency

→ 'Directive principles of state policy'

→ Nomination of members of Rajya sabha'

⑤ constitution of U.K :-

SinBi is a complex Law

→ 'single citizenship'

→ 'Bicamerilism' [parliament → L.S / R.S]

→ office of 'comptrollor' & 'Auditor' General.

→ 'Law making procedure' (legislative).

⑥ constitution of Germany :- **Emergency**

→ suspension of fundamental rights during emergency. [violation].

Ex:- Right to Live

Right to education

⑦ constitution of France :-

French Revolution

→ 'Republic system'

⑧ constitution of Russia :-

socialistic country - F2

→ 'Fundamental Duties'

→ 'Five year plan' - (2011).

⑨ constitution of south Africa :- **A**

→ Amendement of constitution [changing, adding].

⑩ constitution of Japan :- **SC**

→ Functions of supreme court.

(11) constitution of Australia :- ACT

→ 'concurrent list'

→ Free from 'Trade' & 'service'

(12) constitution of Brirish / British :- Writs

→ Emergency demands.

Ex :- Jai Bheem movie scene.

* I.C. :-
  - → Parts - 22, 25
  - → Articles - 395, 448
  - → Schdules - 8, 12

* Features of Indian constitution :-

* Preamble :-

→ It is Latin word 'Preambulus'.

- 'Introduction'
- 'Preface'
- 'objective'
- 'Purpose'
- 'Ideology'

} Articles

→ Elements :- We the people - source

→ Nature :- Socialist, Democratic, secular, Republic, sovereign

→ objective :- Liberty, Justice, Equality, Fraternity & Integrity.

Nature :-

① 'socialist' → we the people.

② 'democratic' → By the people [electing]

③ 'secular' → Anti Religious

④ 'Republic' → Independent

⑤ 'Sovereign' → Exceptions for others, only we involve in our matter / issues.

objectives :-

① Liberty → Fundamental right

② Justice → court related

③ Equality → All are equal

④ Fraternity → Brotherlihood

⑤ Integrity →

* Is preamble really ammended? (Yes).

A) case :-

→ 'Kesavananda Bharati' vs state of 'Kerala', 1973

→ He pilled a 'property Right case' in 'supreme court'.

→ It became a conflict b/w 'parliament' and 'supreme court'.

→ Finally concluded that 'supreme court' has all powers to check 'parliament decisions'.

→ Majority of changes in I.C was happened through '42nd ammendment'.

→ we can't spoil 'Main structure Doctorine'.

→ Hence Preamble ammended. [preamble]

* → We have parts - 25
Articles - 448.
Schedules - 12.

* Part I :-

→ It's about "union (state/country) & its Territories."

→ Here 'Articles 1-4' are appears.

Article-1 :- Name & its territories.

Sechdule :- 1 :- India/Bharat, A.P

Territories :- → State - Elections
→ Union Territories.
↓
(Governor ruling)

Article-2 :-

→ It's about 'establishment of a new state' which is 'not within the territories of India'.

Ex :- 'Sikkim'.

Article-3 :-

→ Establishment of a 'new state' 'within the territories of India'.

conditions :-

→ More than 2 states combine to form a new st

→ More than 2 states split from single state.

Ex :- A.P & T.S

Article-4 :-

→ whenever article 2 & article-3 happened,

(i) Naming of a new state & Territories [Article-1]

(ii) seats in parliament [added].

* Part-II :-

→ It is about 'citizenship'

→ It conserves Articles from '5' to '11'.

Article-5 :-

→ citizenship on commencement of I.C - 26 Jan, 1950

We Born, parents, Fore grand parents → Indians

Article-6 :-

→ citizenship on a person who migrated from 'pak → India' before '19th July, 1948' → Indians.

→ The people who entered after this deadline, have 'register process' - Indian govt - 6 months stay

Article-7 :-

→ people migrated from 'India' to 'pak' - Not Indian

Article-8 :-

→ Indian origin but 'residing outside' the country - people are Indians.

