

16/01/2021

Part - A

1(A) Cooperative Federalism

• States cooperate with the centre in the planning and implementation of various government schemes.

• NITI Aayog works on this principle.

1(B) Senate :- It is the upper house of the American Congress.

• Functions similar to that of the Rajya Sabha.

1(C) Art. 275 :- It talks about the grants-in-aid to be given by the Union Government to the States.

1(D) Mandamus :- 1) It means 'we command'.

2) It is a writ against public to body or public servant to perform his duties which he has refused to perform.

1(E) Doutrine of Eclipse :- It states that any law which is in violation of the fundamental rights shall cease to operate. It will be declared 'null and void'.

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1(F) Vote of Credit :- It is like a blank cheque to the executive by the Parliament.

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Es being granted to meet the unforeseen expenditure.

1(G) Leader of opposition in the Lok Sabha :-

- He is elected from that opposition party which has highest number of seats in the Lok Sabha i.e.  $> 10\%$  of total seats.
- Has status of cabinet minister.

1(H) C.A.T. :- 1) Mentioned in Art. 323A.

- 2) Its headquarters are at Delhi
- 3) Matters relating to service ~~by~~ recruitment appointment etc.

1(I) 97th CAA :- 1) gives constitutional status to the cooperative societies

- 2) Passed in year 2011.

1(J) Section 14-A :- It states that no action will be taken by the government on ~~such~~ such actions which were performed with good intentions.

1(K) State Human Rights Commission :-

- 1) Consists of a chairman and two members.
- 2) Watchdog of human rights at the state level.

3) Term of members is 70 years of age or 3 years whichever is earlier.

2(L) Art. 335 :- It talks about the claims of the Scheduled Castes and Scheduled Tribes in services and posts.

2(M) Voter ID :- 1) It is a unique alpha-numeric code provided to every voter of the country.

2) Known as 'EPIC' card.

2(N) Non-government Organisation :-

1) These are the private social welfare bodies that operate with the help of private individuals.

2) E.g. - SEWA, GRY, UDAAN, etc.

2(O) Advocate General :- Article

1) He is the highest law officer of the state.

2) Holds office till the pleasure of the governor.

3) Resigns if the government changes.

## 1(A) → Financial Emergency

→ The detailed provisions regarding the financial emergency have been stated in the Article 360 in the Constitution of India.

→ This emergency will be operative only if there exists a danger to the financial position of India.

→ Any such resolution must be approved within 2 months of the date of issue.

→ In case of the financial emergency, the Central government is empowered to stop the passage of money bills of the state governments and reduction in the salaries of the employees even the salary of President of India can be reduced.

→ No financial emergency has been imposed so far.

2(B) CAG is one of the bulwarks of the Constitution of India. He is generally ~~one of~~ the head of the Indian Audit and Accounts Department.

Certain safeguards available to the CAG are as follows:

• He is provided with a security of tenure, his tenure is fixed i.e. 6 years or 65 years of age, whichever is earlier.

(W) • His term of conditions of service, pension, facilities etc. cannot be varied by the Central Government after his appointment.

• He can be removed in the same way as the judge of the Supreme Court.

• His salary is paid off from the Consolidated Fund of India.

2. (E) The Government of India Act of 1935 forms a 'bedrock' of our present Constitutions.

1. Major provisions :-

→ It abolished the system of ~~pro~~ dyarchy in provinces.

→ It granted autonomy to the provinces.

→ It laid the foundation of the Indian federal system.

- It provided for the establishment of Federal Court, i.e. the Supreme Court.
- It introduced the diarchy at the centre and consequently the federal subjects were divided into transferred and reserved subjects.
- (W) → It introduced separate electorates for the depressed classes, women and labour.
- It further expanded the voting rights ~~to the~~ in the country.

2. (1) Speaker of the Lok Sabha has an important role to be played in the functioning of the house.

~~Speaker~~

The post of the speaker of the Lok Sabha is a constitutional post and he is elected invariably by the members of the Lok Sabha from amongst themselves.

Normally, he has to perform the following functions:-

- He maintains the decorum in the Lok Sabha.
- He functions as the chairperson of the Business Advisory Committee.

• He ensures that all the members of the house get a fair chance to put forward their views in the house on any subject.

• He certifies the bill as the money bill.

• It is he who has the power to admit or reject any resolution.

In this way, the Speaker of the Lok Sabha has an important role to play in its functioning.

2(K) The doctrine of the basic structure of the Constitution evolved in the Kesavananda Bharati v/s the State of Kerala case of 1973.

According to this doctrine, the Parliament has the power to amend any part of the Constitution including the Preamble of the ~~Country~~ Constitution. But in this process it must be remembered by the Parliament that the basic structure of the Constitution remains unchanged.

Some of the important elements of the basic structure are:-

- Free and fair elections
- Posts of President and Vice-President
- Fundamental rights
- Directive principles of state policy
- The preamble
- Independence of judiciary

Hence, the doctrine of basic structure limits the amending power of Parliament.

2(F) It is true that the Parliament has been provided the exclusive powers of the amendment to the Constitution. In other words, it can be understood that the Parliament has been empowered to make changes in the Constitution as and when necessary.

However, a major limitation has been imposed on the amending power of the Parliament by giving the power of judicial review to the Supreme Court.

Under the provisions of Art. 137, the Supreme Court can declare any legislation as unconstitutional, null and void etc., if it is found to be ultra-vires of the provisions of the Constitution and disturb the basic structure of Constitution.



1 (a) The Constitution of India is unique in many respects ~~with~~ as compared to the other constitutions of the world.

One of the such unique features is the presence of the elements of integration in the Constitution.

