

# SET-1

## Important Question from

## The INDIAN CONSTITUTION

### 5 Units- 20 Questions with Answers

#### UNIT - 1

**Q 1. According to the Indian Constitution, explain various ways of acquiring citizenship in India, and discuss the types of termination of Indian citizenship. 7Marks**

**ANS: - Various ways of acquiring citizenship- Part 1 (4Marks)** Articles 5 to 8 of the Indian Constitution lay down the provisions related to citizenship at the time of its commencement (January 26, 1950). Let me briefly explain these articles:

Article 5: This article deals with citizenship at the commencement of the Constitution. It states that at the time of the Constitution's commencement, every person who had their domicile in the territory of India and:

- Was born in India, or
- Either of whose parents was born in India, or
- Had been an ordinary resident in India for not less than five years before the commencement of the Constitution, shall be a citizen of India.

Article 6: This article deals with the rights of citizenship of people who migrated to India after the partition (August 15, 1947). It states that a person who migrated to India from Pakistan on or after January 19, 1950, but before July 1, 1950, shall be deemed to be a citizen of India if they fulfill certain conditions.

Article 7: This article deals with the rights of citizenship of people who migrated to Pakistan after the partition. It states that any person who has migrated to Pakistan after March 1, 1947, shall not be deemed to be a citizen of India.

Article 8: This article deals with the rights of citizenship of people of Indian origin residing outside India. It provides that if a person of Indian origin who is residing outside India comes to India and satisfies certain conditions, they may be registered as an Indian citizen.

As mentioned earlier, while the Indian Constitution provides some provisions related to citizenship at the time of its commencement, the detailed laws and procedures regarding citizenship are governed by the Citizenship Act of 1955 and its subsequent amendments. The Act has been amended several times to accommodate changes and address various citizenship-related issues.

## **PART 2- Types of termination- 3 Marks**

ANS). Part 2 The termination of Indian citizenship refers to the process by which a person's citizenship status in India is ended or revoked. The Indian Citizenship Act of 1955, along with subsequent amendments, provides provisions for the termination of Indian citizenship under certain circumstances. There are primarily three ways through which Indian citizenship can be terminated:

1. **Renunciation:** An Indian citizen who is of full age and capacity can voluntarily renounce their Indian citizenship. The individual must make a declaration of renunciation in the prescribed manner, and upon the registration of the declaration, their Indian citizenship will be terminated. This means they will no longer be considered an Indian citizen and will not be entitled to the rights and privileges associated with Indian citizenship.
2. **Voluntary Acquisition of Foreign Citizenship:** If an Indian citizen voluntarily acquires the citizenship of another country, they may lose their Indian citizenship. Prior to the 2003 amendment to the Citizenship Act, voluntary acquisition of foreign citizenship automatically resulted in the termination of Indian citizenship. However, the 2003 amendment introduced exceptions for certain categories of people, allowing them to hold dual citizenship under specific conditions.
3. **Deprivation:** The Indian government has the power to deprive a person of their Indian citizenship under certain circumstances. If the government is satisfied that a person has obtained Indian citizenship by fraudulent means or by concealing any material fact, they can initiate a process to cancel or terminate the citizenship. The concerned individual will be provided with an opportunity to be heard before a final decision is taken.

It is essential to note that the termination of citizenship is a serious matter and is governed by specific legal procedures. Additionally, amendments to the Citizenship Act and changes in government policies can impact the process and conditions for termination. If you or someone you know is facing the possibility of citizenship termination, it is crucial to seek legal advice and refer to the latest provisions of the Citizenship Act and relevant government notifications.

**Q 2. Explain the three basic Principles of DPSP and discuss their important objectives and influences on the formulation of Directive Principles. [7M]**

**ANS: - Part 1(Basic Principles of DPSP- 4Marks)** The Directive Principles of State Policy (DPSP) are enshrined in Part IV of the Indian Constitution (Articles 36 to 51). These principles provide guidelines and directives to the government for the governance of the country. While not legally enforceable by the courts, they serve as moral and political obligations for the government to work towards achieving a just and equitable society. The basic principles of DPSP include:

1. **Social Justice:** The DPSP aim to promote social justice by ensuring the equitable distribution of resources and opportunities among all sections of society. It emphasizes the welfare of socially and economically disadvantaged groups, such as Scheduled Castes, Scheduled Tribes, and Other Backward Classes.
2. **Economic Equality:** DPSP advocate reducing economic inequalities in society. It calls for securing a reasonable standard of living for all citizens and the elimination of concentration of wealth and means of production.
3. **Gender Equality:** The principles emphasize on the promotion of gender equality and the empowerment of women. It encourages policies that eliminate discrimination based on gender and ensures equal opportunities for women in all spheres of life.
4. **Education and Culture:** DPSP stress the importance of providing free and compulsory education for children up to the age of 14 and promoting culture and education among all sections of society.
5. **Environmental Protection:** The principles recognize the importance of protecting and improving the environment. It emphasizes the duty of the state and citizens to safeguard forests, wildlife, and natural resources.
6. **Promotion of Cottage Industries:** DPSP call for promoting cottage industries to support rural economy and generate employment opportunities in rural areas.
7. **Healthcare and Public Assistance:** The principles advocate for public health facilities and the promotion of public assistance in cases of unemployment, old age, sickness, and disablement.
8. **Promotion of Agriculture:** DPSP emphasize the importance of agriculture and aim to secure the well-being of farmers and agricultural workers.
9. **Uniform Civil Code:** The principles encourage the adoption of a Uniform Civil Code for all citizens, which would provide a common set of laws for personal matters, regardless of their religion.
10. **International Peace and Relations:** The DPSP stress the importance of maintaining peaceful relations with other nations and promoting international cooperation.

It is important to note that while the DPSP are not legally enforceable, the courts can consider them while interpreting laws and resolving disputes. The DPSP complement the Fundamental Rights in Part III of the Constitution and together form the bedrock of India's democratic and welfare-oriented governance system.

## **PART 2 Influences on the Formulation of Directive Principles: 3 Marks**

ANS- The formulation of DPSP was influenced by various sources and ideologies:

1. Socioeconomic Philosophy: The principles were influenced by the socioeconomic philosophy of the Indian independence movement, which sought to address the socio-economic disparities in the country and uplift the marginalized sections of society.
2. Constitutional Models: The DPSP drew inspiration from the Directive Principles in the Irish Constitution and the social and economic rights in the Spanish Constitution.
3. Gandhian Ideals: Mahatma Gandhi's principles of non-violence, social justice, and village-centric economy influenced the inclusion of certain provisions in the DPSP.
4. Nehruvian Vision: India's first Prime Minister, Jawaharlal Nehru, emphasized the importance of economic planning, industrialization, and technological advancement in the DPSP.
5. Social Reformers: The ideas of social reformers like Raja Rammohan Roy, Dr. B.R. Ambedkar, and others advocating for social justice and equality influenced the formulation of DPSP.
6. Objective Resolution: The DPSP were based on the "Objective Resolution," which was introduced by Jawaharlal Nehru in the Constituent Assembly and served as a foundation for the principles.

