***Indian Constitution***

*• Indian Constitution—historical underpinnings, evolution, features, amendments, significant provisions and basic structure.*

*Comparison of the Indian constitutional scheme with that of other countries*

Key features of the act of the following acts

* Regulating Act of 1773
* Pitt’s India Act of 1784
* Charter Act of 1793
* Charter Act of 1813
* Charter Act of 1833
* Charter Act of 1853
* Act for better government of India 1858
* India Council Act 1861
* India Council Act 1892
* India Council Act 1909
* GoI Act of 1919
* GoI Act 1935
* Indian Independence Act 1947

Key features of Indian constitution

1. Define constitution and constitutionalism
2. Difference between written and unwritten constitution
3. Why is Indian constitution the largest constitution

Constitutional amendment ®

1. Which act of parliament can be considered constitutional amendment? (Only U/A 368)
2. Highlight the key SC cases related to parliament power to amend constitution. Which part 3 article was specifically used to challenge this?
3. Type of majorities for constitutional amendment? Are all of them included in Art 368?
4. Mention the constitutional amendments outside Art 368? (10.2)
5. Enlist 2 specific cases where special majority approval of parliament is needed
6. Enlist the areas and articles where 50% state approval is required for CAA?
7. Is previous assent of the President required to introduce constitutional amendment bills?
8. Can the state legislatures propose a bill to amend the part of the constitution relevant to them (Part VI)?
9. How many times has the constitution been amended till date? (104rd] AA, 126th bill)
10. Can a constitutional amendment bill be introduced a) by a private member b) in RS? (P-10.1)
11. Who is a private member? (any non-minister is a private member)
12. Write the main amendments brought by following CAAs

* 1st AA 1951 (Art 15(4), restrictions U/A 19(1) (g), 9th schedule)
* 42nd AA 1976
  + Fundamental elements- Preamble, FR, DPSP,
  + Legislative- Delimitation, shift of state list subject to concurrent, LS term extended, quorum removed for parliament/state leg,
  + Executive- President bound, Emergency provisions
  + Judicial- Tribunals, AIJS, Election out of judicial purview
* 44th AA 1978 (FR, DPSP, President, Emergency, LS term, quorum, Judicial review of election)
* 86th AA- 21(A)
* 91st AA- (15% bar on CoM, min 12 size of state CoM, defected member not eligible for minister or other remunerative post under state
* 93rd AA- 15(5)
* 97th AA (FR- word cooperative was added, DPSP, new part IXB)

Basic Structure of Indian Constitution 11.2 ®

* Keshavanand Bharti v/s Union of India case 1973
* Indira Gandhi Case 1975
* Minerva Mill v/s Union of India case 1980
* Few other imp-
  + Delhi Judicial service case1991- Art 32, 136 (special leave),141,142
  + SR Bommai 1994- Social justice
  + Nagraj Case 2006- Principle of equality
  + Madras Bar case 2014- HC powers under 226, 227 (superintendence over tribunals)

Comparison vis-à-vis other countries (3.11) ®

1. Detail features of Indian constitution borrowed from following countries constitution

* USA
* UK
* Canada
* Russia, erstwhile USSR
* France
* Ireland
* Australia
* Germany
* South Africa
* Japan
* GoI Act 1935
* Judicial, Executive, Legislative, Institutions, Administration , Key rights/laws

Preamble of Indian Constitution

1. Write Preamble as given in constitution
2. What’s the source of Preamble?
3. What is significance of preamble?
4. Where does constitution of India draw its powers from? Discuss the relevant case in this context.
5. Is the preamble amendable? Discuss relevant cases/AA acts related to its amendment.
6. What are the ideals of Indian constitution? Define sovereign, socialist, secular, democratic, republic?
7. What are the aspirations of Indian Constitution? Mention relevant constitutional articles

Fundamental rights ®

1. How is state defined as per article 12? What is its implication to FR? P-7.2
2. Why are rights given in Part 3 of Indian constitution fundamental?
3. What are broad categories of Fundamental rights?
4. Enumerate all FRs in Part 3?
5. Which FRs are only given to Indian citizens?
6. Which FRs provide protection against state and individual both? (15(2), 17)
7. Difference between FRs, constitutional and Ordinary legal rights
8. Define doctrine of eclipse? Discuss relevant SC cases and article of constitution
9. Is removal of provisions of constitution under [Art 13](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/13.php?Title=Constitution%20of%20India,%201949&STitle=Laws%20inconsistent%20with%20or%20in%20derogation%20of%20the%20fundamental%20rights%20Right%20of%20Equality) constitutional amendment? No
10. What is law in India? Art 13 (Any Ordinance, order, bye-law, rule, regulation, notification, custom or usages having force of law)
11. Define concept of equality before law, Rule of Law and equal protection of law? Source constitutions ©
12. State few exceptions to the above law?
13. Which CAA empowered state to make special provisions for backward classes?
14. What CAA and enactment led to reservations in educational institutions? What institutes fall under the ambit of this law
15. Does the grounds of discrimination in 15(1) differ in any way from 16 (2)? (2 points)
16. What committee was related to identification of backward classes? Who constituted and chaired it?
17. Who/which government implemented public job reservation in India for OBCs?
18. Discuss the key cases judgement regarding the public job reservation in India? ©
19. What is the maximum reservation that can be provided? Which state is an exception? Which schedule of constitution includes the exception?
20. Discuss the key CAA related to public employment reservation (77, 81, 85)
21. What committee is related to identification of creamy backward classes? Who constituted and chaired it?
22. Discuss the conditions mentioned illegal related to Art 17 as per act of parliament? Mention the name of the act
23. Discuss the derived rights from right U/A 19(1) (a) ©
24. Discuss the provisions mentioned in constitutions restricting right to freedom

*(19(1)(a)- 8, 19(1) (b)- 2, 19(1) (c)-3, 19(1) (d,e) - 2*

1. To what extent does the provision U/A 20 apply to civil cases as well
2. What are the derived rights U/A 21? ©
3. Differentiate b/w PEBL and DPOL? Source Constitutions? Cases applied? ©
4. What are principles of natural justice used in DPOL ©
5. Discuss relevant CAA and parliamentary act empowering primary education
6. Who are not guaranteed the 3 protections U/A 22? Is it applicable after/before arrest?
7. What are constitutional provisions related to preventive detention? [Art 22](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/22.php?Title=Constitution%20of%20India,%201949&STitle=Protection%20against%20arrest%20and%20detention%20in%20certain%20cases)

*(Max 3 months detentions unless further approved by advisory committee of HC judges. Also, it empowers parliament to change time period. State legislature can also concurrently make laws on some subjects like supply of essential commodities)*

1. Main acts of parliament to protect bonded labor, human trafficking, Child Labor (provisions)
2. What ground of discrimination are prohibited under article 23(2)?
3. Does constitution allow regulating/restriction of economic, political, financial, secular activity of religion? Is kirpan allowed for Sikhs? Hindu= Sikh, Jain, Buddha (All yes) [(Art 25)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/25.php?Title=Constitution%20of%20India,%201949&STitle=Freedom%20of%20conscience%20and%20free%20profession,%20practice%20and%20propagation%20of%20religion)
4. What are restrictions put on religious practices under Art 26 and 25?(restrictions are same)
5. Does constitution provide right to property to religious denomination as FR? [Art 26](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/26.php?Title=Constitution%20of%20India,%201949&STitle=Freedom%20to%20manage%20religious%20affairs)
6. Under what cases govt. expenditure can be done for a particular religion
7. Does article 29(1) protect the interests of minorities or majority as well?
8. Are restriction under Art 29(2) different from art 15(1) in any way?
9. Any prohibited grounds for state grants to educational institutes *(minority institute (religion/language)*
10. What are various writs of SC? ©Which of these are applicable to private authorities, public administrators, and judicial/quasi- judicial bodies? [(Link)](https://iaskracker.com/types-of-writs-and-scope/)
11. Parliament by law can abridge FRs of which officers? Can there be a judicial review of same?

([Art 33](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/33.php?Title=Constitution%20of%20India,%201949&STitle=Power%20of%20Parliament%20to%20modify%20the%20rights%20conferred%20by%20this%20Part%20in%20their%20application,%20etc.) Armed forces, forces charged with maintaining public order, intelligence bureau, and telecom people associated with above three, [Art 34](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/34.php?Title=Constitution%20of%20India,%201949&STitle=Restriction%20on%20rights%20conferred%20by%20this%20Part%20while%20martial%20law%20is%20in%20force%20in%20any%20area)- indemnity to persons for act of order restoration in martial law area)- No

Directive principles of state policy ®

1. How does [Art 37](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/37.php?Title=Constitution%20of%20India,%201949&STitle=Application%20of%20the%20principles%20contained%20in%20this%20Part) define utility of DPSP? *<fundamental in the governance of the country and duty of the State to apply these principles in making laws>*
2. Difference between DPSP and Instrument of Instructions in GoI Act 1919
3. Significance of DPSP in Indian constitution
4. What ideology best describes the theme of DPSPs?
5. Enumerate all DPSPs, along with articles of constitution
6. Mention the DPSPs outside of Part 4 of Indian constitution (i/c article, key directions)
7. Mention about the three cases that detail the balance between FR and DPSP
8. Key differences between FR and DPSP (4)
9. Write the DPSPs introduced by 42nd AA, 44th AA, 86th AA, 97th AA

Fundamental duties

1. Enumerate the fundamental duties mentioned in Part 4A of Indian Constitution 51A ®
2. Mention the recommendation of Swaran Singh Committee which were not accepted?
3. Write the article and CAA that brought it into effect
4. What are the significance of Fundamental duties?
5. How can fundamental duties be enforced? Give few examples of enforcement?

*Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein.*

*• Separation of powers between various organs dispute redressal mechanisms and institutions*

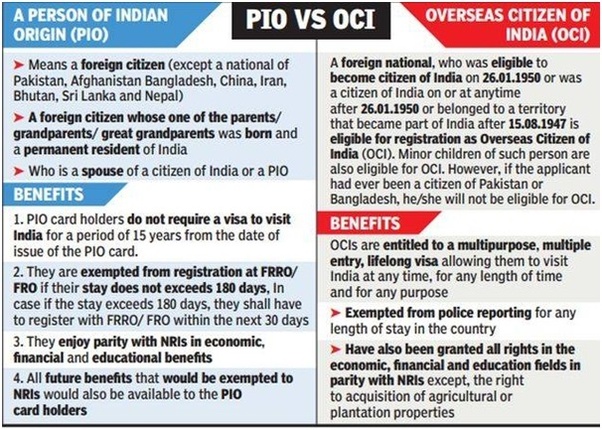
Territory of the Union

1. Which Part of the constitution deal with issues related to the territory of India? Which Articles does this contain? Which Schedule is relevant here?
2. What are 3 ways to create new states? Do all of them need a law of parliament? ®
3. Discuss parliament, president, and state legislature power regarding changing name/area/boundary of state? Are these changes considered constitutional amendment?[(Link)](https://www.gktoday.in/gk/process-of-creation-of-new-states-and-changes-in-names-of-states-in-india/) ®
4. Does constitution of India allow ceding of Indian territory to any other country in some conditions

*<Even if state passes resolution for name, area, boundary- union will draft a bill and send it for state’s comments>*

Citizenship

1. Who is authorized to make law on citizenship? <Parliament>
2. What are 5 ways in which a person can become citizen of India ©
3. Difference in Indian and US president citizen conditions.
4. Mention all the important dates and significance on citizenship by birth and dissent©
5. Difference b/w NRI, OCI, PIO[(Link)](https://www.quora.com/What-are-the-legal-and-technical-differences-between-a-non-resident-Indian-NRI-and-a-person-of-Indian-origin-PIO-and-an-Overseas-Citizen-of-India-OCI)*(NRI-Indian living outside,*



OCI can’t vote and can not hold a government job

1. What are other class of people who can become Indian citizens by registration- minimum period of stay for them*(7 yr (1 yr for OCI), Commonwealth, married to Indian, minor child of Indian citizen (below legal age))*
2. After how many years of residence in India can a person acquire citizenship by naturalization
3. What are 3 ways to lose the citizenship? Discuss specifics ©
4. Who were citizens at commencement of constitution? [Art 5](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/5.php?Title=Constitution%20of%20India,%201949&STitle=Citizenship%20at%20the%20commencement%20of%20the%20Constitution)*(Indian domiciles- Born in India, either of parents were born in Indian territory, ordinarily residing in India for 5 years preceding commencement of constitution??)*
5. What are citizenship conditions on migrants of Pakistan? [Art 6](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/6.php?Title=Constitution%20of%20India,%201949&STitle=Rights%20of%20citizenship%20of%20certain%20persons%20who%20have%20migrated%20to), 7 (X)

*(He, either of his parents/grand-parents were born in India as per GoI 1935 and*

*- If migration before 19 July 1948 or migration after the above date then registration with an officer of GoI appointed for the purpose after residing for 6 months*

*- Migrants to Pakistan after 1 March 1947 no more citizen of India- if they return 19 July condition applies)*

Structure of Indian polity

1. Define federalism, confederation, union of state, unitary form of government
2. 2 reasons why India is union and not federation as per BR Ambedkar? [(Link)](https://www.quora.com/What-is-the-difference-between-%E2%80%98Union-of-States%E2%80%99-and-%E2%80%98Federal-State%E2%80%99-Article-1-of-the-Indian-Constitution-describes-India-as-the-Union-of-States-rather-than-a-Federal-State-What-does-this-signify)
3. Differentiate between federal and unitary polity?
4. Justify why Indian polity is structurally a federal polity?
5. Give provisions in the constitution which makes India a federal polity with unitary bias? ®