### Elements of Integration:-

1) Single Citizenship:- Unlike that of system of dual citizenship of U.S.A., the Constitution of India guarantees to every citizen of India a single citizenship of the country.

2) Integrated judiciary:- In India, we have a single unified judicial system in which the apex position is occupied by the Supreme Court, next lower level by high court and the lowest level by the subordinate courts.

3) India is a Union of States in spite of being a federation.

4) The federal system has a strong bias towards the Central Government.

2 (ii) 'Media' has been termed as the fourth pillar of democracy because of the

significant role played by it in the smooth functioning of the democracy.

### Major Challenges :-

→ The ruling parties always ~~try~~ to exert undue influence on the functioning of media within their territory.

→ Often the media personnel get biased towards the political parties, in order to earn publicity and get political patronage.

(W) → Media personnel may get life threats from the terrorist organisations and other such elements.

→ The issue of maintaining transparency is the biggest challenge in front of media.

2(H) Paramilitary forces, though considered to the armed forces, play an important role in maintaining the internal security of the country.

Role played by the paramilitary forces is as follows :-

→ Central Reserve Police Force i.e., C.R.P.F. is presently combating the naxalites.

→ Border Security Force is presently tackling the ~~cat~~ inter-border trade of drugs.

→ Sashastra Seema Bal checks insurgency in the Terai region and the border adjoining Nepal.

→ C.R.P.F. is generally employed in the riot-control activities.

→ Indian Coast Guard secures the maritime borders as well as the illicit trade through maritime routes.

2(c) Citizen's Charter :- It is a detailed document which is to be prepared and maintained by every department of government in order to :-

- maintain transparency in providing the government services.

- ~~the~~ define time and cost of each service.

- increasing efficiency in delivering services to the customers.

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Measures to improve the Citizens Charter:-

- Citizen Charters must be made mandatory for every government department.
- They should be regularly updated by the concerned department.
- Each employee of the department must be made to work on the principles enumerated in the citizens charter.

3(A) Parliamentary Form

Presidential Form

a) The presence of two heads of the government - viz. the real and the nominal. Usually, the President is the ~~real~~ nominal head while prime minister is the real head.

a) There is only head in such type of government and that is the president.

b) The ministers must be a member of either house of the legislature.

b) The ministers are not a part of the legislature and are generally selected by the President himself.

c) Ministers are collectively

c) ~~are~~ No collective

responsible to  
~~the~~ ~~Legislature~~ or the  
the legislature.

responsibility of the  
ministers ~~of~~ the ~~Legislature~~  
the legislature.

d) Ministers are not  
generally specialised  
in the department  
of which they are  
the ministers.

d) They are experts  
of their particular  
field, of which  
they are appointed  
as the minister.

e) Portfolios have  
their names like  
Ministry of  
Defence, Ministry  
of Foreign affairs

e) Portfolios have  
their names like  
Dept. of State,  
Dept. of Defence.

f) This form of  
government is  
generally unstable  
as its survival  
solely depends  
on the majority in  
the legislature.

f) This form of  
government is  
quite stable.

g) There occurs  
discontinuation or  
abandonment of  
the policies of  
the previous  
governments by the  
newly elected.

g) The policies are not  
generally discontinued.

government.

h) It works under the leadership of the prime minister.

b) It works under the leadership of the President.

i) This form of government has a wider representation - on.

i) In this form of government, the representation of people is somewhat narrower.

j) This form of government is prevalent in U.K., India, Japan etc.

j) This form of government is prevalent in USA, Sri Lanka etc.

In this way, it can be concluded that both the forms of governments possess certain demerits as well as merits.

3(B) The Election Commission of India is a constitutional body and the detailed descriptions of its functions and its ~~const~~ composition are mentioned in Art. 324 in Part XV of the Constitution.

It must be noted here that the Election Commission of India is a multi-member body. It consists of a Chief Election Commissioner and two other election commissioners.

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→ To conduct the elections to State legislative assembly, Lok Sabha, President and Vice-President.

In this way, the Election Commission of India plays a very important role in the election related matters in the entire country.

3(c) The Directive Principles of the State Policy have been borrowed from the Constitution of Ireland and have been added in the Part IV of the Constitution of India.

These directives are the positive obligation of the state i.e. they act as a directions & so as to secure the welfare of the people.

D.P.S.P. are enumerated in Part IV of the Constitution - 107 from articles 36-51.

They are as follows :-

Socialistic Principles:-

- a) State to ~~secure~~ secure a social order i.e. Art. 38
- b) Equal justice and free legal aid to the poor (39A)
- c) Securing right of adequate means of livelihood for all citizens (39)



PAGE NO. \_\_\_\_\_

d) Equal conditions of work and maternity relief (42)

e) Participation of workers in the management of industries (43A)

f) States to strive for improving the public health (47)

Gandhian Principles :-

a) Organisation of village panchayats (40)

b) ~~the~~ protection of interests of SC, ST and other weaker sections (46)

c) preventing the slaughter of cows (48)

d) promotion of cottage industries (43)

e) prohibition on the consumption of liquor (47)

Liberal principles :-

a) Maintaining international peace and security (51)

b) Protection of monuments of national importance (49)

c) Separation of judiciary from executive (50)

Characteristics of D.P.S.P. :-

- In case of conflict between Fundamental Rights and D.P.S.P., the former will prevail.
- They are non-enforceable by the courts.
- They act as directives to the government in order to secure the well-being of the people.
- The directives can be implemented through a suitable legislation by the Parliament. E.g. → The Right to Education Act provided the legal backing to the Article 45 of the Constitution.
- They embody the concept of 'Welfare State'.

10