Article-9 :- voluntarily 'cancel the citizenship' →

Article-10 :- No 'continuance of Register process' because for newly born baby [Indian] due to their fore fathers/parents.

Article-11 :- 'Parliament's power' to regulate 'citizen-ship Rights'.

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* Part-III :- Fundamental Rights.

→ It's about 'Fundamental Rights'.

→ These are 'Justiciable'.

→ It contains 'Articles' from '12-35'.

① Right to Equality. [Articles 14-18]
② Right to Freedom [Articles 19-22]
③ Right ~~to~~ against Exploitation [Articles 23-24]
④ Right to Freedom Religion [Articles 25-28]
⑤ cultural & educated Rights [Articles 29-30]
× ⑥ Property Right. [Article 31] ×
⑦ constitutional Remedies [Articles 32-35].

Article-12 :-

→ state → 'Govt' & 'parliament'
→ 'Govt' & 'state legislature'
→ 'All authorities' → control of territories of in

Article-13 :-

→ F.R's are Justiciable, we can file a case on persons [Article-12] whenever ~~is~~ FR's are violated.

① Right to Equality :- [14 - 18]

Article-14 :- All are 'Equal' before 'Law'.

Article-15 :- Prohibition of 'discrimination' → Gender, caste, colour, Religion, status, place.

Article-16 :- Equal distribution of opportunities. [Reservations]

Article-17 :- 'untouchability' prohibition.

Article-18 :- Prohibition of 'Titles'.

② Right to Freedom :- [19 - 22]

Article-19 :- 'speech' → Association, Meetings - strikes, Move within the country, settle at any place within country, Profession - state.

Article-20 :- Freedom of 'offencer' [Lawyer, Bail ——] other than 'violation of principles' of I.c.

Article-21 :- Personal 'Liberty'.

Article-21(A) :- Right to 'Education'

Article-22 :- Freedom of 'offencer' - 'Bail' & 'protection'

③ Right againt Exploitation :- [23 - 24]

Article-23 :- 'Forced Labour' & 'Women Traffic'.

Article-24 :- Prohibition of 'child Labour' in factory.

④ Right to Freedom of Religion :- [25 - 28].

Article-25 :- Freedom of choosing → 'Religion', 'Profession'.

Article-26 :- Manage 'Religious affairs' → charitable trusts, orphanages.

Article-27 :- 'Relaxation of Tax' - Donating funds to religious Institutions

Article-28 :- Freedom to worship any Religion [god] in 'Educational Institutions'.

⑤ Cultural & Educational Rights :- [29-30]

→ For Minorities - (Less percent people) like 'Muslium', 'sikh's, 'Buddists', 'christian's - -

Article-29 :- cultural Rights. [Wearing Burkhas]

Article-30 :- Educational Rights [Bible, Quran reading]

⑥ constitutional Remedies :- [32-35].

Article-32 :- 'Parliament' having authority to make changes in F.R's.

Article-33 :- 'Enforcement of Rights'. [Emergency].

Article-34 :- 'Restrictions on Rights' [Twitter comments]

Article-35 :- 'Parliament can make a Law'.

* Part-IV :- Directive principles of state policy [DPSP]

→ Articles from [36-51] (36), (37)

→ classification Based on (Nature)
- → socialistic : 38, 39, 41, 42, 43, 43A
- → Gandhian : 40, 43B, 46, 47, 48, 48-A
- → Liberal - Intellectual : 44, 45, 49, 50, 51

Article-36 :- Same as Article-12.

Article-37 :- Nature → Non-Justiciable.

① socialistic :- [Socio-Economic principles].

Article-38 :- To promote the people socially secure through Justice < Social, Economic, political.

Article-39 :- (i) Equal pay for Men & women for equal work.

(ii) Equal distribution of material Resources.

(iii) Protection of health of women & children

Article-42 :- 'Pregnant Ladies' - Good working condition & Maternity Relief.

Article-41 :- Old age people, Unemployed & physically disabled.

Article-43 :- Minimum wage to satisfy their Basic Needs.