Financial distribution of power[(Link)](https://www.civilsdaily.com/financial-relations-between-centre-and-state-art-268-to-293/)[(Link)](https://www.gktoday.in/gk/constitution-101st-amendment-act-2016/)

1. Can a tax be collected in India without a law? (Art 265No tax shall be levied/collected except bylaw)
2. Does taxes share attributable to states/UTs become part of CFI? (Only UT) Art 269
3. Surcharge is part of which account of Union? CFI
4. Grants in-aid to which states for export duty on Jute is charged expense on CFI? (Assam, Bihar, Orissa, West Bengal)- *check if it’s still operational*
5. Are states allowed to levy tax professions, trades, callings or employments even though income tax is a union subject? Yes if it’s for benefit of municipality, local body etc. with a ceiling of 2500 Rs/person (Art 276)
6. Where is suitor’s money deposited with public servant/court deposited with? Public account of India/State
7. Can state govt. impose any tax on union govt. properties? <Art 285- No unless parliament provide by law>
8. Can state govt. impose tax on goods being sold in other state/ in the course of goods being imported into/ exported outside India? No. Art 286
9. State govt. can’t impose tax of electricity wrt to GoI/railways? Yes, they can’t Art 287
10. Do tax on water/electricity (for inter-state river project) by state need presidential approval? Yes
11. Can union not tax property/income of a state? (It generally can’t unless parliament by law provide wrt to trade/business)
12. Are payments to Travancore Devaswom Fund Charged expenditure to Kerala CFS? Does TN also have such fund? Yes to both- art 290A
13. State legislature define limit on borrowing on security of CFS by state in domestic as well as international markets? (Art 293- says its limited to territory of India)
14. Under what conditions do state need GoI approval for raising loan? (In case of outstanding loan/BG made by GoI)
15. The resources in territorial waters/ EEZ is vested in concerned state? (No- union and the limits are as provided by parliament by law)
16. In whose name govt. contracts/assurances made? President/person authorized by him?
17. Freedom of trade and commerce in the territory of India is FR U/A 19 (1)-

*<No Const. right U/A 301. Parliament can make preferential law to counter scarcity of goods in any/whole part of India, state can make such law in public interest with prior approval of president>*

|  |  |  |
| --- | --- | --- |
| **Tax** | **Levy** | **Collect** |
| Stamp duty; ~~Excise on medicinal/ toiletry prep~~ (omitted) | Union | State |
| ~~Service tax~~(omitted) | Union | State and Union |
| Taxes on good which are trade inter-state (except newspaper) | Union | Union (assigned to state) |
| Surcharge/Cess by GoI | Union | Union (not shared with state) |
| All duties/taxes except above entries in union list | Union | Union (shared with state as prescribed by president based on FC recommendation ) |

Legislative distribution of power

1. What are ‘extra-territorial legislations’? [(Link)](https://en.wikipedia.org/wiki/Extraterritorial_jurisdiction)
2. In the Indian case, does the union government possess the right to make extra territorial legislations? Do individual state governments? (only parliament)(Art 245)
3. Is the territorial jurisdiction of the Parliament absolute? If not, where does it not apply? (3)[(Link)](https://www.gktoday.in/gk/article-245-of-the-indian-constitution-explained/)
4. Are disputes arising from legislation over residuary powers justifiable?
5. Name 5 cases when Parliament can legislate on State Subjects.
6. What happens to executive powers under the three lists of the 7th schedule in case of *national* emergencies as defined under Articles 352/ 360?
7. Which 2 articles contain provision for delegation of powers from one level of government to the other?
8. Does taxes not mentioned in any of the list fall under residuary jurisdiction of union? Art 248(2)
9. Under which condition can a state law violating central law still hold?

<If such law reserved for president consideration gets his accent but parliament can again supersede such law> Art 254(2)

1. When can union issue directions to state executives?

*<Executive power of Union- giving directions to state a) for ensuring implementation of union law b) to ensure states don’t impede/prejudice the union executive powers c) maintenance of means of communication for national/military importance (parliament can declare highways/waterways as NH/NW), protection of railways in state)*

1. Can govt. of India exercise executive, legislative, judiciary functions of foreign territory? Yes Art 260

Centre- State relationship©

1. What are the 7 mechanisms in constitution to strengthen the center- state cooperation?
2. What are Sarkaria Commission recommendation on the same? (6)
3. What are extra-constitutional mechanisms to strengthen the center-state relations
4. What are inter-state councils’ functions, composition? Their establishment? Who constitute them?
5. What are zonal council (NE council) functions and composition? Their establishment?
6. What are main act/constitutional provision for inter-state water disputes?

Emergency provisions:

1. What are 3 types of emergency? It’s inspired from which constitution?
2. Answer following questions related to each type of emergency?
   * Who proclaims each of these emergency?
   * Define the grounds on which it can be applied?
   * How many times and when India has seen application of the emergency? (google)
   * Define its approval process (majority in each house, time period for approval)
   * Provisions if LS is dissolved before approval of emergency
   * The emergency needs to be reapproved in how many days/months
   * Maximum continuation of period of emergency?
   * Process for revocation of emergency? (resolution majority, special session, # of days, type of majority)
   * Who calls the special sitting of houses for revocation of emergency if applicable?
3. Discuss changes brought by each in executive, legislative and financial distribution of powers between states and union
4. Write about key amendments brought by 42nd and 44th AA in respect to emergency?
5. Specific to National emergency
   * What is effect on Fundamental rights? Which of it is automatically suspended?
   * By what duration, # of times, the term of Lok Sabha/Assembly be extended during the emergency?
   * In how much time re-elections need to happen in case of withdrawal of emergency
   * Can a subsequent proclamation be issued again if there’s already NE in country?
   * Does NE make changes to executive/legislative powers only for territory with NE?
6. Specific to President rule
   * Write down contents of Art 355
   * Special conditions to be met to extend emergency beyond 1 year
   * Key recommendation of Sarkaria Commission (1983) related to emergency©
   * Key points related to SR Bommai 1994 v/s Union of India Case 1994 ©
   * Which 2 states have never seen application of state emergency? (Google)
   * Which 2 states have seen application of state emergency beyond 3 years?
   * ~~Difference in application of state emergency in case of J&K.~~ [~~(Link)~~](https://currentaffairs.gktoday.in/governors-rule-imposed-jammu-kashmir-01201517353.html)
   * Does president issue a separate order for dissolution of CoM and assembly
   * Can a govt. be dissolved for violating a basic feature of constitution?

Special provisions for states

1. What article of Indian constitution provide special status of J&K? (2)
2. Key provision of both the articles?
3. Key argument against Art 35A method of introduction? Highlight main cases/organization
4. What is the current status of J&K to India? (6 key points)
5. What are the special provisions provided by Art 371, 371A – 371J to some states?
   1. Which states are there?
   2. Special development board for?- Gujarat, Maharashtra, KN-Hyderabad
   3. President can apply some law with modification- Sikkim
   4. State legislature approval for law affecting local customs- Naga,Mizo
   5. Governor responsibility for law and order – Naga, Arunachal
   6. Governor responsibility for peace, socio-eco devp- Sikkim
   7. Special provisions by president for public employment? Tribunal- is HC jurisdiction N/A
   8. Seats in LA <60- Sikkim, Arunachal, Goa, Mizoram,

Administration of UTs

1. Which constitutional amendment act led to formation of union territories? What were they categorized as before this? P- 40.3
2. Who appoints the administrator of UT? Is head the head of UT (like governor)? (P-40.4)
3. Discuss the legislative power distribution with respect to UTs? (P-40.4)
4. Who has the absolute right to make legislation related to state list for 2 UTs with LA and other 5 UTs? (P-40.4)
5. Which CAA instituted assembly in Delhi? What are key provisions as per CAA (40.4, 40.5)
   1. maximum strength of LA and COM
   2. Appointment of COM and CM in case of Delhi? (Lt. Governor or President)?
   3. Oath swearing What about Puducheryy? (Lt. Governor or President)?
   4. President rule
   5. Power distribution b/w COM & administrator
   6. Ordinance promulgation/withdrawal- who, when/when not, whose permission
6. Under which ministry does the administration of 5 UTs without LA fall? Which is the governance bodies in these UTs? (P-40.5)
7. Who can establish the High Court in a UT? How many UTs have their own HC? Which HC jurisdiction does other UTs fall under (P-40.5)

*• Parliament and State legislatures—structure, functioning, conduct of business, powers & privileges and issues arising out of these*

Union legislature

Members of the house

1. What is the total strength of the house as per constitution and actual? How many elected/nominated?
2. How are members of the house elected/nominated? ©
3. Is whip issued in Rajya Sabha elections binding on MLAs? Is it open/secret ballot elections?
4. What is the significance of delimitation act? When was it last done (2008)? When can it be done next without constitutional amendment?[P-22.3](https://www.gktoday.in/gk/delimitation-in-india/)
5. What are systems adopted for election of members to each house? P-22.3
6. Why did the constituent assembly not decide on proportional representation for Lok Sabha? (X)
7. What % seats are reserved for women, SC/ST and OBC in each house? P-22.35
8. What are special requirements of nominated members? Who nominates them?
9. What are the qualifications for becoming a member of the house? ©
10. Who administers oath to members of the house? [Art 99](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/99.php?Title=Constitution%20of%20India,%201949&STitle=Oath%20or%20affirmation%20by%20members)
11. Who accepts resignation of the members of the house *<Chairman/speaker only if it’s genuine and voluntary>*
12. What are provisions for removal of MPs?
13. Who’s final authority of decision in case of 102(1) and 102(2)? (President, Presiding Officer, SC)
14. What are the conditions of defection? What are 2 applicable exceptions? ©
15. Relevant schedule & CAA, any key cases/committees and their recommendations? ©
16. What are conditions for mandatory adherence to whip? (4)©
17. What is mentioned in [Schedule 4](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/fourthschedule.php?Title=Constitution%20of%20India,%201949&STitle=Fourth%20Schedule)- (Allocation seats of states/2 UT in RS)
18. Who decides the manner in which representatives of UT can be represented in RS? [Art 80](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/80.php?Title=Constitution%20of%20India,%201949&STitle=Composition%20of%20the%20Council%20of%20States)*Parliament by law*
19. Maximum number of seats for UT in LS? [(Art 81](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/81.php?Title=Constitution%20of%20India,%201949&STitle=Composition%20of%20the%20House%20of%20the%20People)) – 20
20. Who do candidates subscribe oath before election? [Art84](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/84.php?Title=Constitution%20of%20India,%201949&STitle=Qualification%20for%20membership%20of%20Parliament) (EC as per schedule 3)
21. What are provisions for cases when MP:- [Art 101](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/101.php?Title=Constitution%20of%20India,%201949&STitle=Vacation%20of%20seats)
    * Gets elected to both houses- the whole bit is as per law made by parliament (RPA 1951) *in 10 days, else his RS seat becomes vacant; if he is sitting in one house and gets elected to another; then his first house seat becomes vacant; if elected to 2 seats in the same house- he should vacate one, else both seats are vacated*
    * House of parliament and state legislature- *if he doesn’t vacate state legislature seats in time decided by president (14 days), his/her parliament seat is automatically vacated*

Presiding officer of the house

1. Election, oath, removal and resignation of Speaker and his/her function/powers ©
2. Election, oath, removal and resignation of Dy. Speaker and his/her function/powers
3. Appointment of Protem Speaker and his/her function/powers
4. Election, oath, removal and resignation of Dy. Chairman and his/her function/powers
5. Which of the head/dy. of both houses cannot vote in his/her own removal process?
6. What is casting vote? Does Chairman RS also has this vote? [Art 100(1)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/100.php?Title=Constitution%20of%20India,%201949&STitle=Voting%20in%20Houses,%20power%20of%20Houses%20to%20act%20notwithstanding%20vacancies%20and%20quorum) Yes
7. Can speaker, Dy. speaker, Chairman, Dy. Chairman vote in first instance during their removal?
8. Who will preside over Lok Sabha if both Speaker/Dy. Speaker offices are a) vacant b) absent
9. Which MP doesn’t vacate office even when LS is dissolved?
10. Is office of Dy. Speaker subordinate to speaker? Is Dy. Speaker directly responsible to LS?
11. On whose request does speaker call for a secret meeting of the house? (Leader of the house)
12. Who decides the salary of Speaker, Dy. Speaker, Chairman, Dy. Chairman- [Art 97](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/97.php?Title=Constitution%20of%20India,%201949&STitle=Salaries%20and%20allowances%20of%20the%20Chairman%20and%20Deputy%20Chairman%20and%20the%20Speaker%20and%20Deputy%20Speaker) Parliament

*<Removal by effective majority for speaker, Dy. speaker, Dy. Chairman RS after 14 days’ notice,* they can vote in first instance during their removal*>*

House

1. What is the tenure of the house? Is this as per constitution or RPA1951? (No tenure is mentioned in constitution Art 83 for both upper and lower house)
2. Which of these are applicable to house- suspension, dissolution, abolition?
3. What leads to suspension, dissolution, abolition (whichever applicable)? Who does it?
4. Special powers of the house vis-à-vis second house ©
5. What are non-federal characteristics of Rajya Sabha? ©
6. Importance of Rajya Sabha as second house of parliament? ©
7. Privileges of the house and its members? Mention the relevant article.(3 each) [Link](http://www.mitrasias.com/parliamentary-privileges-and-immunities-in-indian-constitution/)
8. Do MPs also enjoy the right to publish LS/RS debates?
9. Difference between contempt of the house and breach of privilege[(Link)](https://rajyasabha.nic.in/rsnew/practice_procedure/privileges.pdf)- P-2They are same
10. Define sovereignty of parliament? Does India has it, give reasons? (copy 3)

Parliamentary Procedures (General)