The Directive Principles, though not legally enforceable, have played a crucial role in shaping India's policy framework and guiding the government's efforts in ensuring social, economic, and political justice for all citizens. They embody the ideals of a just and egalitarian society and promote the overall welfare and progress of the nation.

## **Q 3. Briefly explain the sources of the Indian constitution, and enumerate the various important features borrowed from other constitutions. [7M]**

**ANS: - (Sources of the Indian Constitution – 4 Marks)** The Indian Constitution draws its sources from various historical and contemporary documents, as well as from the experiences and values of the freedom struggle. The main sources of the Indian Constitution include:

1. Government of India Act, 1935: The Government of India Act, 1935, served as the primary basis for the Indian Constitution. It established the federal structure, division of powers, and many administrative details that were later incorporated into the Indian Constitution.
2. Indian Independence Act, 1947: This act provided the legal framework for India's independence from British rule and defined the territories of India and Pakistan.
3. Constituent Assembly Debates: The debates and discussions within the Constituent Assembly of India significantly influenced the framing of the Constitution. The members drew from various philosophies and experiences to shape the document.

4. Universal Declaration of Human Rights (UDHR): The UDHR, adopted by the United Nations in 1948, inspired the inclusion of fundamental rights and human rights provisions in the Indian Constitution.
5. Constitutions of Other Countries: The framers of the Indian Constitution were influenced by various constitutions from around the world. Notably, they borrowed several important features from:
  - United States Constitution: Federal structure, the concept of a President as the head of state, and the fundamental rights.
  - British Constitution: Parliamentary system of government, rule of law, and the idea of a single citizenship for the entire country.
  - Irish Constitution: Directive Principles of State Policy.
  - Canadian Constitution: Federation with a strong center, and the appointment of Governors by the central government in states.
  - South African Constitution: Procedure for the amendment of the Constitution and the concept of the Fundamental Duties.

**PART 2- Important features borrowed from other constitutions- 3 Marks**

1. Preamble: The objectives and ideals of the Indian Constitution were inspired by the American Preamble.
2. Fundamental Rights: Modelled after the American Bill of Rights, the Indian Constitution guarantees fundamental rights to its citizens.
3. Federal Structure: The distribution of powers between the center and states is influenced by the Canadian model.
4. Parliamentary System: The idea of a Prime Minister and Council of Ministers responsible to the lower house of Parliament comes from the British parliamentary system.
5. Fundamental Duties: The concept of Fundamental Duties was taken from the Constitution of the former USSR.
6. Directive Principles of State Policy: Inspired by the Irish Constitution, these principles guide the government in policymaking.
7. Emergency Provisions: The provisions related to the declaration of a state of emergency were influenced by the Weimar Constitution of Germany.
8. Judicial Review: The power of the judiciary to review the constitutionality of laws was inspired by the American system.

It's important to note that while India borrowed features from other constitutions, it also adapted and tailored them to suit the unique needs and challenges of its diverse and complex society. The Indian Constitution is a dynamic and living document that continues to evolve through judicial interpretations and amendments to address the changing demands of the nation.

#### **Q 4. Elaborate the various key aspects of Fundamental Rights provided by our Indian Constitution. [7M]**

**ANS:** -The Fundamental Rights in the Indian Constitution are enshrined in Part III (Articles 12 to 35) and are considered essential for the protection and well-being of the citizens. They guarantee certain basic human rights, ensuring individual freedom, dignity, and equality. Here are the key aspects of Fundamental Rights provided by the Indian Constitution:

1. Right to Equality (Articles 14-18): 1 Mark
  - Article 14: Equality before the law and equal protection of the laws.
  - Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex, or place of birth.
  - Article 16: Equality of opportunity in public employment.
  - Article 17: Abolition of "untouchability."
  - Article 18: Abolition of titles and titles of nobility.
2. Right to Freedom (Articles 19-22): 1 Mark
  - Article 19: Protection of certain rights regarding freedom of speech, expression, assembly, association, movement, and residence.
  - Article 20: Protection in respect of conviction for offenses.
  - Article 21: Right to life and personal liberty. It includes the right to live with human dignity.
  - Article 21A: Right to free and compulsory education for children aged 6-14 years.
  - Article 22: Protection against arrest and detention in certain cases.
3. Right against Exploitation (Articles 23-24): 1 Mark
  - Article 23: Prohibition of traffic in human beings and forced labor.
  - Article 24: Prohibition of child labor in hazardous industries.
4. Right to Freedom of Religion (Articles 25-28): 1 Mark
  - Article 25: Freedom of conscience and the right to profess, practice, and propagate any religion.

- Article 26: Freedom to manage religious affairs.
  - Article 27: Freedom from payment of taxes for the promotion of any particular religion.
  - Article 28: Freedom from religious instruction in educational institutions wholly maintained by the government.
5. Cultural and Educational Rights (Articles 29-30): 1 Mark
- Article 29: Protection of the interests of minorities with regard to language, script, and culture.
  - Article 30: Right of minorities to establish and administer educational institutions.
6. Right to Constitutional Remedies (Article 32): 1 Mark
- Article 32: Provides for the right to move the Supreme Court for the enforcement of Fundamental Rights through writs (Habeas Corpus, Mandamus, Prohibition, Certiorari, and Quo Warranto).
7. The Fundamental Rights act as a safeguard against the arbitrary actions of the government and protect citizens' rights from infringement. They promote the ideals of justice, liberty, equality, and fraternity, which are enshrined in the Preamble of the Indian Constitution. However, it is important to note that these rights are not absolute, and reasonable restrictions can be imposed in the interest of public order, morality, sovereignty, security, and other specified grounds. The Constitution also provides for the suspension of some Fundamental Rights during a state of emergency. Overall, these rights form the bedrock of individual freedoms and liberties in India. 1 Mark

## **UNIT-II**

### **Q 5. Briefly explain the Legislative, Administrative, and Centre-State relationships elucidated in the Indian Constitution. [7M]**

**ANS:** - The Indian Constitution delineates the Legislative, Administrative, and Centre-State relationships to establish a federal system of government with a clear division of powers between the central government and state governments. Here's a brief explanation of each aspect:

1. Legislative Relationship: 2 Marks
- The Indian Parliament is the supreme legislative body at the central level, consisting of two houses: the Lok Sabha (House of the People) and the Rajya Sabha (Council of States).
  - Parliament has the authority to make laws on subjects mentioned in the Union List (subjects of national importance), the Concurrent List (subjects of shared jurisdiction between the center and states), and the matters specified in the residuary powers.

- State Legislative Assemblies, on the other hand, have the power to make laws on subjects mentioned in the State List (subjects of state importance) and the Concurrent List.
- If there is a conflict between central and state laws on a concurrent subject, the central law prevails (Article 254).

## 2. Administrative Relationship: 2 Marks

- The President of India is the head of the Union, and the Prime Minister is the head of the government. The President is also the ceremonial head of the state and represents India in international affairs.
- The Prime Minister leads the Council of Ministers, which exercises executive authority in the name of the President.
- The Governor is the head of the state at the state level, and the Chief Minister leads the Council of Ministers in the state.
- The administrative relationship ensures that the central government handles subjects of national importance, while state governments handle state-specific matters.