Article-43(A) :- Workers participation in management for decision making. } Workers

② Gandhian principles :-

→ ['Non violence', 'self-Governing system', 'Weaker sections']

Article-40 :- 'self-governing system' through 'panchayati Raj system'.

Article-43(B) :- cottages in Rural Areas.

Article-46 :- Economic & Educational Benefits for weaker sections - SC's & ST's.

Article-47 :- Prohibition of consumption of Intoxicating Drinks & Drugs.

Article-48 :- (cow) - Breeds Improvement

Article-48(A) :- Protection of forest.

③ Liberal-Intellectual Principles :- 44 section (Groups on roads)

Article-44 :- uniform civil codes for all citizens.

Article-45 :- Early childhood care & their education (Anganwadi)

Article-49 :- Protection of Monuments through (Museums)

Article-50 :- separation of Judiciary from executive

51 A(a) 51 A(b) 51 A(c) Article-51 :- National peace & safety. [Military]

* Part IV-A :- Fundamental Duties(11) - (Article-51A) [51 A(a)]

UNIT - II

UNION GOVERNMENT

* **Part - V :- Union Govt & its Administration.**

→ 'Executive' (Implementation) → 'Real' - prime minister, council of Ministers; → 'Nominal' - President

→ 'Legislative' ('Law Making')

→ 'Judiciary'

} Organs of govt.

Articles 52 - 151

* **Executive Body :-**

→ 'The President' - Article 52

→ 'The vice President' - Article 63

→ 'The Prime Minister' - Article 75

→ 'Union council of Ministers' - Article 74

→ 'Attorney General' of India.

→ 'comptroller' & 'Auditor General' of India.

* **1] The President :- [Article - 52]**

→ 'Article 52' - There shall be a president of India.

→ 'First citizen' of India.

→ 'supreme commander' for Defence

→ He is 'Head of the state.'

Qualification :-

→ 'citizen of India'

→ Age '35 years' completed.

→ Not hold any office of profits.

→ First president – 'Dr. Rajendra prasad'

First woman president – 'Prathiba patel'.

Oath of Affirmation :- ~~Vice president~~ chief Justice of India.

Election procedure for president :-

→ elected by Electoral college
- → L.S members of parliament
- → Leg Assembly Members [MLA's]
- → Elected members of Leg Assembly U.T – 'Delhi' & 'Pudhicherry'

Term of office :- Tenure [6 years].

Impeachment :- Missconduct → violation of I.C.

Powers :-

→ 'Executive powers' :- Nominal.

→ Legislative powers :-

→ Introducing a bill

→ Approval of that bill

→ summon → He can call for a session

→ prorogue → postpone a session.

→ Dissolve → Dissolving L.S [Removing members].

sessions
- ① Budget (Feb to May)
- ② Monsoon (June to sep)
- ③ Winter (Nov to dec)

Acts as a head of these sessions.

→ Financial powers :-

→ No money bill can be approved without prior intimation to the president.

→ 'contingency funds'

Ex:- Emergency medicine funds – covid.

→ Military powers :-

→ Recruitment of persons

→ starting & stopping of wars

→ Appointment powers :-

→ He can appoint vice president, P.M, union council, Attorney General, comptroller & Auditor General & Hight court Judges & UPSC commissioners.

→ Pardon powers :- Giving ~~permi~~ punishment relaxation.

2] The vice president of India [Article-63].

→ He is 'second citizen' of India.

Qualification :- ① should be 'Indian'
② Age - '35 years'
③ should not hold any 'office of profit'

Election procedure :-

→ Elected by Electrol college & appointed by the president

- 'Lok sabha members'
- 'Leg Assembly Members'
- 'Leg. members' of UT; 'Delhi' & 'pudhicherry'

Oath of Affirmation :- 'President of India'

Term of office :- '5 years'

Impeachment :- Misconduct [parliament assent].

Powers :-

→ 'chairman' of 'Rajya sabha'

→ He is 'substituent' of President i.e, In the absence of president, vice president takes lead.

→ 'council of Ministers' functions' are monitored by vice president.