1. Who summons the sessions of the house? On whose recommendation? ( Art 85)
2. What is the maximum time period allowed between the two sessions of the parliament? Under which article of constitution? What is gap as per actual practice? Which is [shortest](https://en.wikipedia.org/wiki/Parliament_of_India)
3. On which occasions does the President address the Houses of Parliament? Who acts as presiding officer then? Are these sessions’ joint sittings? (Art 87)
4. Differentiate between *adjournment, proroguing,* and *dissolution* of the house. Who conducts each of these functions? P-22.12
5. What is meant by adjournment *sine die?*
6. List 2 differences between adjournment and prorogation of the house
7. On prorogation of the house, which notices do not lapse? What about bills?
8. What is the quorum of house for holding a session? Does it exclude presiding officer? P-22.13 <any RS chair is also considered in quorum>
9. What are recognized as official language of the house? Which whose permission other language can be used?
10. What is lame duck session? P-22.14
11. What is question hour (1 hour) and Zero hour? P22.14
12. What are starred, unstarred and short notice questions? Can they be directed to private members too?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type** | **Description** | **Supply Qs alwd?** | **Notice prd rqd** | **Number alwd/ day?** |
| Starred | Can be answered orally on the floor of the House | Yes | 10-21 days | 20 |
| Unstarred | Written answers provided | No | 10-21 days | 230 |
| Short Notice questions | Relate to matters of urgent public importance; notice period is shorter than 10 days minimum prescribed for other questions; oral answers provided |  |  |  |

1. What are ‘motions’? P-22.15 What are 3 types of motion? Define each

|  |  |  |
| --- | --- | --- |
| **Type of Motions** | | **Description** |
| Substantive | | Independent, self-contained proposals, drafted so as to express an opinion of the House; do not depend on, or arise out of, any other motion (e.g.: No-Confidence Motion, Adjournment Motion, Motion of Thanks for the President’s Address) |
| Substitute | | Introduced **before** discussion starts on a substantive motion; these conform to the subject matter of the original motion, but are drafted differently; if permitted, both the original and substitute motions are debated together, but only the substitute motion is voted upon |
| Subsidiary | | Depend on or relate to other motions; have no meaning by themselves |
| Types | Ancillary | Regular way of proceeding with the House business, such as recommending the motion to a select committee etc. |
| Superseding | Moved in the course of debate on another question, and seek to supersede that question; mostly dilatory in nature |
| Amendment | Amends part of the question put before the House (unlike Substitute Motions, which completely replace the entire motion) |
| No-day-yet-named  motion | | Motions that have been admitted by the Speaker, but date hasn’t been fixed |

1. Different types of motions introduced in the house

|  |  |  |
| --- | --- | --- |
| **Type of ‘Urgent’ Motion** | **Description** | **Procedure** |
| Closure motion | Motion put forward to cut short a debate. If approved debate is stopped and matter is put to vote- 4 types:  -Simple closure-  -Closure by compartments- voting on only a part of the whole debate.  - Kangaroo Closure- intervening clauses are skipped and taken as passed  -Guillotine closure- voting of undiscussed ones along with the discussed ones. |  |
| Adjournment | Sets aside normal business of the House for discussing a ‘definite matter of urgent public importance’; cannot be for matters sub-judice, or matters that can be raised under any other motion. **If an adjournment motion is passed, it amounts to censure of the government- (slightly differ from no confidence-** 1) can be against individual minister 2) COM doesn’t mandatory has to resign 3) should state the reason | **50+ MPs need to support the motion before it is admitted.** If this happens, mover and others speak, then ministers reply, and motion is put to a vote; **Speaker can’t adjourn the House until vote is done** and **min 2.5 hrs discussion** happens  **Not allowed in Rajya Sabha** as it involves elements of censure against government |
| Calling Attention Notices | Raising urgent matters, but not urgent enough for adjournment motion. Aim is to ask ministers to make an authoritative statement on an urgent issue.  No formal motion, debate, or voting; only the mover is allowed one clarifying question |  |
| Half-an-Hour Discussion | Such discussion is allowed after 5 PM on matters arising out of questions already answered in the House on matter of public importance |  |
| Short-duration (2 hr) Discussion | Like calling-attention, but debate is allowed (but member who raises the discussion has no right to reply after Minister speaks; other MPs can speak and discuss)  No formal motion, or voting | Speaker’s discretion to allow or not; if they are admitted, they happen after the regular business of the House is dispensed on the same or a later day |
| Point of order question | Raised when procedure of house is being violated. No debate is allowed on this motion |  |
| Privilege Motion | In case of breach of privilege by a minister |  |
| Mentions under Rule 377 | Matters that cannot be raised under any of the above three; **Ministers usually do not make a statement,** but can if they wish to (usually they send a written reply)  **Equivalent in Rajya Sabha is ‘Special Mention’** |  |

1. What are the 4 devices available to MPs for raising urgent matters of public importance requiring immediate attention of the government/ Parliament?
2. List 2 differences between motions and resolutions. Discuss different type of resolutions (P-22.17)

|  |  |
| --- | --- |
| **Type of Resolutions** | **Description** |
| Private Member Resolution | Discussed on alternate Friday |
| Government Resolution | Discussed on Monday to Thursday |
| Statutory Resolution | May be moved either by government or private members; these are always tabled in pursuance of a provision in the constitution or an Act of Parliament. (e.g.: Impeachment of President, disapproval of an ordinance etc.)  **If these are adopted, they have the force of law** (unlike motions that only express an opinion of the House; those are not binding on the government) |

1. What is no-confidence, confidence motion and vote of thanks motion? What is Rajya Sabha power with respect to introduction of these motions and effect on COM if not approved?

*<Vote of thanks after president’s speech at commencement of New Year! Both house adopt these motions, no-confidence and confidence can be adopted only by LS, Confidence motion is sometimes used to counter no confidence motion introduced by opposition>*

1. Who make rules of procedure for communication between 2 houses and joint sittings? [Art 118](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/118.php?Title=Constitution%20of%20India,%201949&STitle=Rules%20of%20procedure)*< President in consultation with Chairman, RS and Speaker, LS>*

Parliamentary Procedures (Finance)

1. Write about the 3 funds of union and state govt. detailing relevant constitution article, source of receipt and process of expenditure approval (i/c any upper limit on expenditure)? ©
2. Which of the above funds are constitutional funds
3. Define charged expenditure. Can they be voted, can they be discussed? [(No, Yes) b Art 113](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/113.php?Title=Constitution%20of%20India,%201949&STitle=Procedure%20in%20Parliament%20with%20respect%20to%20estimates)
4. Which posts draw their salary etc.as charged expense from CFI?

*<Speaker, Dy. Speaker, Chairman RS, Dy. Chairman RS, President, SC judge, Pension of HC judge, CAG, UPSC members, sum to satisfy judgement of tribunal>*

1. Define relief funds. Are they subject to audit by CAG?
2. Define money bill, finance bill, Ordinary bill , CAA bill Mention article/sub-article and detail of each ©
3. Answer following questions for ordinary bill , money bill, Financial bill (Cat A), Finance Bill (Cat B), CAA Bill ©
   * House of Introduction (LS/RS)
   * Recommendation of president needed (Yes/No)
   * Type of Majority (Simple/Special)
   * Deadlock resolution (Joint meeting, N/A, Dropped)
   * Assent of President needed (Yes/No/veto)- which one as per constitution?
4. What differentiates Financial Bill Cat (b) from ordinary bill? (Presidential reco required)
5. Who has the final authority for classification of bill? Can this decision be challenged in SC?
6. Discuss the 3 responses of RS in case of money bills? *(pass, suggest recommendations (house accept it, reject it), doesn’t act in 14 days- In all these cases bill will be deemed to be passed by both the houses)*
7. Can court inquire in the matters related to procedure of parliament? Art 122
8. What is interim budget? Is the same procedure followed as regular budget?[(Link)](https://economictimes.indiatimes.com/budget-faqs/what-is-an-interim-budget/articleshow/67189292.cms)

*It has both receipts and expenditure, vote-on-account is generally for a longer period (4 months), also even caretaker govt. passes interim budget*

1. What is the procedure for introduction of an ordinary Private Members bill? [(Link)](https://www.insightsonindia.com/2018/11/30/private-members-bill/) (Max 3/session)
2. Can private members introduce money bills? What about others No (Yes- for const/ordinary)
3. When all joint session of houses are called? (3) Bills are passed by what majority? Enlist the bills passed in Joint sitting? Within how many days president calls such joint meeting ©
4. Who presides over joint sittings? Can Chairman Rajya Sabha preside ever over joint sitting?
5. Under what conditions bill is saved even after dissolution of Lok Sabha?(4 conditions)
6. What is budget called as per constitution of India? Definition of different components and related articles? Who lays down budget in front of Parliament? Art 112 ©
7. Define each step of budget approval process highlight role of LS and RS
   * Introduction process
   * Vote on Account
   * DRSC reports, cut motions
   * Application of Guillotine,
   * Appropriation bill passed,
   * Finance Bill passes
8. What is supplementary grant, additional grant, excess grant, exceptional grant, token grant, vote on credit? P-22.26
9. Does any parliamentary committee need to pre-approve any/all of them before?
10. Who is leader of opposition in both the houses? Is it a statutory act?
11. What shall not be considered only ground for declaring a bill money bill- same as state [Art 110(2)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/110.php?Title=Constitution%20of%20India,%201949&STitle=Definition%20of%20Money%20Bill)
12. In how many parts do constitution suggest budget expenditure to be segregated? ([Art 112(2)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/112.php?Title=Constitution%20of%20India,%201949&STitle=Annual%20financial%20statement) *Revenue and other*
13. Whose recommendation is needed for making request for demand grants in LS? President Art 113
14. Does the appropriation bill introduced after grants request are approved contain the charged expenditure also? (Yes, [Art 114)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/114.php?Title=Constitution%20of%20India,%201949&STitle=Appropriation%20Bills)
15. Who has the final decision on whether any amendment is admissible in appropriation bill for changing amount/destination of grant? (Presiding officer) Art 114
16. In case of money bill when is presidential pre- approval not required? *In case of reduction or abolition of tax* [(Art 117)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/117.php?Title=Constitution%20of%20India,%201949&STitle=Special%20provisions%20as%20to%20financial%20Bills)

Parliamentary Committees

1. What are 4 conditions of a parliamentary committee? (Reports to whom specifically??)
2. What is the difference between standing and Ad-hoc committees?
3. Discuss the functions and shortcomings of various finance committees of parliament? ©
4. What is the main function of DRSC. What is its membership, term ownership houses? P-23.5
5. Can a minister be a part of DRSC or finance committee?
6. Define category, name, function ©, # of members from each house and classification as joint/separate of all parliamentary committees
7. Answer following questions related to the parliamentary committees (WAPSS)
   1. Cannot have ministers as members? (Petition, Assurance, Subordinate leg., SC/ST, Women)
   2. Joint committees of LS/RS (SC/ST, Women, Library, Salary) (We Suffered Salary Loss)
   3. RS doesn’t have it (Private, Absence)- PrAb- sounds like Probe
   4. Headed by respective house’s presiding officer (Business, Rules, General)
   5. Quasi-judicial role- privileges
   6. Total size max- SC/ST- 30
   7. Where size RS> LS- Rules
8. What are consultative committees- different from parliamentary committees? P-23.9 (2 key)
9. What are the departmental forums and their main functions? How many are formed so far, their names and year of formation, P-24.01
10. What is the membership of these forums? Which is not presided by Speaker LS? Who constitutes them? (RS max 10, LS, max 21)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Committee Type** | **Committee Name** | **Key function** | **LS members** | **RS members** | **Joint** |
| **Inquiry-** | Petitions | 1. Examines **petitions on bills** and on matters of general public importance 2. Entertains representations **from individual & associations** on matters pertaining to **union subjects** | 15 | 10 |  |
| Privileges | 1. Examines cases of **breach of privileges** of house and its members  2. Recommends appropriate action- **quasi- judicial work** | 15 | 10 |  |
| Ethics | 1. Examines cases of **misconduct** 2. Recommends appropriate action 3. Engaged in maintaining **decorum & discipline** | N/A | N/A |  |
| **Scrutinize and control** | Govt. assurances | 1. Examines **assurances, promises** and undertakings given by **ministers and reports** | 15 | 10 |  |
| Subordinate legislation | 1. Examines and reports to house whether **delegated legislation to executives** is being properly exercised | 15 | 15 |  |
| Papers laid on table | 1. Examines papers on whether they **comply with constitution, related act or rule**.  2. **Doesn't examine** notifications under above committee | 15 | 10 |  |
| Welfare of SC & ST | 1. Considers **report** of National commission for SC & ST 2. Examines all **matters** relating to welfare of SCs & STs- implementation of schemes etc. | 20 | 10 | Yes |
| Empowerment of women | 1. Considers **report** of National commission for women 2. Examines **measures** taken by Union govt**.** to secure status, dignity, equality | 20 | 10 |  |
| Office of profit | 1. Examines **composition and character** of committees and bodies by various govt. (center, state, UT etc.) 2. Recommends on **disqualification** of persons in the office for election of MP | 10 | 5 | Yes |
| **Day-to-Day business** | Business Advisory | 1. Regulates program and **time table** of house | 15 | 11 | Presiding officer as chairman |
| Private members’ bill & resolutions | 1. **Classifies bills and allocate time** for discussion on bill by private members | 15 | Done by business advisory |  |
| Rules Committee | 1. Considers the **matters of procedure and conduct of business** in house  2. Recommends amendments/additions to rule of house | 15 | 16 | Presiding officer as chairman |
| Absence of members | 1. **Absence for >60days** without permission 2. Accepts **application on LoA** from all members | 15 | No committee |  |
| **House Keeping** | General purposes | 1. Considers and advices on **matters related house affairs** not in jurisdiction of other parliamentary committees |  |  | Presiding officer as chairman |
| House Committee | 1. Deals with **residential accommodation , food, medical aid** etc. accord to MPs in houses and hostels of Delhi | 12 |  |
| Library Committee | 1. Considers all matters relating to library of parliament  2. Assist members in utilizing library's service | 6 | 3 | Yes |
| Salaries & Allowance of members | 1. Constituted under Salary, Allowance and Pension of MP act 1954 2. Frames **rules for regulating payment of salaries, allowances, pensions to MPs** | 10 | 5 | Yes |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Public Account** | **Estimates** | **Public Undertaking** |
| Setup | 1921 (GoI Act 1919) | 1921 (GoI Act 1919) | 1964 |
| Members | 22 (LS-15, RS-7)- Joint | 30 (LS-30, RS-0)- Only LS | 22 (LS-15, RS-7)- Joint |
| Term | 1 year | 1 year | 1 year |
| Election | 1. Proportional representation 2. Single transferrable vote system 3. Minister can't be elected to this committee | | |
| Chairman | 1. Chosen by Speaker LS from all members 2. Opposition | 1. Chosen by Speaker LS (all) from LS members 2. Ruling party | Chosen by Speaker LS from LS members |
| Functions | 1. Examine **appropriation and finance accounts based on CAG** reports- involves comparison of estimated v/s actual  2. Examine A/Cs **of state corp**., autonomous bodies, stores & stocks (**except PSU**) 3. Examine the **expenditure** confirms to the **right authority**  4. Rules adherence in **re-appropriation** 5. Examine money spent in **excess of amount** granted by LS | 1. Report **estimates that can be affected to bring economies**, improvement in efficiency, admin reform 2. **Suggest alternatives** to achieve the objectives  3. Examine if **money laid out within limits of policy** implied in estimates  4. Suggest **form in which estimates are to be presented** to Parliament | 1**. Examine reports and A/Cs of PSU** 2. **Examine reports of CAG** on PSU 3. Examine **efficiency, business practices** and autonomy adherence 4. Other functions vested by speaker to PAC, EC applicable on PSU |
| Effectiveness limited by | 1**. Post-mortem** work 2. Not related to policy by Parliament 3. **Advisory body, recommendations** not binding  4. **Can't issue order** (for eg. disallowance of expenses) 5. Can't intervene in day-to-day admin | 1. Examines budget only after vote by Parliament (**Post-mortem** work) 2. Cannot question policy by Parliament 3. **Advisory body**, recommendations not binding 4. Examines only **select few ministries’** 5. Lacks assistance from CAG | 1. **Only 10-12 PSUs per year** 2. Work is **post-mortem** 3. Absence of **technical experts** 4. **Advisory body**, recommendations not binding |