## 3. Centre-State Relationship: 3 Marks

- The Constitution divides powers between the center and states through three lists: Union List, State List, and Concurrent List.
- The Union List includes subjects on which only the central government can legislate.
- The State List includes subjects on which only state governments can legislate.
- The Concurrent List includes subjects on which both the center and states can legislate, but in case of a conflict, the central law prevails.
- The central government can give directions to the states on certain matters listed in the Constitution (Article 256).
- The President can assume direct control over the administration of a state if there is a failure in the constitutional machinery in that state (Article 356).

These aspects of the Constitution establish a delicate balance of power between the center and states, ensuring cooperation and coordination in the governance of the country. The federal structure allows both the central government and state governments to function independently within their respective spheres while working together for the overall progress and welfare of the nation.

## **UNIT-II**



## **Q 6. Explain the Features of the Federal System and Unitary System of the Indian Union. [7M]**

**ANS:** - India follows a federal system of government with some unitary features. This means that while it has elements of both federalism and unitarism, the federal features are more dominant. Here are the key features of the federal system and unitary system in the Indian Union:

### **Federal System Features: 4Marks**

1. **Division of Powers:** The Indian Constitution divides powers between the central government and state governments. It provides for three lists – Union List, State List, and Concurrent List – which specify the subjects on which each level of government can legislate. The residual powers lie with the central government.
2. **Dual Government:** India has dual government structures – one at the central level and one at the state level. There are separate governments and legislatures at both levels, each with defined jurisdictions.
3. **Supreme Constitution:** The Constitution is the supreme law of the land, and both the central and state governments have to operate within the framework of the Constitution.
4. **Independent Judiciary:** The judiciary in India is independent and has the power to interpret the Constitution and resolve disputes between the center and states.
5. **Rigid Constitution:** The Constitution provides for a complex procedure for its amendment. Some provisions require a special majority in Parliament, while others need the ratification of half of the states.
6. **Bicameral Parliament:** India has a bicameral Parliament, consisting of the Lok Sabha (House of the People) and the Rajya Sabha (Council of States), representing the people and the states, respectively.

### **Unitary System Features:**

1. **Single Citizenship:** India follows a single citizenship system, where all citizens are Indian citizens, and there is no separate state citizenship.
2. **Appointment of Governors:** The President of India appoints Governors for the states, and they represent the central government in the states.
3. **Emergency Provisions:** During a national emergency, the central government can assume significant powers and take control of state governments.
4. **Parliamentary Control over States:** The central government can legislate on subjects of the State List under specific circumstances, such as when the Rajya Sabha passes a resolution to that effect.

5. Integrated Judiciary: India has a unified and integrated judiciary, where the Supreme Court is the highest court for both the central and state governments.

6. Single Constitution: Unlike some federal countries, India does not have separate constitutions for the center and states. It has one integrated Constitution for the entire country.

Overall, the Indian Union operates as a federal system with a strong emphasis on decentralized governance and regional autonomy. However, certain unitary features, such as single citizenship and central control during emergencies, ensure a cohesive and unified functioning of the nation during critical times. The blending of federal and unitary features is intended to strike a balance between national unity and regional diversity in India.

## **Q 7. Describe the Powers and Functions of the President of India. [7M]**

ANS : - The President of India is the ceremonial head of the Indian Union and the highest constitutional authority in the country. The powers and functions of the President can be broadly categorized into three main areas: executive, legislative, and diplomatic.

### **1. Executive Powers and Functions: 3 Marks**

- Appointment of the Prime Minister: The President appoints the Prime Minister of India. The leader of the majority party in the Lok Sabha is usually appointed as the Prime Minister.
- Appointment of Council of Ministers: The President appoints other ministers on the advice of the Prime Minister.
- Summoning and Dissolution of Parliament: The President summons both houses of Parliament (Lok Sabha and Rajya Sabha) and can dissolve the Lok Sabha.
- Assent to Bills: The President gives his/her assent to bills passed by Parliament, making them laws.
- Ordinance Making Power: The President can promulgate ordinances when Parliament is not in session, but such ordinances must be later approved by Parliament.
- Appointment of Judges: The President appoints the Chief Justice of India and other judges of the Supreme Court and High Courts.

### **2. Legislative Powers and Functions: 2 Marks**

- Addressing Parliament: The President addresses the joint sitting of both houses of Parliament at the beginning of each new session and on other occasions.
- Summoning Sessions: The President can summon or prorogue the sessions of Parliament.

- **Joint Sitting of Parliament:** In the case of a deadlock between the two houses over a bill, the President can call for a joint sitting to resolve the matter.
- **Money Bills:** The President can either give assent or return money bills to Parliament for reconsideration.

### 3. Diplomatic Powers and Functions: 2 Marks

- **Appointment of Ambassadors and High Commissioners:** The President appoints ambassadors and high commissioners to represent India in other countries.
- **Receiving Foreign Diplomats:** The President receives foreign diplomats and high officials who come to India on official visits.
- **International Treaties and Agreements:** The President represents India in matters of international treaties and agreements.

Additionally, the President also exercises some discretionary powers in certain situations, such as the appointment of the Prime Minister when no party has a clear majority in the Lok Sabha or during the imposition of President's Rule in a state if the constitutional machinery in that state has failed.

It's important to note that most of the President's powers are exercised on the advice of the Council of Ministers. The President's role is primarily symbolic and ceremonial, and the real executive power is vested in the Council of Ministers led by the Prime Minister. The President acts as the guardian of the Constitution and plays a crucial role in maintaining the stability and integrity of the Indian political system.

## **Q 8. List out the differences between the Cabinet of Ministers and the Council of Ministers. [7M]**

**ANS:** - In the context of the Indian government, the terms "Cabinet of Ministers" and "Council of Ministers" are often used interchangeably, but they do have some subtle differences. Here are the key distinctions between the two:

### **Cabinet of Ministers: 4 Marks**

1. **Composition:** The Cabinet of Ministers is a subset of the Council of Ministers. It consists of the most important ministers, usually the heads of major government departments, selected by the Prime Minister.
2. **Decision-Making:** The Cabinet is the core decision-making body of the government. It formulates policies, takes significant executive decisions, and has the final say on crucial matters.

3. **Political Significance:** The Cabinet members are usually from the ruling party or coalition and hold significant political influence. They are instrumental in shaping and implementing the government's agenda.
4. **Collective Responsibility:** The principle of collective responsibility applies primarily to the Cabinet. All Cabinet members are collectively responsible for the decisions taken by the Cabinet. They must publicly support these decisions or resign if they disagree.

#### **Council of Ministers: 3 Marks**

1. **Composition:** The Council of Ministers comprises all ministers, including Cabinet ministers, Ministers of State (MoS), and Deputy Ministers. It represents the entire body of ministers in the government.
2. **Hierarchical Structure:** The Council of Ministers has a hierarchical structure, with Cabinet ministers at the top, Ministers of State next, and Deputy Ministers below them.
3. **Inclusiveness:** The Council of Ministers is a more inclusive body than the Cabinet, as it includes ministers with varying degrees of responsibilities and portfolios.
4. **Representing Diverse Interests:** While the Cabinet consists of key ministers responsible for major departments, the Council includes ministers from different regions, communities, and political backgrounds, ensuring diverse representation.
5. **Division of Work:** Ministers in the Council handle specific portfolios and work under the overall guidance of the Prime Minister and the Cabinet.