→ All the 'data' should be reported to the president by the 'vice president'.

3) The Prime Minister :- [Article-75].

→ He is known as 'Head of the government'.

→ He may or may not be 'M.P'.

Election Procedure :-

→ The leader of a Leading / Majority party in a parliament (Lok sabha) - 'P.M'.

→ No Majority - The 'president' of India
↓
appoints any person as P.M
↓
'6 months' - prove this majority at any constituency.

↑ same for C.M also →

Qualifications :-

① should be an 'Indian'.

② May or maynot be 'M.P' of Loksabha & Rajya sabha.

③ If Not - 6 Months' - to prove majority.

④ Age → Lok sabha & Rajya sabha
↓ '25' years ↓ '30' years.

⑤ should not hold any 'office of profit'.

Term of office :- '5 years'.

Powers :-

→ Powers in Relation with 'president' of India.

(i) council of Ministers.

P.M → Make the list of ministers.
President → approved by President of India.
P.M → decides 'department' for each Minister
President → approval by signature.
P.M → To change 'department' which assigned to the ministers.

P.M → can ask any minister to give the resignations

(ii) In the case of parliament.

→ With the advices of P.M, 'president' can 'prorgue a session', 'summon a session' and 'Desolve a session'.

Appointment powers:

→ 'council of ministers'

→ 'Attorney General of India'.

→ 'Solicitor General of India'.

→ 'controller & Auditor General of India'

→ 'U.P.S.C commissioners', 'chairmans', 'Members'.

→ 'Election commissioners'.

In accordance of advice of 'P.M' only, 'president' appoints the above members.

other powers & duties of P.M :-

→ 'Head of Lok sabha'.

→ 'Head of cabinet'.

→ 'Policy Maker' - Parliament [Foreign & Domestic]

→ He can make any 'emergency decisions' regarding 'foreign policies'.

→ He will decide about the 'Budget allocation' for each ministry.

→ He acts as a Ex-officio chairman for 'NITI AYOG'

→ He acts as a 'chairman of U.P.S.C' & 'National commities'

4) council of Ministers :- [Article - '74']

→ Three categories :-

(i) cabinet Ministers :- Holds main stream.
ex: Health, Agriculture etc ——

(ii) Deputy Ministers :- Assits cabinet Ministers.

(iii) Ministers of state :- Equal powers as cabinet Ministers.
[Independent charge holding].

UNIT-III

ELECTION COMMISSION OF INDIA.

* **Indian Legislature**

- Central legislature (Parliament).
- State legislature

(10M)

- President
- Rajya sabha
  - Upper House
  - Council of states
  - Indirectly elected
  - Members 250
    - 238 Indirectly elected
    - 12 Nominated by president
  - Permanent Body
  - Term — 6 years
  - 2 years — 1/3rd of Rajya sabha. → Retirment
  - Qualification
    - Indian,
    - 30 years,
    - Above 10th.
  - chairman — Vice president
  - Deputy chairman.
- Lok sabha
  - Lower house
  - People House
  - Directly elected
  - Max strength 552
    - 530 — State M.P's
    - 20 — U.T's M.P's.
    - 2 — Nominated by president (Anglo-Indian community)
  - Temporary Body
  - Term — 5 years
  - Qualifications
    - 25 years & Indian
  - chairman — P.M
  - Speaker, Deputy Speaker.

Indian Legislature

- Central legislature (Parliament)
- State Legislature.
  - Bicamerlism (7)
    - Legislative council
      - → Vidhan Parishad
      - → Upper House
      - → Indirectly elected
      - → Max strength - will not exceed $\frac{1}{3}$rd (MLA) → MLA
      - → MLC, Min-40
      - → 6 years of term.
      - → Permanent Body
      - → for every 2 years, $\frac{1}{3}$rd of its members ↓ Retired.
    - Leg Assembly
      - → Vidhan sabha
      - → Lower House
      - → Directly elected
      - → Max strength - 500, Min strength - 60
      - → 5 years term
      - → Temporary Body.
  - Unicamerlism.
    - Legislative Assembly

★★★★★ (10M)

* P.M — Central secretariate

- → council of Minsters.
- → IAS, IPS.
- → MRO, ____

CM — state secretariate

- → council of Ministers
- → IAS, IPS
- → MRO, ____

* Election commission of India :- (ECI).