Cabinet Committees (Chapter21)

1. Are CC constitutional, statutory, and extra-constitutional in nature? Who set up the CCs?
2. Mention the current 6 CCs? Which one are not headed by PM? Which is called super-cabinet?
3. Are members of CC only from Lok Sabha? Are they only consisted only of cabinet ministers?

State Legislature

1. Which *part* of the constitution contains the provisions for governance of states?
2. How can a Legislative Council be constituted/ abolished for a state? What is the parliament’s role? What is the state assembly’s role? Art 169 *©*
3. How are members of both houses elected/ nominated? ©
4. Which states in India has LC? (AB K TUM) – ©
5. Can the above action be deemed as constitutional amendment?
6. How is state legislative Assembly suspended and dissolved? Who does it?
7. What is the maximum and minimum allowed sizes of the LC?
8. What fraction of the MLC is elected at what frequency? Nominated? Who all indirectly elect MLC?
9. True or False. All MLAs can vote for the election of MLC members.
10. How many members are nominated to LA/LC? On what grounds? By whom?
11. What are the maximum and minimum allowed sizes of the legislative assemblies?
12. Has the above rule been changed for a few states? By whose permission? (MizAr NaGoS)
13. What are eligibility criterions for becoming an MLA? MLC? ©

Same as LS/RS (except elector from state, *This is as per RPA, also MLC to be eligible for governor nomination must be resident in state>*

1. Who does MLA/MLC need to subscribe oath to for his citizenship? (art 173) *person authorized by EC as per schedule 3*
2. Can the Parliament and state legislature make laws that determine eligibility criteria and ground for disqualification for MLA/MLCs? [Art 173](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/173.php?Title=Constitution%20of%20India,%201949&STitle=Qualification%20for%20membership%20of%20the%20State%20Legislature) Only Parliament.
3. In deciding questions related to eligibility and disqualification of MLAs, whose ruling is supreme?

* President
* Governor
* High Court
* Supreme Court

1. Compare the bill approval process in state legislatures wrt parliament(a) money bills (b) ordinary bills. © (Money bill, Financial bill, Upper house started ordinary bill, Lower house started ordinary bill (pass, not act (time period), not approve), amendments)
2. What are 3 ways LC can delay the process of bill approval? What is the maximum period for which LC can choose to not act on a bill by LA? Duration within which LC needs to approve bill if LA reapproves the bill
3. What is the next step if amendment suggested by LC is accepted by LA?
4. What provisions exist for calling a joint sitting of the LA and LC?[(Link)](http://www.erewise.com/current-affairs/the-state-legislature_art52d796a55ec41.html#.XI8k8iIzbIU)
5. Although the LC is pretty much useless, name 3 potential benefits of the existence of LCs. ©
6. What kinds of vetos are available to the Governor of a state? (same as president)
7. Discuss the provisions related to bill reservation by governor for presidential approval?
8. Can the Governor veto a money bill? Can the Governor reserve a money bill for the President’s consideration?*(Yes, but governor/president cannot use suspensive veto)*
9. What happens if an ordinary bill is presented to the Governor, he sends it back to the assembly, and the assembly passes it again in the same form? *(Governor has to give assent, become law)*
10. What happens if an ordinary bill is reserved for president’s consideration *(in this case if state passes bill again after president’s suspensive veto, he can still choose to not assent it)*
11. What is role of governor after he reserves a bill for president’s consideration? *(No role)*
12. What are the ordinance making powers of the Governor? (Same as president just limited to state domain)
13. Can he make ordinances regarding union/state/concurrent subjects without the advice of his council of ministers? – He can make only related to state list and with advice of CoM
14. In what cases does the Governor have to have the prior assent of the President before making ordinances? (3) P-30.9
15. What are the provisions of attending parliamentary proceedings for ministers, AGS (they can attend proceedings of any house but can’t vote unless they are member) [Art 177](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/177.php?Title=Constitution%20of%20India,%201949&STitle=Rights%20of%20Ministers%20and%20Advocate-General%20as%20respects%20the%20Houses)
16. Is chairman of LC act as vice-governor No
17. Who does Chairman LC give his resignation to? (Dy Chairman and Not governor) [Art 183](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/183.php?Title=Constitution%20of%20India,%201949&STitle=Vacation%20and%20resignation%20of,%20and%20removal%20from,%20the%20offices%20of%20Chairman%20and%20Deputy%20Chairman)
18. Who decides salary of speaker, Dy speaker, Chairman, Dy. Chairman? State legislature [(Art 186](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/186.php?Title=Constitution%20of%20India,%201949&STitle=Salaries%20and%20allowances%20of%20the%20Speaker%20and%20Deputy%20Speaker%20and%20the%20Chairman%20and%20Deputy%20Chairman))
19. Can state legislatures have their separate secretariat, can they share staff? [Art 187](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/187.php?Title=Constitution%20of%20India,%201949&STitle=Secretariat%20of%20State%20Legislature) Yes
20. Who do members of LA/LC subscribe oath to? [Art 188](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/188.php?Title=Constitution%20of%20India,%201949&STitle=Oath%20or%20affirmation%20by%20members) (Governor)
21. Quorum for State legislative assembly/council (10% or 10 whichever is higher)[Art 189](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/189.php?Title=Constitution%20of%20India,%201949&STitle=Voting%20in%20Houses,%20power%20of%20Houses%20to%20act%20notwithstanding%20vacancies%20and%20quorum)
22. Answer following question in relation to election to multiple seats by MLA/MLC[Art 190](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/190.php?Title=Constitution%20of%20India,%201949&STitle=Vacation%20of%20seats)
    1. If he’s elected to 2 or more seats in LA/LC – *state will decide by law but he can hold only 1 seat*
    2. If he’s elected to 2 or more legislatures of state*- president decide the threshold period else he’ll to vacate all but one seat in that period else he’ll be removed from all seats.*
23. Who does MLA/MLC gives his resignation to? (Presiding officer) Art 190
24. Is presiding officer bound to accept such resignation *(If he feels that such resignation is not voluntary/genuine)*
25. After absenteeism of how many days can a MLA/MLC be disqualified *(60 days not i/c >4 not-working days of house)* Art 190
26. Decision of disqualification by governor needs whose opinion? EC [Art 192](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/192.php?Title=Constitution%20of%20India,%201949&STitle=Decision%20on%20questions%20as%20to%20disqualifications%20of%20members)
27. What’s penalty on member who votes etc. when he knew he was not qualified, will the decisions taken stand invalid? 500 Rs :P, No
28. What are cases in [199(2)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/199.php?Title=Constitution%20of%20India,%201949&STitle=Definition%20of%20Money%20Bills) which makes a bill not money bill? (only if it involves fines/ penalties, demand/ payment of fees for licenses or services rendered, local bodies tax)
29. What expenses are charged expenditure on State consolidated fund? Can only union by constitutional amendment make any expense charged expense? Is even discussion not allowed on such expenses? Art [202](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/202.php?Title=Constitution%20of%20India,%201949&STitle=Annual%20financial%20statement)

*(Speaker, Dy. Speaker, Chairman, Dy. Chairman, HC Judge, governor, debts owed, tribunal decision. No, state by law can declare too. No, discussion is allowed, voting is not)*

1. Whose recommendation is required for making request for grants? (Governor) [Art 203](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/203.php?Title=Constitution%20of%20India,%201949&STitle=Procedure%20in%20Legislature%20with%20respect%20to%20estimates)
2. Who and how rules for communication between two houses are made? Governor in consultation with presiding officers (Art 208)
3. Language of house? (Hindi, English, Official language of state (which can be other than 8th schedule language), mother-tongue with permission of house) [Art 210](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/210.php?Title=Constitution%20of%20India,%201949&STitle=Language%20to%20be%20used%20in%20the%20Legislature)

*Check 204, 205, 206, 209 again after reading relevant article of Parliament*

<Provision of speaker, Dy. speaker, Dy. Chairman, bills lapsing, governor prior accent on billis same as union>

Chairman is different in terms of election, oath, and resignation as he’s not vice-governor

< Governor has similar power for prorogation, summoning, dissolution, addressing house as president>

Entitled to vote only in the first instance on such resolution or on any other matter during such proceedings but not in the case of an equality of votes

Official language of business conduct (Ch-61)

1. How many languages are included in the 8th schedule of the constitution? (1967, 1992, 2003)
2. What’s the purpose of
3. List provisions regarding use of languages in:

* Official business of the parliament (are Devanagari numerals also allowed?)
* Official business of the state (are they limited to Schedule 8 languages +English)
* Communication between union and states- both English and Hindi
* Communication between states
* Language to be used in SC, HCs? (In which cases use of state official language allowed)
* Language to be used for Acts, Bills of state etc. – *English translation is must*

1. Who declares the official language of a state
2. How many classical languages are there? Enlist all of them? Latest and oldest? Who declares them
3. Who constitute Commission and Committee of Parliament on official language? Art 344 ®

*President, post which a committee of the house will be formed (20 LS, 10 RS and they’ll report their opinion to President (not speaker)*

*• Structure, organization and functioning of the Executive and the Judiciary—Ministries and Departments of the Government; pressure groups and formal/informal associations and their role in the Polity*

*• Salient features of the Representation of People’s Act*

Parliamentary v/s Presidential form of government

1. Compare key features of parliamentary and presidential form of government P-12.6 ®
2. Who is the head of state and head of government/executive in each form of govt.?
3. Pros and cons of Parliamentary and Presidential form of govt.
4. Key difference in Indian and British way of Parliamentary government ®

President elections, vacancy, removal

1. Describe how the President of India is elected.
2. Which CAA led to inclusion of UTs in president election? Which UTs are part of elections?
3. Are state MLCs allowed to vote in the President’s election?
4. Which members of the Rajya Sabha vote in the election for the President?
5. What is the value of vote of state legislature members and MPs?

*(Note- If total vote of each MLA exceeds 500, it be increased 1, and vote of each MP is always a whole number (rounding off is done)*

1. Is whip issued in President Election? Do voters have right to refrain or this will cause defection?
2. Is the election open ballot or secret ballot?
3. Who is the returning officer of president’s election?
4. What is minimum number of electors that need to propose and second the nomination of president?
5. Is the election of the president valid in case there were some vacancies in either house of Parliament at the time of election? What about vacancies in some of the state legislatures?
6. What if a state government isn’t appointed at the time of election?
7. In case the election of the President is declared void by the appropriate authority after a short amount of time (say, a month) after the election, what happens to the actions that the President might have taken while in office, albeit for a very short period of time?
8. What if this time period is longer? Say, a year after the elections?
9. What happens to above actions by VP? Same as above as per Art 71
10. Can the Parliament alone modify the procedure for election of the President?
11. What are some of the arguments against direct election for President in India (2)? (P-17.4)
12. List the eligibility criteria for the President (4) ©
13. Can *sitting* Governors, President, Vice-President of any of the states be appointed President? Can Ministers at the center/ in the states?
14. What is the tenure of President Office once elected?
15. Name the 5 ways in which a vacancy might arise in the office of the President.
16. In which of these cases is the VP allowed to serve as President until the vacancy is filled?
17. Who acts as president when both President and VP office are vacant P-17.6
18. Who does the President swear his oath to? Key components of his oath? Where in constitution?
19. If a President resigns, who does his hand his resignation to? Who does resignation acceptor has to notify it to? (VP, speaker)
20. What are the maximum number of times a person can get elected as president?
21. How many grounds for impeachment of a sitting President are specified in the constitution? What are these? Who defines these grounds- Constitution, parliament, SC if he feels ground not valid?
22. Describe the procedure for impeachment of the President (4 points) ©
23. Compare the removal process to SC judge (resolution support, investigation house, grounds)
24. Removal of President, VP is an executive function or legislative function? What about removal of others?
25. Till when latest does president need to vacate his seat of MP/MLA? *on the date he enters office as president*(Art 59)- not to be vacated before

President is the only officer who’s impeached, rest all are removed!!