In summary, the Council of Ministers is a broader body that includes all ministers in the government, while the Cabinet of Ministers is a smaller, influential subset responsible for major policy decisions and executive functions. Both bodies work together to support the Prime Minister in the administration of the country.

### **UNIT - 3**

#### **Q 9. Define the qualifications, powers, and functions of a state Governor. [7M]**

ANS: - The state Governor is the constitutional head of a state in India. The Governor is appointed by the President of India and acts as the representative of the President at the state level. The qualifications, powers, and functions of a state Governor are defined in the Indian Constitution:

##### **Qualifications: 1 Mark**

1. The person must be a citizen of India.

2. The person must be at least 35 years of age.

### **Powers of a State Governor: 3 Marks**

1. **Executive Powers:** The Governor is the head of the state's executive and is responsible for the administration of the state. The executive powers of the state are exercised in the name of the Governor.
2. **Appointment of Chief Minister:** After a state election or in the event of a Chief Minister's resignation or death, the Governor appoints the Chief Minister. The Chief Minister is usually the leader of the majority party in the state legislative assembly.
3. **Summoning and Proroguing the Legislative Assembly:** The Governor summons the legislative assembly for sessions and prorogues it when necessary.
4. **Dissolution of the Legislative Assembly:** If the state government loses majority support or if no party is able to form a stable government, the Governor can recommend the dissolution of the legislative assembly, leading to fresh elections.
5. **Assent to Bills:** The Governor gives assent to bills passed by the state legislative assembly, making them laws. In case of disagreement, the Governor can withhold assent or return the bill for reconsideration.
6. **Ordinance-Making Power:** The Governor can promulgate ordinances when the state legislative assembly is not in session. However, such ordinances need to be approved by the legislative assembly within a specific period.
7. **Appointment of Advocate General:** The Governor appoints the Advocate General of the state, who is the chief legal advisor to the state government.
8. **Emergency Powers:** The Governor can declare a state of emergency in the state in case of a breakdown of constitutional machinery, leading to the imposition of President's Rule.

### **Functions of a State Governor: 2 Marks**

1. **Addressing the State Legislature:** The Governor addresses the state legislative assembly at the commencement of its first session each year and on other occasions.
2. **Dissolution of the State Legislative Assembly:** If the state government loses majority support or no party is able to form a stable government, the Governor can recommend the dissolution of the legislative assembly, leading to fresh elections.
3. **Receiving Reports:** The Governor receives reports from the state government on various matters, including administration and financial issues.

It's important to note that while the Governor is the constitutional head of the state, the real executive power is vested in the Council of Ministers led by the Chief Minister. The Governor acts on the advice of the Council of Ministers in most matters, except in cases of discretion, as provided in the Constitution.

The role of the Governor is to ensure that the state's administration functions in accordance with the Constitution and to safeguard the interests of the state and its people.

## **Q 10. Explain the Roles, Functions, and Organizational structure of the State Secretariat. [7M]**

**ANS:** - The State Secretariat is a key administrative body in each state of India. It serves as the nerve center of the state government and plays a vital role in the implementation of government policies, coordination of various departments, and providing support to the Chief Minister and the Council of Ministers. Here's an explanation of the roles, functions, and organizational structure of the State Secretariat:

### **Roles of the State Secretariat: 3 Marks**

1. **Policy Formulation and Implementation:** The State Secretariat is responsible for formulating policies and plans for the state's development and implementing them through various government departments and agencies.
2. **Coordination and Communication:** It acts as the central coordinating agency for all government departments and ensures effective communication and coordination between different departments.
3. **Administrative Support:** The State Secretariat provides administrative and logistical support to the Chief Minister and the Council of Ministers, facilitating the smooth functioning of the state government.
4. **Advisory Role:** The Secretariat offers expert advice and recommendations to the Chief Minister and other ministers on various issues and matters related to governance.
5. **Budget Preparation:** It plays a crucial role in preparing the state budget by collecting inputs from various departments and integrating them into a comprehensive financial plan.
6. **Supervision and Monitoring:** The Secretariat supervises and monitors the functioning of government departments to ensure the proper implementation of policies and programs.

### **Functions of the State Secretariat: 3 Marks**

1. **Chief Minister's Office (CMO):** The CMO is the core unit of the State Secretariat, headed by the Principal Secretary to the Chief Minister. It assists the Chief Minister in all official matters, including policy formulation, scheduling, and coordination with other departments.
2. **General Administration:** The State Secretariat oversees the general administration of the government and coordinates the activities of various departments.
3. **Legislative Affairs:** It manages the state legislature's affairs, including scheduling sessions, coordinating with the legislative bodies, and facilitating the presentation and passage of bills.

4. **Personnel Administration:** The Secretariat manages personnel matters of government employees, including appointments, transfers, and disciplinary actions.
5. **Finance Department:** The Finance Department is responsible for financial matters, including budget preparation, revenue collection, and expenditure management.
6. **Home Department:** It deals with law and order, police, and security matters in the state.

**Organizational Structure of the State Secretariat:** The State Secretariat is organized hierarchically, with different departments and sections headed by senior civil servants, typically designated as Principal Secretaries or Secretaries. The Chief Secretary is the highest-ranking civil servant in the state and serves as the administrative head of the Secretariat. The Chief Secretary reports directly to the Chief Minister.

The Secretariat is divided into various departments, each responsible for a specific area of governance. Each department is further divided into sections and units, headed by officers at different levels.

Overall, the State Secretariat is a critical component of the state government's machinery, ensuring efficient governance, policy implementation, and coordination among various departments for the overall development and welfare of the state and its people. 1 Mark

## **Q 11. Describe how a state government functions in a State, what is the difference between the work that MLAs do in the Assembly and the work done by executives in the government departments? [7M]**

**ANS:** - A state government in India functions as a critical component of the federal system of governance. It is responsible for administering the state, implementing policies, and managing various public services and welfare programs. Here's a description of how a state government functions in a state: **3 Marks**

1. **Executive Head:** The Governor is the constitutional head of the state government. The Governor is appointed by the President of India and represents the central government at the state level. The Governor's role is ceremonial, and most executive powers are exercised by the Chief Minister and the Council of Ministers.

2. **Chief Minister and Council of Ministers:**

- The Chief Minister is the head of the state government and is appointed by the Governor. The Chief Minister leads the Council of Ministers, which consists of ministers responsible for various government departments.
- The Council of Ministers is collectively responsible for the state government's functioning and formulates policies, makes decisions, and implements programs for the state's development.

3. **Legislative Assembly:**

- The state legislative assembly is the legislative body of the state government. It consists of Members of Legislative Assembly (MLAs) who are elected by the people through democratic elections.
- The legislative assembly is responsible for making and passing laws, discussing and debating important issues, and representing the interests of the people in the state.