→ It is established by 'Indian constitution' as an 'Independent Body' under Article-324.

→ Established on '25th Jan, 1950' - 'voters Day'.

→ Election & Democracy :- a 'representative'.
↓
'Policy' :→ 'welfare of state', 'promotion of state'

→ 4 Members.

by 'president' → "chief Election commissioner"
→ "3- Election commissioners"

→ 'First' chief Election commissioner - 'sukumar sen'.

→ 'Term' → 6 years } which comes first.
→ 65 years

Duties of ECI & state E.C & chief E.C :-

→ 'Free' & 'Fair election'.

→ 'Supervising voter list'.

→ 'Preparation of voters list'.

→ Fixation of Duties - to 'conduct polling'.
- to 'counting'
- 'Result' Announcement.

→ Monitoring & Maintaining 'electoral Machines'.

→ He can 'postpone' the election

→ 'Repolling', 'cancel'.

→ He can remove names of Candidate who nominated

→ Recruit the 'staff', 'place', 'Security' & 'safety'.

→ He can take & use more amount.

* National Institutions:- [National commission for the welfare of weaker sections].

→ It was under 'Article - 338'.

→ It was for 'SC', 'ST', 'OBC' & 'women'.

① National commission for the welfare of scheduled caste (SC).

→ It was under 'Article - 338'.

→ It consists '5' members → appointed by president { 1 - 'chair person', 1 - 'vice chair person', 3 - 'other members' }

→ These '5' members are qualified as 'Law Advisors' & Few of them are S.C's. [Maximum].

→ These 5 members are also 'Administrators' in companies. [or belongs to Trade Unions].

Functions :-

→ To investigate all the issues related to 'SC's' - mainly constitutional & other legal matters.

→ 'To resolve the complaints' from these category's persons.

→ 'Awareness programs' regarding the policies offered by the Govt.

→ To advise regarding new schemes to the president

→ Need to submit the reports regarding the improvements & achievements of this committee to the president.

② National commission for the welfare of scheduled Tribe (ST's):-

→ 'Article 338-A'. "same points as SC's".

③ National commission for the welfare of other Backward classes :-

→ It was under '338-B Article'.

→ Same points.

→ Main purpose was for 'Job opportunities'

④ National commission for the welfare of Women:

→ Established based on 'Women's Act - 1990'. in the year 'Jan, 1992'.

→ Members - 5 - 1 - chairperson
1 - vice chairperson
3 - other members.
} All are women → appointed by president.

→ Belongs to
→ Legal advisor [Lawyers]
→ Association Team Members.
→ SC's & ST's.
→ Administrators.
→ organisation - leading Role.

Functions:-

① Eve Teasing.
② Dowry.
③ Domestic violence.
④ child Marriages.
⑤ Discrimination
⑥ Women Trafficking.
⑦ child Aborstion.
} To take action on these aspects.

* State Election commission [SEC].

Ammendments
42
02nd
National committees

→ It was under 'Article - 243'

→ For 'free' & 'Fair' elections at local areas.

	Articles	Ammendments (1992)
→ Panchayati Raj	: 243K	- 73rd
→ Muncipalities	: 243ZA	- 74th

102nd Ammendment

→ 'state Election commissioner' } governor appoints them.
other '2 commissioners'

→ Term - '4 years'.

Duties:-

→ same duties like EC.I.

UNIT-IV

STATE GOVERNMENT AND ITS ADMINISTRATION

→ It is 'Part VI'.

Article 153 – 'Governor'

Article 163 – 'commissioner' 'C.O.M'

Article 164 – 'C.M.'

→ Governor, C.O.M & C.M.