Vice-President

1. Describe the procedure for election of the VP. Is it any way different from the election of President? Who’s the presiding officer of elections? ©
2. Describe the eligibility criteria for the VP (4). Are these in any way different from those for the President? ©
3. How many supporters and seconders are needed for nomination of VP?
4. Who administers oath to VP? Is this oath mentioned in Schedule 3?
5. What is tenure of office of VP? When does the re-election for VP office happen (< 5yrs)? What happens if election for new term doesn’t happen before expiry of 5 years?
6. Who fills the vacancy if VP is removed, resigns, and dies in office? In how much time does re-elections need to happen?
7. Does the person who enters this office hold it for remaining term? (No, full 5 years) [(Art 68)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/68.php?Title=Constitution%20of%20India,%201949&STitle=Time%20of%20holding%20election%20to%20fill%20vacancy%20in%20the%20office%20of%20Vice-President%20and%20the%20term%20of%20office%20of%20person%20elected%20to%20fill%20casual%20vacancy)
8. How can a VP be removed? Difference from president removal? (grounds, procedure) ©
9. What are the functions of a VP?
10. While the VP is acting as President, does he still remain the Chairman RS?[(Link)](https://vicepresidentofindia.nic.in/vice-president-india-and-constitution)
11. Who adjudicates disputes arising out of elections of a President or VP? [(Link)](https://www.constitution.org/cons/india/p05071.html)
12. What is minimum period for re-election once VP assumes president office in case of vacancy? How does it differ from USA?
13. Discuss the salary/emolument provision for VP as per constitution?
14. Election of VP is open ballot? (No- Its secret ballot Art 66(2)

Powers and duties of the President

1. Write the content of Art 53 of Indian constitution?
2. Can parliament by law confer the powers of president to anyone else or powers of governor/state to president? [Art 53](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/53.php?Title=Constitution%20of%20India,%201949&STitle=The%20President%20of) (No, obviously unless one do a constitutional amendment)

*<Parliament can make law if a contingency happens that’s not mentioned in constitution Art 71)*

1. How would you define the ‘executive’ power of the state? (initiation of law)
2. Is president a part of the parliament? (Art 79)
3. List the three different kinds of Presidential vetos. Discuss their source in constitution (Art 111)
4. For each of the three kinds of vetos, discuss the applicability in Indian case. ©
5. Example of usage of Pocket Veto in India?
6. Under whose advice and aid does President exercise these powers? What does the 42nd and 44th amendment say about the constitutional limits on the President’s powers? (bound, reconsider)
7. What are the discretionary powers of President? ©
8. Which article of the constitution delineates provisions for ordinances?(of governor?)
9. Can the President Issue ordinances while both houses of parliament are in session? What about only one of the houses being in session? Can ordinances be re-promulgated with both houses in session? (No, Yes, No)
10. In how much time does the ordinance need to be approved by houses?
11. What are safeguards for excessive use of Ordinances? (4) © (DC Wadhwa 1986- State of Bihar)
12. Discuss some key cases regarding ordinance promulgating power of president? ©
13. What is the perspective of constitution, SC, constitution makers and actual working on powers of president? © (Ram Jawaiya case)
14. Name the 5 major heads under which the powers of the President can be divided.
15. Describe the powers of the President as per Article 72? ©
16. Are these powers executive, legislative or judicial? Does this make president a court of repeal?
17. In which cases can the president exercise his powers under Art 72? (3)
18. Are these open to judicial review?
19. What are the differences in pardoning powers of the President and State Governors?
20. Can the governors do anything at all in case of death penalty?
21. What are the legislative powers of the President? © (DeanN SUBARaO)
22. What are financial powers of the President? (5)©
23. What are the diplomatic powers of the President?
24. What are the military powers of the President? What role, if any, does the legislature play in this regard?
25. What are the administrative powers of the President? Name key dignitaries appointed by president?[(Link)](https://www.gktoday.in/gk/powers-of-president-of-india-executive-legislative-judiciary-military-and-ordinance-making/#Appointments_made_by_president)
26. What are the 3 cases where the President can exercise his emergency powers?
27. Who determines the salary of president? Can it be changed during his term? (Parliament, No! *here to his disadvantage not mentioned)*

Council of Ministers

1. How many ministers can a government have?
2. What are the different categories of ministers listed in the constitution?

*(Cabinet rank ministers in Art 352, Council of ministers in Art 74/75)*

1. Differentiate between ‘Council Of Ministers and the ‘Cabinet’; which category of ministers need invitation to attend Cabinet meetings?
2. Which bureaucrat doesn’t need invitation to attend the cabinet meetings?
3. Who’s the political and admin head of the cabinet secretariat?
4. What happens in case a PM is defeated in the Lok Sabha floor test? Can the President then act of his own volition? No. Art 74
5. Can court inquire into the COM advice to president? (Art 74)
6. Who appoints the ministers and the Prime minister? Art 75(1)
7. Define collective and individual responsibility? What is the purpose for the same75(2), 75(3)
8. Do the ministers stay in the office during the pleasure of president? (Yes)- Art 75(2)
9. Who administers oath to ministers? Art 75(4)
10. Who are Parliamentary secretaries? Who administers oath to them?
11. Can a person who is not an MP in either house of the Parliament be appointed as a minister? Maximum duration of such appointment? Art 75 (5)
12. Who decides the salary of ministers? (Parliament) Art 75(6)
13. Can president make rule for convenient transaction of business of government of India? Art 77(3)*(Yes, but he doesn’t do this in his discretion*
14. Who make rules for manner of authentication of executive orders in President’s name? (He himself and it can’t be challenged in any court) [Art 77(2)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/77.php?Title=Constitution%20of%20India,%201949&STitle=Conduct%20of%20business%20of%20the%20Government%20of%20India)
15. Who acts as link between president and parliament? (Art 78)
16. Can president ask PM about working of government? Can he even ask an individual decision of a minister for collective consideration of COM? (Art 78)
17. Who chairs the Cabinet? PM or President?
18. What happens if the PM dies? (Does the Council of Ministers continue to function until the party that commands a majority in Lok Sabha chooses another PM?)
19. Discuss key points on the 2 school of thoughts related to power of president: ©
    * Primus inter pares
    * Chief stone of cabinet arch
20. Discuss the factors that strengthen the Prime Minister position in cabinet.
21. What is Prime Ministerial form of government
22. What is Cabinet form of government?
23. What is Kitchen cabinet? Is it unconstitutional?
24. Define the concept of Shadow cabinet of UK
25. Define the concept of interim, minority and national/unity government
26. Discuss key parliamentary conventions? *(Biggest one is COM resigning on losing majority)*

Attorney General of India (Refer to notes)

1. What is the role of the Attorney General of India?©
2. What is appointment procedure etc of AGI < Refer table below> ©
3. Can the Attorney General speak in the Lok Sabha? Rajya Sabha? Parliamentary committees?
4. Can she vote in either house?
5. Does AGI enjoy right to audience in ALL courts in territory of India? Yes
6. Attorney General carry out his private practice while in post? Is his office- “an office of profit”
7. What is convention regarding AGI resignation?
8. What other statutory posts are created to support AGI? Who appoints them? Are they sub-ordinate to AGI?

Comptroller and Auditor General

1. What is the appointment etc. of the CAG? *<Refer to table below>* ©
2. How does this role vary from that in Britain (2 key points) (comptroller, pre-approval of CFI expense)
3. Does CAG serve *at the pleasure of the President?*
4. Is CAG responsible to CoM or Parliament or both? 49.3
5. What are audit activities of CAG related to central and state govt.? P-49.2What are 3 type of bodies audited by CAG? Are private companies also audited 49.2©

*CAG audits Consolidated find of India/State/UT (with legislature), Public account of India/State, Contingency fund of India/State*

1. What are net proceeds? Who certifies the net proceeds certificate of govt. companies after CAG? P-49.2 (Tax left after subtracting the cost of collection)
2. Does CAG also maintain govt. accounts? If yes, does CAG compile both state/center’s A/Cs? P-49.2
3. Does CAG audits all public corporations itself? Does it submit the reports itself for all? P-49.3
4. What are the 3 reports submitted by CAG? Who are these submitted to? P-49.2(Governor directly for state)
5. Who prescribe the form of accounts of union and state? Is CAG advice taken? [Link](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/150.php?Title=Constitution%20of%20India,%201949&STitle=Form%20of%20accounts%20of%20the%20Union%20and%20of%20the%20States) (Art 150- pres)
6. *Constitution empowers parliament to prescribe the duties and powers of CAG (Act passed in 1971)*

Public Service Commission

1. How can joint commissions of two or more states be set up? (Both houses of the states approve and parliament will set up by law) [Art 315(2)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/315.php?Title=Constitution%20of%20India,%201949&STitle=Public%20Service%20Commissions%20for%20the%20Union%20and%20for%20the%20States)
2. Whose approval is required for UPSC to serve needs of state? (Request by governor on approval of president) (Art 315(4)
3. Who works as chairman in case of vacancy of chairman? (Such member as appointed by President (UPSC/JPSC) and governor (SPSC)? [Art 316 (1A)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/316.php?Title=Constitution%20of%20India,%201949&STitle=Appointment%20and%20term%20of%20office%20of%20members)
4. Who can extend the jurisdiction of PSC? (Parliament/Resp. State leg.) [Art 321](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/321.php?Title=Constitution%20of%20India,%201949&STitle=Power%20to%20extend%20functions%20of%20Public%20Service%20Commissions)
5. Who can reduce the jurisdiction of PSC? Unless president (AIS, other union services)/governor (state) says that such consultation is not required. [Art 320 (3)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/320.php?Title=Constitution%20of%20India,%201949&STitle=Functions%20of%20Public%20Service%20Commissions)

Governor

1. Can parliament/state legislature by law confer the powers of governor to anyone else or powers of other authority to governor? [Art 154](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/154.php?Title=Constitution%20of%20India,%201949&STitle=Executive%20power%20of%20State) (No, obviously unless one do a constitutional amendment)
2. Who appoints, removes Governor? Who does governor give his resignation to? Art 155/6
3. Discuss the provision of governor’s tenure. (Till pleasure of president, for 5 years and until new person comes in!)[(Art 156)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/156.php?Title=Constitution%20of%20India,%201949&STitle=Term%20of%20office%20of%20Governor)
4. What are the grounds mentioned in the constitution according to which the Governor of a state can be removed? (No grounds are mentioned)
5. What are qualifications/ disqualification to be a governor? (4) (Art 157/158) ©
6. Who decides emoluments of governor? Division b/w states in case of dual governorship? Can this be diminished during his tenure? (Parliament, President, No) [Art 158](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/158.php?Title=Constitution%20of%20India,%201949&STitle=Conditions%20of%20Governor%92s%20office)
7. Which fund is governor’s salary charged upon? (CFS) In case of joint governor of 2 states?
8. Who administers oath to governor of state? [Art 159](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/159.php?Title=Constitution%20of%20India,%201949&STitle=Oath%20or%20affirmation%20by%20Governor) (CJ of HC)
9. Who can make provisions for discharge of governor’s function in case of contingencies not mentioned in this part? [Art 160](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/160.php?Title=Constitution%20of%20India,%201949&STitle=Discharge%20of%20the%20functions%20of%20the%20Governor%20in%20certain%20contingencies) (President)
10. Explain why governor’s position in Indian constitution better vis-à-vis president of India? ©
11. Can same person be appointed as governor for more than one state? Is it convention/law?

*<It’s specifically written in constitution that same person can be appointed as governor of 2 or more states, so president directly can Art154>*

1. Which Article of the constitution details the provisions of what to do when the constitutional machinery in a state breaks down?
2. Can the above decision of the Governor be challenged in: (not in local courts)- check

* Local courts?
* High Court?
* Supreme Court?

1. What are Sarkaria commission recommendation on governor appointment? ©
2. Why did the constituent assembly decide to have an appointed Governor as against elected one?

State executive

1. Discuss 3 sub articles of Art 163 related to COM aid and advice to governor? 2 ways it is different from Union COM advice to President?  [Art 163](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/163.php?Title=Constitution%20of%20India,%201949&STitle=Council%20of%20Ministers%20to%20aid%20and%20advise%20Governor)

*(Bound is not explicitly mentioned, governor doesn’t need COM advice where he needs to act in his discretion, and his decision on discretion is final, court can’t inquire into advice)*

1. What are the Governor’s powers with respect to the appointment and removal of CM and COM in state? Do ministers hold office till the pleasure of governor? (164(1))
2. Which states should have a minister of tribal affairs as per constitution? 164(1)
3. Who administers oath to COM? Where is this oath mentioned? 164(3)
4. Can a non-elected person be nominated as minister in the state? What is the maximum duration of such appointment? 164 (4)
5. True or False. Parliament decides the salaries of state legislature members. 164 (5)
6. In which cases can the Governor of a state act ‘in his own discretion’? ([166(3),](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/166.php?Title=Constitution%20of%20India,%201949&STitle=Conduct%20of%20business%20of%20the%20Government%20of%20a%20State) 200)
7. Does governor also has powers of president U/A 78 wrt to COM/CM? [Art 167](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/167.php?Title=Constitution%20of%20India,%201949&STitle=Duties%20of%20Chief%20Minister%20as%20respects%20the%20furnishing%20of%20information%20to%20Governor,%20etc.)
8. When can the Governor dismiss the Chief Minister and his Council of Ministers?
9. What are the main recommendation of Sarkaria Commission in the above regard? ©
10. What is the maximum and minimum size of COM in a state?