#### 4. Budget and Finance:

- The state government presents an annual budget in the legislative assembly, outlining its revenue and expenditure for the fiscal year.
- The budget allocation is distributed among various government departments for implementation of programs and schemes.

#### 5. Administration and Government Departments:

- The state government is organized into various departments responsible for different sectors like education, health, agriculture, transport, law, and more.
- Each department is headed by a minister, and the department's administrative functions are carried out by the civil services and other government officials.

#### 6. Policy Formulation and Implementation:

- The state government formulates policies and programs for the welfare and development of the state.
- The policies are implemented through various government departments and agencies to ensure effective execution.

#### 7. Public Services and Welfare Programs:

- The state government provides various public services to its citizens, such as education, healthcare, transportation, and social welfare programs.
- It is responsible for the implementation of central government schemes at the state level.

#### 8. Law and Order:

- The state government is responsible for maintaining law and order within the state.
- It oversees the functioning of the police department and other law enforcement agencies.

#### 9. Coordination with Central Government:

- The state government maintains coordination and cooperation with the central government on various matters, including financial assistance and policy implementation.



The state government functions within the framework of the Indian Constitution, adhering to the principles of federalism, democracy, and accountability. It plays a crucial role in the overall development and governance of the state, ensuring the well-being and progress of its people.

The work of Members of the Legislative Assembly (MLAs) in the Assembly and the work done by executives in government departments are distinct but interconnected aspects of the functioning of a democratic government. Here are the key differences between their roles:

#### **MLAs in the Assembly: 2 Marks**

1. **Legislative Function:** MLAs are elected representatives of their respective constituencies and form the legislative branch of the government. They participate in lawmaking by debating and discussing bills, proposing new laws, and amending existing ones during the sessions of the legislative assembly.
2. **Representation:** MLAs represent the interests and concerns of their constituents in the legislative assembly. They raise issues, ask questions, and voice the grievances of the people they represent.
3. **Oversight:** MLAs play a crucial oversight role by scrutinizing the actions and policies of the government. They can question the executive on its decisions and demand accountability.
4. **Constituency Development:** MLAs are responsible for the development of their respective constituencies. They can recommend projects, advocate for funding, and bring government initiatives to their constituencies.
5. **Participation in Debates:** MLAs actively participate in discussions and debates on various subjects such as budget allocation, development plans, and public welfare schemes.

#### **Executives in Government Departments: 2 Marks**

1. **Implementation of Policies:** The executives, comprising civil servants and government officials, work in various government departments to implement policies, programs, and laws formulated by the legislature.
2. **Administration and Implementation:** They are responsible for the day-to-day administration and management of government departments. They oversee the execution of government projects and schemes.
3. **Policy Execution:** Executives execute policies and programs as per the guidelines set by the legislature. They ensure that the laws and policies passed by the assembly are implemented effectively.
4. **Service Delivery:** Executives are involved in delivering services to the public, such as healthcare, education, law enforcement, and infrastructure development.
5. **Bureaucratic Decision-Making:** They make administrative decisions, issue orders, and manage the routine functioning of government departments.

While MLAs and executives have separate roles, their work is interconnected. MLAs propose and pass laws, and the executives implement those laws. The executives provide information, reports, and data to MLAs for decision-making and oversight purposes. Together, they form the core of the democratic governance system, with MLAs representing the will of the people and executives executing policies for the betterment of society.

## **Q 12. How is a Chief Minister appointed? What are the main functions of the Chief Minister?[7M]**

ANS: - The Chief Minister of a state in India is appointed through a process that involves the following steps: **4 Marks**

### **1. State Legislative Assembly Elections:**

- The first step in the appointment of a Chief Minister is the conduct of state legislative assembly elections. These elections are held in each state at regular intervals (usually every five years) to elect Members of Legislative Assembly (MLAs) from various constituencies.

### **2. Formation of Political Parties and Alliances:**

- Political parties and alliances contest the state elections. The party or coalition that secures a majority of seats in the legislative assembly (simple majority) is invited by the Governor to form the government.

### **3. Selection of Chief Ministerial Candidate:**

- Once a political party or alliance secures a majority, it selects its Chief Ministerial candidate. Usually, the leader of the party with the most seats or the leader of the alliance is chosen as the Chief Ministerial candidate.

### **4. Swearing-in Ceremony:**

- After the Chief Ministerial candidate is chosen, a swearing-in ceremony is organized, and the Governor administers the oath of office to the newly appointed Chief Minister.

### **5. Proving Majority in the Legislative Assembly:**

- After taking the oath, the Chief Minister has to prove their majority in the legislative assembly within a specified period (usually 15 days) to demonstrate that they have the support of the majority of MLAs.

### **6. Vote of Confidence:**

- The Chief Minister moves a vote of confidence in the legislative assembly to establish that they have the support of the majority of MLAs. If the Chief Minister fails to win the vote of confidence, they are required to resign.

## 7. Governor's Appointment:

- After winning the vote of confidence, the Chief Minister is officially appointed by the Governor and assumes office.

It's important to note that in cases where no party or alliance secures a clear majority in the legislative assembly, the Governor may invite the single largest party to form the government and prove its majority. If no party can prove its majority, the Governor may recommend President's Rule, and the state comes under the direct administration of the central government until a stable government is formed.

The appointment of a Chief Minister is an important step in the formation of a state government, and it is based on the electoral mandate and political dynamics prevailing in the state.

The Chief Minister of a state in India holds a crucial and multifaceted role in the state government. As the head of the government, the Chief Minister performs various functions to ensure the smooth functioning of the state administration and the implementation of policies and programs. The main functions of the Chief Minister are as follows: **3 Marks**

1. **Head of the State Government:** The Chief Minister is the head of the state government and exercises executive authority over the state's administrative machinery.
2. **Policy Formulation:** The Chief Minister plays a significant role in formulating state policies, development plans, and welfare programs. They provide leadership and direction to the Council of Ministers in shaping the state's governance agenda.
3. **Legislation and Lawmaking:** The Chief Minister and their Council of Ministers participate in the state legislative assembly's proceedings. They propose bills, participate in debates, and contribute to the lawmaking process.
4. **Council of Ministers:** The Chief Minister is responsible for selecting the Council of Ministers, allocating portfolios, and managing the functioning of various government departments.
5. **Coordination and Administration:** The Chief Minister coordinates with different government departments to ensure effective administration and implementation of policies. They oversee the execution of government projects and schemes.
6. **Representation:** The Chief Minister represents the state government in various official and ceremonial functions. They also interact with the central government on behalf of the state government.
7. **Budget Preparation:** The Chief Minister oversees the preparation of the state budget, allocating funds to different sectors based on development priorities.
8. **Public Welfare:** The Chief Minister is committed to the welfare of the people of the state. They focus on social and economic development and strive to improve the quality of life for citizens.