- Executive
  - ↓
  - Governor CM, LCM
  - ↓
- Legislative
  - ↓
  - vidhan parishad & vidhan sabha
- Judiciary
  - ↓
  - Real – CM & council of Minis
  - Nominal – Governor

Bicamerlism :-

1. AP
2. Telangana
3. Maharashtra
4. Bihar
5. Uttarpradesh
6. J & K.

① Governor :-

→ Article-153 :- There shall be a need of governor - appointed by president.

→ He shall not belonging to the state - 'No political knowledge'.

→ Term :- 6 years & Age :- 35 years completed

→ Impeachment :- Misconduct.

Oath of Affirmation :- President

Powers :-

Executive :- Nominal Executive powers

Legislative :- 2 houses.

→ summon, prorog & desolve sessions.
↓ conduct ↓ postpone ↓ cancel

→ He can dissolve legislative Assembly when loose of confidence b/w CM & COM

→ He can introduce & approve a bill.

Judiciary :- Governor gives Advices/ideas to president on appointing Judges for High court

Appointing :- He can appoint Judges for Highcourt.

→ He can appoint COM's & attorney generals.

Financial :- contingency funds [Emergency] & Money Bills.

Pardering :- He can cancel, reduce (or) replace the punishments.

(2) chief Minister :-

→ 'Article - 164'.

Procedure of Elections :- should be an MLA - By the people.

Qualifications :-

→ Age - 25 years

→ Must be an M.L.A & Leading party

→ Be an Indian

→ When there is no clear majority - governor appoints CM in leading party.

Election procedure :-

Term :- 5 years

Impeachment :- Loose of confidence.

Powers :-

Executive :- Real executive powers.

Legislative :- (1) Making list of MLA's.

(2) decide them where to work/ in which department to work.

(3) He can ask to give resignation of any minister.

(4) He can change departments to them.

(5) summon, prorag & desolve sessions.

Appointing :- (1) council of Ministers

(2) Advocate General

(3) state secretariot officials.

↓

commissioners (Retired IAS/IPS).

Financial :- Budget bills, contingency funds release.

(3) council of Ministers :-

→ Under 'Article -163'.

→ Three categories :-

(i) 'Cabinet Ministers' :- Who holds main streams.

(ii) 'Deputy Ministers' :- Who assists cabinet Ministers.

(iii) 'Minister of state' :- Who holds independent charge

→ Minor stream

→ A sub class of main stream.

Qualifications :-

→ Be an 'Indian'

→ Age :- 'MLA' (25) ; 'MLC' (30)

→ Winner in Legislative Assembly - MLA.

Tenure 5 years

Oath of Affirmation :- Governor.

Powers :-

Executive :- Real powers.

Legislative :- In accordance of council of ministers only CM can do sessions.

Appointing :- Advocate General [Both CM & COM].

Financial :- can tell to the CM about the bills & Needs.

UNIT - V. LOCAL GOVERNMENT.

* Local Government :-

→ Head of Local Government is 'District collector'

→ 'District' - 'Blocks/ Mandals' → 'villages'

District level officers → Deputy collector, Assistant to collector, Dist Revenue officer, Dist Development officer, Dist Food supply officer etc —

Mandal level officers → MRO / MDO

Village level officers → VRO / VRA

* Role of District collector :-

→ Roles played by District collector

- → as a 'District collector'.
- → as a 'District Magistrate'.
- → as a 'District commissioner'.
- → as a 'protocal officer'.
- → as a 'Returning officers'.

⊕ District collector - 'collects money' [tax] → on water, electricity, Land, Household goods.

→ He releases 'funds' for Agriculture loans, Industrial loans ----.

→ He also a 'chairman' for revenue department & for all corporate commercials.

② District Magistrate :-

→ He acts as a 'district Judge'.

→ He gives 'Judgements' & submits 'data' to supreme court.

→ He supervises the 'Jails' & 'police stations'.

③ District Development officer :-

→ He takes actions which leads to develop the District.

→ giving employment opportunities, policies/schemes. etc——

④ Deputy commissioner :- & District Deputy collector :-

→ Retired 'IAS/IPS officers' takes lead as Deputy commissioners.