Supreme Court

1. Which article provides for establishment of Supreme Court? Art 124
2. Does India have a unitary or federal judicial structure?
3. What is the highest court of appeal in India? What was it before Independence?
4. What are the qualifications of SC judges? Minimum and Maximum age of SC judge? ©
5. How is the CJI appointed?
6. How are judges of SC/HC appointed? What is the constitutional provision? What is the evolved understanding based on three judges’ cases?©
7. What is the composition of collegium for SC/HC judge appointment and HC judge transfer? ©
8. Who is the initiator of SC/HC judge appointment process? Can president initiate it too?
9. Difference in decision by bench and collegium?
10. Who administers oath to SC/HC judges? (President/Governor or persons appointed by them)
11. To whom does SC/HC judge submits his resignation to? President for both
12. How are judges of SC/HC removed and on what grounds? Mention the relevant article of constitution and other laws? What part of process is discretionary power of the house? ©
13. Do the SC/HC judges hold their office *at the pleasure of the President?*
14. What is process for increasing the number of Supreme Court judges? (Number of Judges) (31 but as per law of parliament, as per constitution its 7 or as increased by parliament)
15. How are salaries of judges updated? Compare the payment structure of SC judge, HC judge, CJI, Chief Justice of a HC? [(Parliament)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/125.php?Title=Constitution%20of%20India,%201949&STitle=Salaries,%20etc.,%20of%20Judges)[(Link)](https://economictimes.indiatimes.com/news/politics-and-nation/supreme-court-24-high-court-judges-get-around-200-per-cent-salary-hike/articleshow/62712248.cms)
16. How does the constitution secure the independence of the SC judges? (6)©
17. Who all are eligible for being an ad-hoc judge of SC? Whose appoints and whose approval is needed?*(CJI in consultation with president & CJ of HC, appoint current HC judge whose’ eligible for being SC judge if there’s no quorum to conduct a SC session)*[(Art 127)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/127.php?Title=Constitution%20of%20India,%201949&STitle=Appointment%20of%20ad%20hoc%20Judges)
18. If a serving HC judge is appointed to above posts- which office will be priority for him? P26.3
19. Which retired judges can be appointed in SC? Is presidential approval needed here?[(Art 128)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/128.php?Title=Constitution%20of%20India,%201949&STitle=Attendance%20of%20retired%20Judges%20at%20sittings%20of%20the%20Supreme%20Court)

*(Yes-SC judge or HC judge qualified to be SC judge, Yes! And that person’s consent is must)*

1. Who is acting chief justice? Who appoint him/her under what conditions? Art 126 P-26.3
2. In which courts can the retired SC judges practice as advocate?(They can’t Art 124(7))
3. What are the implications of SC/HC being court of record? What article mentions it? ©
4. What are the 2 type of contempt? ©
5. What is the criticism of contempt received by court? ©
6. Can judges be charged with contempt of their own court?
7. Where is seat of SC justice? Who has the authority to change it? Whose approval is needed for this? Which article mentions it?
8. Discuss various provisions under writ jurisdiction of SC? Which part and article?
9. Mention cases when Mandamus writ is not applicable? (6)
10. What is exclusive original jurisdiction of SC? Which parties can use it? What type of cases do not fall under the original jurisdiction of SC?P-26.5 ©
11. Discuss the appellate jurisdiction to SC in constitutional, civil, criminal matters? P-26.6©
12. In which of the above cases is the High court certificate not required? P-26.6
13. Does SC appeal lie in cases where HC has reversed the order and ordered acquittal of accused?
14. SC court enjoys special leave jurisdiction over military courts too. True or False?
15. What are 2 subjects on which President can ask for opinion from SC? Is SC bound to respond to both requests? Are these binding on president? Art 143©
16. Are all judgments by the SC treated as final, or can they be reviewed? If yes, by whom? Art 137
17. What is Public Interest Litigation? Where is concept borrowed from? Mention first two cases of PIL©
18. What does *locus standi* mean? Is it applicable in case of PIL
19. What is judicial activism? What articles empowers judges to be activist? What are its pros and cons©
20. Define key points detailing role of SC in growth of constitution? ©
21. What laws guarantees the power of judicial review to court? (Art 32, 136 (special leave)- SC, 226, 227 (review of lower courts)- HC?
22. What is status of judicial review under Schedule 9? Mention provision of 1st amendment act an IR Coelho Judgment (2007)? ©
23. Mention specific cases when there is no judicial review?
24. What is constitution and division bench of SC? (5 or more judges) (2 or 3)
25. We often see that there are multiple times when SC issues orders which become a law. Is there a specific provision in constitution that provides SC with this power? Art 141.

High Court

1. Which HC in India has the largest territorial jurisdiction? Mention the territorial extent.
2. Does constitution provide for HC for each state? Yes! Art 214
3. True or false. Constitution of India established the institution of HCs? If not, then which act and in what sequence?
4. What is composition of HC? What is process for increasing number of High Court judges? Art 216
5. Who appoints the HC judges? Whose consultation is required as per constitution? (CJI, governor, CJ of HC (not if CJ HC appointment is involved) by president. [Art 217 (1)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/217.php?Title=Constitution%20of%20India,%201949&STitle=Appointment%20and%20conditions%20of%20the%20office%20of%20a%20Judge%20of%20a%20High%20Court)
6. What’s procedure of removal of HC judge? Can governor/state leg. remove too? No Art 217(1)
7. What are 2 cases when HC judge position be vacated? Who does his resignation? (217 (1) (a)) (Promoted to SC judge, transfer to other HC judge) (Resignation to President)
8. What are the qualifications of HC judges? Art 217 (2)©
9. Minimum and Maximum age of HC judge?
10. In case of question regarding HC judge age, whose decision is final? Art 217(3) – President (he consults CJI though)
11. Who administers oath to HC judges? (Governor) Art 219
12. In which all courts can the retired HC judges practice as advocate? Is this applicable for judges who served as HC justice temporarily? (Only for HC where he has been judge, No) [Art 220](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/220.php?Title=Constitution%20of%20India,%201949&STitle=Restriction%20on%20practice%20after%20being%20a%20permanent%20Judge)
13. Who decides the salaries of HC judges? (Parliament, can’t be changed to his disadvantage) [Art 221](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/221.php?Title=Constitution%20of%20India,%201949&STitle=Salaries%20etc.,%20of%20Judges)
14. Are these charged on state fund or central? What about pension?
15. Who transfer the HC judge? Whose consultation is required? (President, CJI) [Art 222](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/222.php?Title=Constitution%20of%20India,%201949&STitle=Transfer%20of%20a%20Judge%20from%20one%20High%20Court%20to%20another) collegium
16. Who is Acting Chief Justice? Who appoints him/her, amongst whom? [Art 223](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/223.php?Title=Constitution%20of%20India,%201949&STitle=Appointment%20of%20acting%20Chief%20Justice) (Pres, among judges of court and no consultation is mentioned)
17. Define Additional, Acting judge? Who appoints, max duration/age of such appointment?
18. What are details regarding retired judges? (Appointment, duration)? Can a person who was not HC judge but qualified to be one also allowed? (No)
19. Which cases can be transferred by HC from subordinate courts? Does the court give the verdict itself?
20. Detail original jurisdiction of HC? (7 points) ( P-34.5, 34.6)©
21. Discuss the appellate jurisdiction of HC in case of civil and criminal cases? ©
22. Which HCs have original jurisdiction in case of civil and criminal cases?
23. Whose pre-approval is required before making any changes in lower courts proceedings, fees etc. (governor) [(Art 227)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/227.php?Title=Constitution%20of%20India,%201949&STitle=Power%20of%20superintendence%20over%20all%20courts%20by%20the%20High%20Court)
24. Who all have the authority to extend/restrict jurisdiction of HC of state over to a UT? [Art 230](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/230.php?Title=Constitution%20of%20India,%201949&STitle=Extension%20of%20jurisdiction%20of%20High%20Courts%20to%20Union%20territories)- (President, governor, Parliament, state legislature)
25. Who all have authority to constitute a same HC for 2 or more states? Art 231 (Parliament)

Subordinate Courts

1. What is the structure of civil and criminal courts at district level?
2. How are district judges appointed and removed? Is there any difference in procedure related to subordinate judges?
3. What are the qualifications of District judge?
4. Judicial magistrate (2nd Class) and Chief JM can grant punishment for how many years.
5. What level is authorized to punish criminals with death penalty? Is HC approval compulsory?
6. True or false. Munsif courts have unlimited civil litigation authority.
7. On whose informal model is Lok Adalat concept based upon? Where was it first setup?
8. Which act of parliament was passed to give effect to DPSP relating to free legal aid to poor?
9. What is the composition of Lok Adalats? ©
10. What type of cases and how are cases taken up in these courts? 35.4©
11. What’s the fee for admission of a case in LA?
12. Can there be advocates in cases of LA? If yes, can they present arguments etc.?
13. Lok Adalat has powers equivalent to which type of court?
14. Are decision taken in Lok Adalats following the formal court procedure or informally?
15. Can a case resolved in LokAdalat/ PLA be registered again in higher courts?
16. Discuss the composition and jurisdiction of permanent Lok Adalats? P-35.6
17. What is NALSA? What are bodies established under NALSA? Key functions of these bodies? ©
18. What are free legal services? Who are the eligible beneficiaries for free legal services
19. Discuss establishment and jurisdiction of family courts? It is mandatory for cities with what population? What is only court of appeal? Are legal practitioners allowed? ©
20. Discuss the establishment, composition, appointment, jurisdiction of Gram Nyaylayas? ©
21. Can state govt. curtail jurisdiction of gram Nyayalayas? It is equivalent to which court?
22. Where is Gram Nyayalaya housed? Court of appeal? Does it follow strict criminal procedures?
23. Discuss the establishment of Administrative tribunals? Are they constitutional bodies? Can state govt. establish SAT/JAT by LA’s law? (P-63.1) ©
24. Who has the authority to set up SAT/JAT? (Govt., president, parliament by law)
25. Are these arranged hierarchically? What is court of appeal? Can appeal be made directly in SC?
26. What type of tribunals can be established by state? Are these hierarchically arranged?
27. Discuss the appointment, jurisdiction of judges to CAT, SAT, JAT? ©
28. Does CAT jurisdiction extend to all union govt. officials?
29. Do these follow civil court procedures strictly? (No- but power of civil courts in inquiry etc. but follow natural justice principles)

Local self-government

1. What are the 3 key reasons that necessitate local self-government ©
2. Define local self-government©
3. What are CDP, NES launched by Nehru govt.? Why did they fail?
4. Discuss the year of formation, key recommendations of following committee: ©
   1. Balwantray Mehta Committee-
   2. Ashok Mehta Committee
   3. GVK Rao Committee
   4. LM Singhvi Committee<Tribunal is here>
   5. Thungoon and Gadgil Committee <SFC, SEC>
5. What are Nyaya Panchayat? Which is the only state that has it? Which committee recommended its formation?
6. Discuss the 4 phases of local government in India and reasons for the same?©
7. What are reasons for limited success of PRIs ©
8. Discuss how Ambedkar and Gandhi’s view shaped the local governance set up of India?
9. Which states and UTs do not have PRI [(Link)](http://yojana.gov.in/Recent_archive_english/January-14.pdf)<NaMeMi>

Rural self- government

1. What amendment act gave constitutional status to rural local self-government? What articles and part of Indian constitution talks about rural local self-government?
2. What is village for the level of government? [243A](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243.php?Title=Constitution%20of%20India,%201949&STitle=Definitions) As designated by governor
3. What is minimum population of state for intermediate level as per constitution [Art 243B](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243b.php?Title=Constitution%20of%20India,%201949&STitle=Constitution%20of%20Panchayats) 20Lakh
4. How many tiers of government was proposed by the act?
5. How are members and chairperson at each level proposed to be elected? ©
6. What non-elected members are part of panchayats? Which inclusions are left to state’s discretion?
7. Discuss the specification of the above non-elected members[(243C)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243c.php?Title=Constitution%20of%20India,%201949&STitle=Composition%20of%20Panchayats)
8. Do all the members (elected/non-elected) have right to vote in panchayat meetings? [(243C)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243c.php?Title=Constitution%20of%20India,%201949&STitle=Composition%20of%20Panchayats) - Yes
9. What is the provisions for reservation of women, SC/STs, OBCs among members and chairperson
10. What is the maximum time period for re-election to panchayats on dissolution? Does the newly elected panchayat continue for 5 years? In what case re-elections are not done
11. What is the only difference in qualification between MLA and member of panchayat? Can state put some extra conditions too?
12. How many state subjects can be delegated to panchayats for executions? Which schedule delineate this? Is it mandatory for state to devolve implementation of all subjects
13. What are functions and appointment etc. related laws for SFC and SEC? *< Refer table below>*
14. Where and when was first rural local govt. set up in India? P-38.1

Schedule areas

1. Which areas in India are exempted from PRI (i/c municipality) Act?JaCaT NaMeMi
2. How can an extension be made to these areas? What about UTs?
3. What are the key provisions of the PESA Act 1996 ©
4. What is President’s and governors powers in relation to 5th Schedule ©
5. What is the composition of Tribal Adivsory Council? ©What % seats are reserved for ST MLAs
6. Is TAC constitutional/statutory/non-statutory body?
7. Governor can issues regulation on which areas in consultation with TAC? ®
8. Which 4 states have schedule 6 areas? (MeMTAz)
9. How are tribal here are different from Schedule 5 areas? P-41.4
10. How are local government running in schedule 6 areas? Why are they more powerful?
11. What are governor’s powers with respect to 6th schedule area? ©
12. Who actually exercise governor’s powers wrt to Schedule 6 areas? [(Link)](https://www.gktoday.in/gk/sixth-schedule-and-the-autonomous-administrative-areas-in-north-east-india/)
13. Schedule 5 area provisions do not apply to which states? *(MAMTa)- Same as Schedule 6 areas*
14. Constitution provides for autonomous state for tribal people of which state? What are special provisions? What is process of creating such state?