9. **Crisis Management:** The Chief Minister is the crisis manager during emergencies, natural disasters, or other challenging situations. They take charge of coordinating relief and rehabilitation efforts.
10. **Liaison with Central Government:** The Chief Minister maintains communication and cooperation with the central government, seeking assistance and cooperation on various matters related to the state's development.
11. **Representing the State in Public Forums:** The Chief Minister represents the state in national forums, conferences, and meetings, advocating the state's interests and concerns.
12. **Public Interaction and Grievance Redressal:** The Chief Minister interacts with the public, listens to their grievances, and addresses their concerns. They hold regular public meetings and take feedback from citizens.

In summary, the Chief Minister is responsible for providing leadership and direction to the state government, overseeing policy implementation, and representing the state in various capacities. Their role is critical in ensuring efficient governance and the overall development of the state.

## **UNIT - 4**

### **Q 13. Who is the head of the Municipal Corporation? Explain the Functions of Municipal Corporation [7M]**

**ANS:-** The head of the Municipal Corporation is usually the Mayor. In India, a Mayor is the elected head of a Municipal Corporation. The Mayor is elected by the elected representatives of the Municipal Corporation, such as councilors or corporators. The Mayor represents the local government at various forums, presides over the meetings of the Municipal Corporation, and plays a vital role in decision-making and policy implementation at the local level. 2Marks

**Functions of Municipal Corporation:** The Municipal Corporation is a local government body responsible for governing urban areas and providing essential civic services to the residents. The functions of a Municipal Corporation may vary slightly from one city to another, but they generally include the following: **5 Marks**

1. **Urban Planning and Development:** The Municipal Corporation is responsible for urban planning and development, including land use, zoning regulations, and infrastructure development.
2. **Public Health and Sanitation:** The Corporation ensures the provision of clean drinking water, waste management, sanitation, and public health services to residents.

3. Roads and Transport: It takes care of the maintenance and construction of roads, bridges, and other transportation infrastructure within the city.
4. Public Education and Healthcare: The Municipal Corporation oversees the establishment and management of public schools, hospitals, and primary healthcare centers.
5. Property Tax and Revenue Generation: The Corporation collects property tax and other taxes to generate revenue for financing its various activities and projects.
6. Issuance of Licenses and Permits: It grants licenses and permits for various activities such as trade licenses, building permits, etc.
7. Public Safety and Disaster Management: The Corporation ensures public safety and has a role in disaster management and emergency response.
8. Environment and Parks: The Corporation takes measures to protect the environment, maintain parks, and promote green spaces within the city.
9. Solid Waste Management: It is responsible for the collection, transportation, and disposal of solid waste in the city.
10. Public Welfare and Social Services: The Corporation may provide social welfare programs and services for vulnerable sections of society.
11. Urban Governance and Administration: The Corporation handles day-to-day administrative functions, maintains records, and manages its workforce.
12. Cultural and Recreational Activities: It may organize cultural events, recreational activities, and maintain community centers and libraries.

The Municipal Corporation is an essential institution in urban governance, and its functions are essential for ensuring the smooth functioning and development of cities. The elected representatives, including the Mayor, play a key role in formulating policies and decisions that impact the lives of citizens at the local level.

## **Q 14. What are the main functions of the Zilla Parishad, and differentiate between Zilla and Mandal Parishads? [7M]**

ANS: - Functions of Zilla Parishad: Zilla Parishad is a local government body at the district level in India. It is responsible for the administration and development of rural areas within the district. The main functions of Zilla Parishad include: **4 Marks**

1. Rural Development: Zilla Parishad works towards the overall development of rural areas in the district. It formulates and implements plans and projects for rural infrastructure, agriculture, and allied sectors.

2.       Healthcare and Education: The Zilla Parishad oversees the functioning of primary healthcare centers, schools, and other educational institutions in rural areas.
3.       Rural Infrastructure: It is responsible for the development and maintenance of rural roads, bridges, and other essential infrastructure.
4.       Agriculture and Animal Husbandry: Zilla Parishad promotes agricultural activities and implements schemes to enhance agricultural productivity. It also works towards the development of animal husbandry and dairy activities.
5.       Welfare Schemes: The Parishad implements various welfare schemes for the benefit of marginalized and vulnerable sections of the rural population.
6.       Natural Resource Management: It takes measures for the conservation and management of natural resources like water, forests, and land in rural areas.
7.       Rural Employment Generation: Zilla Parishad may implement employment generation schemes to provide livelihood opportunities in rural areas.
8.       Disaster Management: It plays a role in disaster management and coordinates relief and rehabilitation efforts during natural calamities.

#### **Difference between Zilla and Mandal Parishads: 3 Marks**

1.       Level of Governance: Zilla Parishad operates at the district level and is responsible for rural development across the entire district. Mandal Parishad operates at the sub-district or tehsil level and covers a smaller geographical area called a Mandal or Tehsil.
2.       Jurisdiction: Zilla Parishad has authority over all the villages and rural areas in the district. Mandal Parishad has jurisdiction over a group of villages within a Mandal or Tehsil.
3.       Number of Members: The Zilla Parishad consists of elected members from different Panchayat Samitis (block-level bodies) and the chairpersons of these Panchayat Samitis. Mandal Parishad consists of elected members representing the various villages within the Mandal.
4.       Functions: While both Zilla and Mandal Parishads work for rural development, Zilla Parishad deals with district-level planning and development, while Mandal Parishad focuses on implementing development programs at the Mandal or Tehsil level.
5.       Chairperson: The head of the Zilla Parishad is the Zilla Parishad President, who is elected by the members of the Zilla Parishad. The head of the Mandal Parishad is the Mandal Parishad President, who is elected by the members of the Mandal Parishad.

Overall, both Zilla and Mandal Parishads play crucial roles in rural governance and development, with the Zilla Parishad acting as a higher-level authority responsible for the entire district's development and the Mandal Parishad working at the sub-district level to address local issues within the Mandal.

## **Q 15. Explain the importance of Grassroot Governance for sustainable development and how it is linked with environmental conservation [7M]**

ANS: - Grassroot governance, often represented by local self-government bodies like Gram Panchayats, Mandal Parishads, and Zilla Parishads in India, is crucial for sustainable development and environmental conservation. Here's why grassroot governance is essential for promoting sustainability and its link with environmental conservation:

1. **Proximity to Local Issues:** Grassroot governance bodies are closest to the people and their needs. They have a better understanding of local issues, challenges, and aspirations. This proximity enables them to design and implement development projects that are tailored to the specific needs of the community, leading to sustainable outcomes.
2. **Participatory Decision-Making:** Grassroot governance emphasizes participatory decision-making, involving the local community in planning and decision processes. When people participate in the development process, they are more likely to take ownership of the initiatives, leading to more sustainable and successful outcomes.
3. **Resource Management:** Local self-governments have a significant role in managing local resources like land, water, and forests. Through effective resource management, they can ensure the conservation and sustainable use of natural resources for future generations.
4. **Environmental Protection:** Grassroot governance bodies can play a vital role in conserving the environment by promoting eco-friendly practices, waste management, afforestation, and sustainable agricultural practices at the local level.
5. **Awareness and Education:** These local bodies can raise awareness about environmental issues and the importance of conservation among the local population. They can conduct campaigns and workshops to educate people about environmental protection measures.
6. **Local Economic Development:** Sustainable development is closely linked to economic growth that meets the needs of the present without compromising the ability of future generations to meet their needs. Grassroot governance can promote sustainable livelihoods and income-generating activities that are in harmony with the environment.
7. **Implementation of National Policies:** Grassroot governance bodies serve as implementation arms of national policies and programs. They can ensure that the central and state government's conservation initiatives reach the grassroots level and are effectively executed.
8. **Adaptation to Climate Change:** Local self-governments are essential in developing and implementing climate change adaptation strategies at the local level. They can identify vulnerable areas and design resilience measures to cope with climate change impacts.