→ At absence of 'District collector', 'Deputy collector' takes lead.

⑤ District Protocal officer :-

→ Takes Data from the people by surveying.

→ conducts surveys to issue 'scholarships', 'pensions', and 'other schemes'.

⑥ Returning officers :-

→ During the time of 'Elections' only district collector acts as 'Returning officer'.

→ under his control, many officers participate at the elections time

District

Rural

→ Panchayati Raj Institutions

→ 243K Article, 73rd Ammendment, 1992.

→ Zilla panchayat
↓
Mandal panchayat
↓
village panchayat

} Wards → ward members

→ It is 3-Tier system
village :- (3000 people)

→ We elect ward members
↓
They elect a 'sarpanch' for village.

→ Mandal :-
We elect ward members (MPTC)
↓
They elect a 'MPP' "Mandal Praja parishad"

→ Zilla :-
We elect a ward members (ZPTC)
↓
They elect a 'ZPP' "Zilla praja parishad"

→ ① Panchayati secretariate (G.II)
- Grama sabha

② G.I - Mandal council
G.I - Zilla council
↓ Commissioner.

29 issues

Urban

→ Muncipality

→ 243ZA - Article, 74th Ammendment, 1992.

→ ① Muncipal corporations
② Muncipal council
③ City council/Nagar panchayat
Ex: Hanuman Junction.

→ city council / Nagar panchayat
→ Hanuman Junction
→ same as village but not village
→ Ward members [By people]
↓
Sarpanch [By ward members]
↓
Panchayat secretariate [By govt]

→ Muncipal council :- (cities) Nuzuid
Ward members (or) councilers [By people]
↓
Muncipal chairman [By councilers]
↓
Senior IAS officers [By govt]

→ Muncipal corporations :-
→ Mumbai, Banglore - Metropolitan cities.
→ Ward members (or) corporates [By people]
↓
Mayor [By corporates]
↓
(commissioner) Snr IAS officers [By govt]

→ All need to cover 29 regions

UNIT-6. UNION JUDICIARY.

* **Union Judiciary:-** Law & order – Resolve the problem.

→ Under part V.

→ **Levels:-**

Supreme court → Apex level – New Delhi (central)
↓
High court → state
↓
District court → For district

→ levels all are for these 3.

criminal | civil | Revenue

① **supreme court:-**

→ **Establishment** :- 26th Jan, 1950.
28th, sitting for a first case.

→ **Located** – Delhi. [Initially 1774, calcutta]

→ **qualifications:-**

→ Indian

→ 10 years as High court judge

→ **Tenure:-**

→ until he attain 65 years – hold office.

→ He can resign → by president.

→ Impeachment – parliament assent

Powers / Functions :-

→ original Juridiction :- Dispute b/w states
(or)
Dispute b/w state & union govt

→ Appeallate :- constitutional issues, criminal, civil cases which are failed by High court [Dissatisfaction].

→ supervisory :- supervisory on High court

→ court of Record :- Evidences.

→ Writs :- writs are written petitions directly filed in supreme court

② High court Judge :-

Qualifications :-

→ citizen of India

→ Experience of 10yrs as an Advocate in High court
(or)
office within the territory of India for 10 years

Tenure :-

→ upto 62 years. ***

→ He can resign - president

→ Impeachment → parliament Assent, Misconduct

Powers :-

original juridiction :-

→ Dispute within state.

Appeallate :-

→ Enforcement of Fundamental Rights.

Criminal & civil cases [Dissatisfaction].

Advisory/ supervisory :-

→ supervisory on local courts.

Court of Record :-

→ showing to supreme court & keeping Evidences.

Writs :- [For Both supeme & High court].

→ written petitions directly file a case in either S.C / H.C.

→ Types :-

① Habeas corpus :- "To show the body of."

→ when a person was arrested without proper documents / custody.

→ Family members / Friends / Relatives can file a case to show him.

② Mandamus :-

→ Means 'Mandatory'

→ when any one failed to perform his duty on filing a case on popular man.