*<In Assam, it can be created if both house of parl. approve it with special majority, such autonomous state will have powers related to law making, executive powers definition, allocation of tax proceeds from the region>*

1. How is SC/ST declared (By president in consultation with state, for UT no such consultation is required) Art 341/2

Urban local government

1. What amendment act gave constitutional status to urban local self-government? What articles and part of Indian constitution talks about urban local self-government
2. Where and when was first Municipal Corporation set up in India?
3. Which Viceroy is known as magna crata of local self-government of India?
4. Which schedule contains the subjects that can be devolved to local government? How many subjects does it contain?
5. Define an urban area
6. What are the 3 types of urban local bodies mentioned in the constitution? Define them? ©
7. Who has the authority to designate a particular area for urban local bodies? (governor)[243-Q(2)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243q.php?Title=Constitution%20of%20India,%201949&STitle=Constitution%20of%20Municipalities)
8. What is the organizational structure of the urban local body? Who is the administrative and executive head ©
9. How are members elected to urban local body? How is chairperson elected?
10. What other non-elected members can be part of ULB? (Experts (no voting rights), MLA, MLC, Ward committee chair as per state legislature law) [(243R)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243r.php?Title=Constitution%20of%20India,%201949&STitle=Composition%20of%20Municipalities)
11. What are ward committees? Min. population condition as per constitution? What is the provision for state govt. to decide by law? Who’ll be the chairperson? [(243S)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243s.php?Title=Constitution%20of%20India,%201949&STitle=Composition%20of%20Municipalities)
12. Reservation criteria? (Chairmen reservation as per state law) [(243T)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243t.php?Title=Constitution%20of%20India,%201949&STitle=Reservation%20of%20seats)
13. Define cantonment board, industrial council, port trust? Are all there members elected/ appointed?
14. Which ministry does cantonment board fall under?
15. Who designates a particular area industrial town?
16. What are the conditions on durations and bye-election? (Same as Panchayat) [(243U)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243u.php?Title=Constitution%20of%20India,%201949&STitle=Duration%20of%20Municipalities,%20etc.)
17. Qualification? >21 years, MLA qualification, not disqualified as per state govt. law. [(243V)](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243v.php?Title=Constitution%20of%20India,%201949&STitle=Disqualifications%20for%20membership)
18. Functions of District planning committee and metropolitan planning committee? How are they formed (by election/selection etc.)
19. Discuss provisions of DRDA? Is it a constitutional body? Under which ministry?
20. Functions and composition of central council of local government? When was it setup? Is it a constitutional body?
21. How is metropolitan area defined?– [Art 243P](https://www.advocatekhoj.com/library/bareacts/constitutionofindia/243p.php?Title=Constitution%20of%20India,%201949&STitle=Definitions)(>1Mn population in contiguous districts/ panchayats/ municipalities as specified by governor)

*Note-*

*Bye election difference with LS- Not required if remaining term is 6 months (ULB/Panchayat), 1 yr(LS)*

*Wrt to reservation; no specification has been done related to chairmen in ULB unlike rural panchayats?*

Electoral System

1. Define the following electoral systems? Mention pros and cons? Example countries ©
   * First pass the post system- MLA/MP (LS)
   * Proportional representation system –
   * List system -
   * 2-Ballot system-
   * Single transferrable vote system- MP (RS), VP, President, MLC (verified)
2. Enlist key constitutional provisions for elections to parliament and state legislature
3. On what grounds voter’s name in electoral role be not held ineligible? On what grounds voter can be made to not vote?
4. Which CAA reduced the voting age from 21 to 18 years?
5. U/A327 can parliament make laws for all elections ECI is empowered to supervise?
6. What is the total membership of Election Commission of India? What is constitutional provision related to this? What is the relevant act of parliament?
7. Provisions related to appointment/removal etc. of CEC/EC? <Refer to table below>
8. Decision are taken based on majority or consensus in ECI?
9. What are Regional Election Commissioner? Who appoints/removes them? Who should be consulted?
10. As per which law does Election commission issues executive orders?
11. Can EC make rules itself related to election conduct? Can that supplant the existing law?
12. Can president/governor also announce the election schedule? Who issues election notification?
13. What is the appropriate authority for deciding on disputes related to elections for: (check)

* President- SC
* Vice-President- SC
* Prime Minister-
* Speaker of Lok Sabha-
* Lok Sabha MPs- HC
* Rajya Sabha MPs- HC
* MLAs- HC
* Local Body Members- a body designated by state legislature

1. Whether the advice by ECI related on disqualification of MP binding on President or not?
2. Write all the salient features of the following election related acts © (break it in procedure, registration, disqualification, electoral funding, bye elections)

* RP Act 1950
* RP Act 1951
* RP Amendment Act 1988
* RP Amendment Act 1996-
* RP Amendment Act 2017- [(Link)](https://currentaffairs.gktoday.in/lok-sabha-passes-representation-people-amendment-bill-2017-proxy-voting-overseas-indians-08201859878.html)

1. Key recommendations of Dinesh Goswami Committee on electoral reforms? When was it formed
2. Which amendment of the constitution gave formal recognition to political parties? (52nd AA 1985- Anti-defection)
3. What are the conditions of being recognized as national and state party?
4. What are the benefits enjoyed by recognized political party vis-à-vis unrecognized party? ©
5. Key factors for criminalization of politics? 3 important SC cases related to this?
6. What is the key responsibility of Returning officer, Presiding officer, and Election observer?
7. Who all can be considered civil servants for presiding officer as per RPA 1951?
8. What are postal votes, proxy votes
9. What is right to recall? 3 pre-conditions for its usage ©
10. What is model of conduct? Does it have the legal status? When was it implemented for the first time?

Pressure groups (Chapter 73)©

1. What are pressure groups? Discuss its key types
2. What are various techniques adopted by pressure groups?
3. Give 2 examples of different type of pressure groups in India?
4. Discuss some positives and negative impact of pressures groups on Indian polity?

*• Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional Bodies*

Table on P-55.2 to be remembered

* 6 Ministry of Personnel- CBI, CVC, CIC, UPSC, SSC, CAT
* 4 Ministry of Home Affairs- Inter-state council, Zonal councils, NIA, NHRC
* 3 MoSJ&E- NCSC, NCBC, Central commissioner for Disabled persons, NSKC (safaikaramchari)
* 2 Ministry of minorities- Commissioner of Ling. minorities, National Commission for Minorities
* 1 Ministry of Tribal Affairs- NCST
* 1 Ministry of Finance- Finance commission
* 1 MoD- NER – North Eastern Councils
* 1 MoWCD- Central Social Welfare Board, National Commissions for Women, NCPCR

Detail article of constitution, composition, qualification, appointment, removal, tenure, functions, independence of following bodies©

|  |  |
| --- | --- |
| **Bodies** | **Appointment/Removal etc.** |
| CAG (Art 148) | * Appointed by president * Term for 6 yrs/65 yrs Not specified by constitution   + *As determined by president in consultation with him (condition of service)* * Removal as SC judge (Security of term) * Re-appointment- No (centre/state) * Status/Salary- As determined by parliament by law-   + Can’t be varied to his disadvantage   + Charged expenditure * Qualifications- Not specified by constitution * Oath- President (Sch 3) * Resignation- President |
| ECI (Art 324) | Chairman/Members:   * Appointed by president   + # of members also as fixed by president subject to law of parliament   + Recommendation of CEC- not binding on president (EC, REC) * Term for 6 yrs/65 yrs(not as per constitution)   + As determined by president subject to provisions of law of parliament) * Removal as SC judge (Chairman), President on recommendation of CEC (EC, REC) * Re-appointment- Can be re-appointed (not as per constitution) * Status/Salary- SC judge [(though not charged expense)](http://www.arthapedia.in/index.php?title=Charged_Expenditure)(not as per constitution)   + and salary not varied to their disadvantage (Chairman) * Qualifications- (not as per constitution) * Oath- (not as per constitution) President? * Resignation – President (not as per constitution) |
| Election Commission of State (Art 243K) | * Appointed by governor (Need to ascertain what all decided by governor/law) * Term as decided by governor * Removal as HC judge (Security of term) * Rest – As decided by state legislature |
| UPSC/JPSC/SPSC (Art 315) | Chairman/Members-   * Appointed by president (UPSC+ JPSC), governor (SPSC)   + # of members as per president (UPSC, JPSC) and governor (SPSC) * Term for 6 yrs/65 yrs (UPSC), 6 yrs/62 yrs (JPSC/SPSC) * Removal by president   + Insolvent, paid employment, unsound mind, misbehavior (as per SC)   + Suspension during SC is looking misbehavior matter can be done by governor also (SPSC) * Re-appointment-No employment under state/Union except   + UPSC chairman- No office (but governor not considered employment as SC)   + UPSC member- Only UPSC/SPSC chairman   + SPSC chairman- UPSC member/chairman   + SPSC member- UPSC chairman/member or any SPSC chairman * Service condition/Salary-As determined by president (UPSC, JPSC), governor (JPSC)   + Can’t be changed to his disadvantage   + Charged expense on CFI/CFS (i/c staff salaries) * Qualifications- 1/3rd members held office under GoI/state * Oath - (N/A) * Resignation- President (UPSC+JPSC), Governor (SPSC) |
| FC of India  (Art 280) | Chairman/ 4 Members: (what by president/parliament)   * Appointed by president every five year * Term 5 years or earlier as determined by president * Qualification (decided by parliament)-   + Chairman- Public affairs expert, M1- HC judge/qualified for HC judge, M2- govt. finance expert, M3- fin/admin expert, M4- economics expert) |
| FC of State  (Art 243I) | Chairman/ Members:(Members not fixed here)   * Appointed by governor every five year * Term 5 years * Qualification (decided by legislature)- |
| Attorney General of India (Art 76)/ | * Appointed by president * Term till president’s pleasure *(resigns with govt. as per convention)* * Removal by president * Re-appointment- He’s not a govt. servant (he gets a retainer) * Status/Salary-As determined by president;   + Salary- equal to SC judge Not specified by constitution   + Privileges- Same as MP, can participate in parliamentary proceedings * Qualifications- SC judge * Oath- President * Resignation- |
| Advocate General of State (Art 165) | * Appointed by governor * Termtill governor’s pleasure * Removal by governor * Re-appointment- He’s not a govt. servant (he gets a retainer) * Status/Salary-As determined by governor;   + Salary- Not specified by constitution   + Privileges- Same as MLA, can participate in parliamentary proceedings * Qualifications- HC judge * Oath- * Resignation- |
| National Commission for SC  (Art 338)  (what by president/parliament) | Chairperson, VP and 3 other members- Set up as commission by 65th AA 1990   * Appointed by president (under his warrant and seal) * Term as decided by president * Removal by president * Re-appointment- Not specified by constitution * Status/Salary-As determined by president * Qualifications-Not specified by constitution * Oath- Not specified by constitution * Resignation- Not specified by constitution |
| National Commission for ST  (Art 338A)  (what by president/parliament) | Chairperson, VP and 3 other members- Bifurcated from NCSC by 89th AA 2003   * Appointed by president (under his warrant and seal) * Term as decided by president * Removal by president * Re-appointment- Not specified by constitution * Status/Salary-As determined by president * Qualifications-Not specified by constitution * Oath- Not specified by constitution * Resignation- Not specified by constitution |
| Backward Classes commission  (Art 340) | Appointed by president consisting of members as he deems fit |
| Special Officer for Minorities  (Art 350B) | Appointed by president, rest details not specified by constitution |

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| --- | --- |
| **Bodies** | **Powers/functions** |
| SEC | Superintendence, direction and control of preparation of electoral rolls for, and conduct of, all elections to panchayats and municipalities |
| UPSC/SPSC/JPSC | Conduct examination to services of union and state  Matters related to appointment, transfer, promotions, and claims (pensions) disciplinary matters of Gr A and B posts only.  Unless president (AIS, other union services)/governor (state) says that such consultation is not required.  Annual report to president (UPSC), governor (SPSC, JPSC) who places it in front parliament/ resp. LA |
| FC of India | Distribution of net proceeds, grant-in-aid’s to state governments (i/c distribution among states)  Measures to directly augment CFS to supplement panchayat and municipality finances.  Recommendation are not mandatory to follow for GoI  Report to president who place it in front of parliament |
| FC of State | Distribution of net proceeds, grant-in-aid’s to local govts.  Also what taxes can be delegated to panchayats.  Recommendation on improving financial condition of panchayats  Report to governor who place in front of legislature |
| AGI | Advice to GoI on legal matters. Represent GoI in SC/HC, any other references made by president/law |
| AGS | Advice to state govt. on legal matters. Perform duties assigned to him by governor/law |
| National Commission for SC | Power of civil court in case of an investigation.  Functions- investigate and make recommendation for implementation of safeguards and planning  Inquire into specific complaints  Additionally responsible for OBC and Anglo-Indian rights  Annual report to president who places it before parliament or forward it to governor (if related to state) |
| National Commission for ST | Power of civil court (attendance, evidence on affidavit, requesting public records, issuing witness examination order) in case of an investigation.  Functions- investigate and make recommendation for better implementation of safeguards and planning. Additionally, look into PESA, minor forest produce, water resources, steps to remove shifting cultivation  Annual report to president who places it before parliament or forward it to governor (if related to state) |
| Backward Classes commission | investigate the conditions of socially and educationally backward classes within the territory of India  Make recommendation (i/c grants) for union & state to president who shall place it in front of parliament |
| Special Officer for linguistic minorities | Falls under jurisdiction of Ministry of minority affairs,  He investigates all matters and monitor implementation of safeguards provided to linguistic minorities.  He submits its report to president of India |