9. Social Equity and Inclusivity: Grassroot governance ensures that development and conservation efforts are socially inclusive and equitable. It addresses the needs of marginalized and vulnerable communities, reducing social disparities and promoting sustainable development for all.

10. Bottom-up Approach: Grassroot governance follows a bottom-up approach, where decision-making power is decentralized to the local level. This allows for context-specific and community-driven solutions to environmental challenges.

In conclusion, grassroot governance is of paramount importance for sustainable development and environmental conservation. By empowering local communities to take charge of their development and conservation efforts, we can ensure that environmental protection is integrated into the fabric of society and achieve long-term sustainability. Additionally, local efforts can collectively contribute to global environmental conservation goals, creating a positive impact on the planet's health and well-being. 7 Marks

## **Q 16. What is a District Planning Committee? What are its functions?**

**[7M]**

ANS: - A District Planning Committee (DPC) is a local-level statutory body established under Article 243ZD of the Constitution of India. It plays a pivotal role in decentralized planning and development at the district level. The primary purpose of a District Planning Committee is to prepare and consolidate plans for the economic and social development of the district. 2 Marks

### **Functions of a District Planning Committee: 5 Marks**

1. Consolidation of Plans: The DPC consolidates the plans prepared by the Panchayats and Municipalities within the district. It harmonizes these plans into a comprehensive district-level development plan.
2. Preparation of District Plan: The DPC prepares the District Plan, which is a blueprint for the district's overall development. The plan addresses various sectors like agriculture, health, education, infrastructure, environment, and more.
3. Identification of Development Priorities: The DPC identifies the development priorities and needs of the district based on local requirements and resources.
4. Allocation of Funds: The Committee allocates funds for various projects and schemes in the district plan. It ensures that the available resources are efficiently utilized to address development needs.
5. Coordination with Local Governments: The DPC coordinates with local governments, including Gram Panchayats (village-level bodies) and Municipalities, to understand their specific development proposals and align them with the district plan.



6. **Review and Monitoring:** The DPC reviews the implementation of various development projects and programs in the district. It monitors the progress and impact of these initiatives.
7. **Resource Mobilization:** The Committee explores various avenues for resource mobilization, including seeking funds from the central and state governments, international agencies, and private sector investments.
8. **Public Participation:** The DPC encourages public participation in the planning process. It involves community members, civil society organizations, and other stakeholders in decision-making and project identification.
9. **Decentralized Governance:** The DPC promotes decentralized governance by empowering local governments to take charge of their development. It ensures that local needs and aspirations are reflected in the district plan.
10. **Integration of Central and State Schemes:** The Committee integrates various central and state government schemes into the district plan, ensuring effective utilization of available resources.
11. **Environment Conservation:** The DPC considers environmental sustainability in the development planning process. It promotes eco-friendly initiatives and the conservation of natural resources.

The District Planning Committee plays a significant role in decentralized planning and ensures that development efforts are tailored to the specific needs of the district's population. By coordinating with local governments and involving the community, it aims to achieve holistic and sustainable development at the grassroots level.

## **UNIT - 5**

### **Q 17. What are the functions of the commission for the welfare of SC and ST? [7M]**

The Commission for the Welfare of Scheduled Castes (SC) and Scheduled Tribes (ST) is a constitutional body established in India to safeguard the rights and promote the welfare of these marginalized communities. The commission's primary functions are as follows:

1. **Monitoring and Implementation:** The commission is responsible for monitoring the implementation of various constitutional safeguards, policies, and programs designed to uplift SC and ST communities. It ensures that government schemes and policies meant for their welfare are effectively executed.

2. **Investigating and Inquiring:** The commission investigates specific complaints, grievances, or cases of discrimination against SC and ST communities. It can inquire into matters related to the deprivation of their rights, atrocities committed against them, or any other issues affecting their welfare.
3. **Safeguarding Rights:** The commission works to protect the constitutional rights of SC and ST communities, including their right to equality, non-discrimination, and social justice. It aims to eliminate practices of untouchability, discrimination, and exploitation against them.
4. **Advise the Government:** The commission advises the central and state governments on various policy matters concerning the welfare and development of SC and ST communities. It may make recommendations on legislative measures, policies, and programs to address their specific needs and issues.
5. **Reviewing Reports:** The commission reviews the reports submitted by various government agencies and authorities on the status of the implementation of policies and programs for SC and ST welfare. It assesses the progress made and suggests corrective measures if needed.
6. **Spreading Awareness:** The commission works to raise awareness about the rights and entitlements of SC and ST communities among the general public and the government authorities. It promotes social awareness and sensitivity towards the issues faced by these communities.
7. **Studying Socio-Economic Conditions:** The commission conducts studies and research on the socio-economic conditions of SC and ST communities. It analyzes the factors hindering their development and proposes measures to uplift them.
8. **Monitoring Reservation Policy:** The commission oversees the reservation policy in educational institutions and government jobs for SC and ST communities. It ensures the proper implementation of reservation quotas and advocates for their adequate representation.

The Commission for the Welfare of Scheduled Castes and Scheduled Tribes plays a crucial role in ensuring that the constitutional guarantees and affirmative actions for the welfare of these marginalized communities are effectively implemented. It aims to create a more inclusive and just society by addressing historical injustices and providing opportunities for their socio-economic development. **7Marks**

## **Q 18. Discuss the similarities and differences between the Election Commission of India and the State Election Commission. [7M]**

The Election Commission of India (ECI) and the State Election Commission (SEC) are two separate bodies responsible for overseeing elections in India. While they share the common goal of conducting free and fair elections, there are several similarities and differences between them:

**Similarities: 3 Marks**

1. **Electoral Functions:** Both the ECI and the SEC are responsible for conducting elections in their respective jurisdictions. The ECI oversees elections at the national level, which includes elections for the President, Vice-President, and Members of Parliament. The SEC, on the other hand, oversees elections at the state level, which includes elections for Members of Legislative Assembly (MLAs) and local government bodies like Municipal Corporations, Municipalities, and Panchayats.
2. **Independent and Autonomous Bodies:** Both the ECI and the SEC are constitutional bodies established by the Indian Constitution. They are independent and autonomous institutions that work free from external interference to ensure the integrity and fairness of the electoral process.
3. **Electoral Code of Conduct:** Both bodies enforce the Model Code of Conduct during elections. This code sets guidelines and rules that political parties and candidates must follow to maintain fairness and avoid malpractices during election campaigns.
4. **Voter Registration:** Both the ECI and the SEC are responsible for voter registration. They ensure that eligible citizens are included in the electoral rolls and have the right to vote in the elections.