*• Statutory, regulatory and various quasi-judicial bodies*

Statutory

Detail act/order of establishment, composition, appointment and key functions of the following body? ©

|  |  |
| --- | --- |
| **Body/ Establishment** | **Appointment/Composition et al.** |
| Lokpal | Composition: Chairperson + 8 members 50% Judicial, 50% SC/ST/OBC, Women, minorities  Appointment- By president on reco of (PM, LOO LS, Speaker, CJI, eminent judge)   * Term- 5 years/70 years * Removal by president on grounds of misbehaviors as certified by SC * Re- appointment- Can’t be re-appointed to any office under Union (i/c UT administrator), Foreign diplomat, Any constitutional/statutory post appointed by President (i/c Lokpal Chair/member) * Status/Salary-of all employees is a Charged expense (Chairman ~CJI, members- ~SC judge), * Qualifications- Mentioned above |
| National Human Right Commission  (Protection of Human Rights Act 1993) | Composition: Chairman (Rtd. CJI/SC judge) + 5 members (M1- serving/ rtd. CJ of HC, M2- serving/ rtd. SC judge, M3/4/5- Human rights experts- 1 has to be women)  Ex-officio members- Chairman of National commission of (Minorities, SC, ST, Women, NCPCR, NCBC, CCPwD)   * Appointment- By President on reco of 6 member committee (PM, LS Speaker, Dy. Chairman RS, LOO in LS+RS, Union home minister (CJI to be consulted for appointing serving CJ-HC/SC judge) * Term- 3 years/70 years * Removal by president:   + Insolvent, paid employment, unsound mind, convicted, misbehavior/in capacitance (as per SC) * Re- appointment- Check (recent amendment removes 5 year limit for re-appomtment) * Status/Salary-Determined by union govt. but can’t be varied to their disadvantage * Qualifications- Mentioned above |
| State Human Right Commission  (Protection of Human Rights Act 1993) | Composition: Chairman (Rtd. CJ of HC/HC judge) + 2 members (M1-serving/rtd. judge HC or DJ >7 yrs exp., M2- knowledge experts   * Appointment- By governor on reco of 4/6 membered committee (CM, LA Speaker, LC Chair (if appl), LOO in LA and LC (if appl), State home minister (CJ HC to be consulted if sitting HC/DJ)) * Term- 3 years/70 years * Removal by president:   + Insolvent, paid employment, unsound mind, convicted, misbehavior/in capacitance(as per SC) * Re- appointment- Can’t be re-appointed to center/state posts * Status/Salary- Determined by state govt. but can’t be varied to their disadvantage * Qualifications- Mentioned above |
| CIC (SIC)-  RTI Act 2005 | Composition: CICr (SIC) and<10 ICr (# for state ICs varies across)   * Appointment- President (Governor) on recommendation of 3 member committee (PM (CM) , LOO in LS (LA), Cabinet minister nominated by PM (CM) * Tenure- ~~5 years and <65 years~~ As decided by union govt. * Removal- President (Governor)   + Insolvent, paid employment, unsound mind, convicted, misbehavior/in capacitance (as per SC) * Re-appointment – Members can’t be reappointed-   + ICr are eligible for CICr/State CICr (for State IC) max for 5 years (i/c their term as IC) * Salary/allowances- ~~Chief IC (CEC), ICr at CIC (EC), State CICr (EC), State ICr (State chief Secy)~~ *(Union gov)*   + can’t be varied to his disadvantage * Qualifications- Should not be MP/MLA, not hold office of profit, self-profession, and allegiance with political party. Additionally they should be well versed with governance. |
| CVC-  CVC Act 2003(not established by it though)  (Executive body based on Santhanam Committee 1964 recommendation) | Composition: Chief Vigilance Commissioner, not more than 2 Vigilance commissioner   * Appointment- President on recommendation of 3 member committee (PM, Union minister of Home Affairs, LOO in LS) * Tenure- 4 years and <65 years * Removal- President   + Insolvent, paid employment, unsound mind, convicted, misbehavior/in capacitance (as per SC) * Re- appointment- not eligible for re-appointment under state/central govt. * Salary/allowances- Chief VCr (UPSC chairman), VCr (UPSC member)- can’t be varied to his disadvantage * Qualifications- |
| CBI-  Sanathanan Committee 1962-64– by MHA (now under MoPT) | Composition: Headed by director, supported by a special/additional director and multiple Jt. Directors   * Appointment-Director- Appointed by central govt. on recommendation of 3 membered committee (PM (chairperson), LOO LS (in case no LOO, then leader of single largest party), CJI (his nominee SC judge) * Tenure- Director 2 years tenure protection, rank of IPS and equivalent to DGP   Powers from Delhi Spl. Police Est. Act 1946-Not a statutory body though |

|  |  |
| --- | --- |
| **Body/ Establishment** | **Functions/Powers** |
| **Lokpal (Lokpal and Lokayukt act 2013)** | Wide jurisdiction including   * PM (but 2/3 approval, can't incase of internal/external security, foreign relations, public order, space, atomic energy), * All union A, B, C, D officers, MP, Union ministers * autonomous bodies funded by govt., * FCRA>10L * Have extra- territorial powers too! * Can take up cases that link to PCA 2018   **Other features**  2 wings- Inquiry and prosecution  Time limits of 60 days in case of inquiry and Special courts for quick actions  Powers wrt to CBI- Superintendence and direction over any agency (i/c CBI) for cases referred to them by Lokpal i/c transfer of investigating officers  Attachment of property- for properties acquired via corrupt means even while prosecution is pending  Complaint: Citizen can do directly but also has provision for prosecution/ punishment for frivolous complaints  **Key non-inclusions (drawbacks)-**  Suo-moto enquiry, anonymous enquiries, event >7 yrs old, whistleblower protection, All states do not have Lokayuts and states can even establish weaker organizations.  Maharashtra first to establish Lokayukta in 1971 by state govt. act |
| **National (state) Human Right Commission** | Functions- HiJaC of GUC  Inquire **HR violation (suo-moto, court order, petition),** review safeguards,  **visit jail s**and detention places for living conditions inspections **(NHRC can w/o state govt. intimation)**  **Intervene in proceeding before court involving HR violation**  May **approach SC/ concerned HC directly** for necessary orders, writs and Submits its **report to respective govt**. (which are placed before respective legislatures).  **Central govt can notify UN conventions to NHRC** (eg. Int, Covenant on civil-political right, Eco, Soc. Cultural rights  Recommend govt. for such **compensation or initiation of prosecution**  Limitations-  While it has the **power of civil court for inquiry** but it itself **can’t issue orders**  Can **enquire only up to 1 year** of such violation; **limited powers wrt to Armed forces** (can only as report from govt.)  The reports it presents to govts. **are non- binding** on the respective govt.  There are **district level courts** also under the act which can be **setup by state govt.** on concurrence with CJ of HC |
| **CIC (SIC)** | Inquire into **complaint/suo-moto for non-disclosure of info by public authorities**   * No PIO, info refused, not provided in specified time, incomplete info).   While inquiring **CIC/SIC has powers of a civil court**.  CIC/SIC **has power to secure compliance** of its decision (i.e it can issue orders, impose penalties)  Submits **annual report to central (state) government** |
| **CVC** | CVC comprise of a **Chief Technical Examiner Wing and Departmental Inquiry Wing.**  3 types of inquiry- Under PCA 1998, Lokpal referred, Complaint under PIDPI   * Inquires under **Prevention of Corruption Act 1988:** AIS serving in union, Group A officers, union govt. referred union employees * Inquire into **complaints of corruption/ misuse of public office** under Public Interest Disclosure and Protection of Informers’ (PIDPI)/ **Whistle blower resolution.** Only designated agency to take action**s against motivated complainants** * **Lokpal can refer preliminary inquiry** for Group A-D officers   3 types of Appointments   * Director of **Prosecution (CBI)** - appointed by central govt. on recommendation of CV commission * Director of Enforcement (**ED,** DoR, FM)- CVC/ 2 VC with Secy. of DoPT, DoR (FM) * **Officers in CBI** (above SP level except Director CBI)- CVC, Secy Home Affairs, DoPT   3 Other vigilance powers   * Central govt. to consult CVC while making **rules related to vigilance of central services/AIS** * Superintendence, directions, review progress of **CBI investigation related to the PCA 1988** * **CVO officers in ministries/departments** link b/w his organization and CVC/CBI   Limitations   * While it has the **power of civil court for inquiry** but it itself **can’t issue orders itself** * Its recommendations to govt. are **not binding on govt.**   Annual **report to president** who then presents it to legislature |
| **CBI** | CBI **is multi-disciplinary investigation agency**   * Anti-corruption activities by employees of union, UTs and PSUs * Other criminal cases like murder, kidnapping on reference by state govt., SC/HC * Infringement of fiscal and economic laws in consultation/request of concerned department   Acts as **National Central Bureau of Interpol** in India- Coordinates investigation request of Indian law enforcement agencies and Interpol member countries.  SC invalidated special sanction of central govt. for **investigation of JS or above officers**.  CBI academy in Ghaziabad |

Non-statutory bodies

Detail act/order of establishment, composition, appointment and key functions of the following body?

* NITI Aayog
  + Chair- PM
  + Vice Chair- Rank of Cabinet Minister- Appointed by PM
  + Full time member- Rank of state ministers
  + CEO- Secy of GoI rank- Appointed by PM
  + 4 ex-officio members- Appointed by PM from union cabinet
  + 2 part-time members from universities, research org. etc.
  + Governing council- PM+CM+Lt. Governor of UTs w/o legislature (special invitees allowed)
* National Commission for Minorities
* National Commission for women

Regulatory and Quasi-judicial bodies

1. What are regulatory bodies? Discuss the need that necessitates their development
2. What are issues with regulatory bodies in India? What are suggestion by ARC?
3. Debate the advantages/disadvantages of unified regulatory bodies in India?
4. What are quasi-judicial bodies? Discuss key advantages and challenges faced by these bodies?

*• Role of civil services in a democracy.*

1. Write about constitution provisions related to public services (Art 309, 310, 311, 312)
2. Define bureaucracy and civil services
3. Who is called father of All India Services
4. Define the 3 broad categories of civil services
5. Features/Characteristics of civil services
6. Write about change in civil services post and before 1967
7. Give historical context of AIS from British era? Mention the 6 AIS from British era.
8. Benefits of All India services
9. Criticism and suggested reforms with respect to All India Services
10. Define civil servant activism? Mention 3 key points related to the same?
11. Key points of bureaucracy v/s democracy debate
12. 4 Models of bureaucracy to strengthen democracy

Miscellaneous

Oaths

|  |  |  |  |
| --- | --- | --- | --- |
| **Post** | **Place in Constitution** | **Administrator** | **Content** |
| President/ Governor | Article 60 (159) | CJI/ CJ HC | 1. Faithfully execute office  2. Protect and defend the constitution and law  3. Devote to well-being of people of India (state- in case of governor) |
| Vice President | Art 69 | President | 1. Faithfully, best of my ability discharge duty  2. Faith and allegiance to constitution |
| Union/ State Minister | Schedule 3 | President/ governor | Oath to office  1. Faithfully and conscientiously discharge my duties  2. Faith and allegiance to constitution  2. Uphold the sovereignty and integrity of India  4. Do right to all people without ill-will/affection, favor/fear  Oath to secrecy |
| Candidate for election of MP/MLA/MLC | Schedule 3 | EC | 1. Faith and allegiance to constitution  2. Uphold the sovereignty and integrity of India |
| MP/MLA | Schedule 3 | President/ Governor | 1. Faithfully discharge duty  2. Faith and allegiance to constitution  3. Uphold the sovereignty and integrity of India |
| SC/HC/AGI/CAG | Schedule 3 | President (SC/AGI/CAG)  Governor (HC) | 1. Faithfully,…. Perform my duty without ill-will…  2. Faith and allegiance to constitution  3. Uphold the sovereignty and integrity of India  4. Uphold the Constitution and the laws |

1. What’s a private member bill? (any non-minister bill)
2. Which COM advice president between 2 elections?
3. Which part of Indian constitution gave provisional for transitional powers? (Part 21)
4. Which is the only state with just 1 constituency? Mizoram, Nagaland, Sikkim
5. When was VVPAT introduced? 2014 in 7 constituencies as pilot, first demonstration in NY.
6. First state that issued MCC and year for MCC for loksabha elections? [Link](https://www.prsindia.org/theprsblog/model-code-conduct-and-2019-general-elections)
7. Nominated candidates are actually CoM/in his own discretion?
8. National Literacy mission (key objectives, date of foundation). Which DPSP is it related to?

<https://en.wikipedia.org/wiki/Indian_order_of_precedence>

* President
* Vice-President
* PM
* Governor (within respective states)
* Former Presidents
* CJI/Speaker
* Cabinet Ministers/ Chief ministers in respective states/ Former PMs/ LOO (RS+LS)
* Bharat Ratna holders
* CM/Governor (outside their states)
* SC judges
* UPSC chair/CEC/CAG

Civil services board headed by Cabinet secretary makes appointment to officers lower than JS to GoI. Officers above this rank are appointed directly by CCoA by PM.