#### **Differences: 4 Marks**

1. **Jurisdiction:** The primary difference between the two bodies is their jurisdiction. The ECI oversees elections at the national level, covering all states and union territories in India. In contrast, the SEC operates at the state level, covering elections within a specific state or union territory.
2. **Composition:** The ECI is a three-member body, consisting of the Chief Election Commissioner (CEC) and two Election Commissioners, appointed by the President of India. On the other hand, the SEC is typically a one-member body, headed by the State Election Commissioner, who is appointed by the respective state government.
3. **Powers:** While both bodies have significant powers to conduct elections, the ECI has more extensive powers due to its national scope. It can issue guidelines and directives to the SECs, especially in matters concerning elections that span multiple states or union territories.
4. **Types of Elections:** The ECI oversees various types of elections, including elections for the President, Vice-President, and Members of Parliament. The SEC primarily oversees state-level elections, such as those for Members of the Legislative Assembly and local government bodies.

In summary, both the Election Commission of India and the State Election Commission play crucial roles in ensuring democratic processes in India. The ECI oversees national-level elections, while the SECs oversee state-level elections. Despite their differences in jurisdiction and powers, both bodies work independently and impartially to uphold the principles of democracy and conduct free and fair elections across the country.

**Ω 19. According to Article 324, explain the role, powers, and functions of the Chief Elections Commissioner of India. [7M]**

ANS: - Article 324 of the Indian Constitution deals with the powers and functions of the Election Commission of India (ECI), and it does not specifically mention the Chief Election Commissioner (CEC). However, the role, powers, and functions of the Chief Election Commissioner can be derived from the broader provisions related to the Election Commission.

The Election Commission of India is an independent constitutional body responsible for conducting and overseeing elections at the national and state levels in India. It plays a crucial role in upholding democratic principles and ensuring free and fair elections.

### **Role of the Chief Election Commissioner (CEC): 3 Marks**

1. **Head of the Election Commission:** The CEC is the head of the Election Commission of India and holds the highest position in the organization. They are usually appointed by the President of India and are responsible for the overall functioning and management of the Election Commission.
2. **Decision-making:** The CEC leads the decision-making process within the Election Commission, which involves formulating policies, guidelines, and protocols for conducting elections. The CEC also presides over Election Commission meetings and coordinates with other Election Commissioners.
3. **Conduct of Elections:** The primary responsibility of the CEC is to ensure the smooth and impartial conduct of elections across the country. This involves the organization of general elections, by-elections, and state assembly elections at the appropriate time.
4. **Election Management:** The CEC oversees all aspects of election management, including the preparation of electoral rolls, delimitation of constituencies, appointment of election officers, and allocation of election symbols to political parties.

### **Powers of the Chief Election Commissioner (CEC): 2 Marks**

1. **Administrative Control:** The CEC exercises administrative control over the Election Commission staff and resources. They have the power to assign roles and responsibilities to various officials and personnel involved in the election process.
2. **Superintendence, Direction, and Control:** The CEC has the authority of superintendence, direction, and control over all elections held in India. They can issue instructions to election officials and political parties to ensure the smooth conduct of elections.
3. **Monitoring Election Expenditure:** The CEC has the power to monitor and regulate the expenditure of political parties and candidates during elections. They can take measures to curb the misuse of money and resources during the election campaign.
4. **Electoral Disputes:** In case of disputes related to the conduct of elections, the CEC plays a significant role in resolving them. They can take necessary actions, such as conducting re-polls or recounting of votes if required.

### **Functions of the Chief Election Commissioner (CEC): 2 Marks**

1. **Election Schedule:** The CEC announces the schedule of elections, including the dates for polling and counting, ensuring that elections are held in a timely and systematic manner.
2. **Model Code of Conduct:** The CEC enforces the Model Code of Conduct, which is a set of guidelines for political parties and candidates to maintain decorum during election campaigns.
3. **Voter Awareness:** The CEC leads efforts to create voter awareness and promotes voter education to encourage citizens to participate in the electoral process actively.
4. **Election Observers:** The CEC appoints election observers to ensure that the election process is free and fair. These observers monitor the conduct of elections and report any irregularities to the Election Commission.

## **Q 20. Explain the procedure for the appointment of the Election Commission of India (ECI) [7M]**

**ANS:** - The appointment procedure for the Election Commission of India (ECI) is outlined in Article 324 of the Indian Constitution. The Election Commission is an independent constitutional body responsible for conducting and overseeing elections at the national and state levels in India. The procedure for appointing the Election Commission is as follows:

1. **Composition:** The Election Commission is composed of the Chief Election Commissioner (CEC) and other Election Commissioners. The President of India appoints the CEC and the other Election Commissioners. The number of Election Commissioners may vary from time to time, and it is up to the President's discretion to appoint one or more Election Commissioners, in addition to the CEC.
2. **Nominations:** The President consults with various authorities before making the appointments. The authorities consulted include the Prime Minister, the Chief Justice of India (or the senior-most judge of the Supreme Court if the Chief Justice is unavailable), and the outgoing Chief Election Commissioner (if applicable).
3. **Selection Criteria:** The appointment of the Chief Election Commissioner and Election Commissioners is based on their integrity, impartiality, and extensive experience in public service. The individuals selected for these positions are expected to maintain the highest level of independence and ensure the fair conduct of elections.
4. **Tenure:** The Chief Election Commissioner and Election Commissioners hold office for a fixed tenure or until they attain the age of 65 years, whichever is earlier. The tenure for these positions is determined by the President at the time of appointment.
5. **Removal:** The Chief Election Commissioner and Election Commissioners can be removed from office only through the process of impeachment. The President can remove them on the grounds of proven misbehavior or incapacity, but such a removal requires a special majority in both houses of

Parliament (i.e., a majority of the total membership of each house and a majority of not less than two-thirds of the members present and voting).

6. Independence: To ensure the independence of the Election Commission, the Chief Election Commissioner and Election Commissioners have security of tenure, meaning they cannot be easily removed from office, except through the impeachment process. This provision is intended to safeguard the Election Commission from any undue influence or political interference.

The appointment procedure ensures that the Election Commission remains an impartial and autonomous body, responsible for the conduct of free and fair elections in India. **7 Marks**

**NOTE:-**

- 1) Students can draw graphs, tables, histograms, pictorial representations, and flow charts to explain the topic in an impressive manner.
- 2) Study the question properly, every question contains two or three parts, and a scheme of valuation depends on the recognition of the division of the question and answer.
- 3) Try to attempt all the questions, because they carry lumpsum marks each.
- 4) Select the questions according to your choice and preparation, because each question carries 7 marks.
- 5) Examination duration is 3 Hours and for 70 Marks, sit tightly for 3 years and answer all the questions.

**\*\*\*\*\*ALL the BEST \*\*\*\*\* God Bless you All**

**ప్రొఫెసర్ & లాయర్ పుట్టు**

**గురుప్రసాద్**

**వర్తమాన సామాజిక, ఆర్థిక, రాజకీయ, న్యాయ**

**విశ్లేషకుడు,**

**పురాణ వాఙ్మయ వేత్త,**

**వివావివిఐటి విశ్వాసి**

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