
Historical Background of Indian Constitution

- The Cabinet Mission Plan came India in --- 1946.
- The Cabinet Mission consists of three members, they were - Peathick Lawrence, StafordCrups, A.V.Alexander.
- Lord Peathick Lawrence was the chairman of the Cabinet Mission.
- Indian Constitution mainly prepared by Constituent Assembly.
- The Constituent Assembly was setup in 6th Oct, 1946.
- The Constituent Assembly consists of Constitutional expert and representative of the Indian people.
- Total member of Constituent Assembly was 389 of which 93 members elected from the Princely State and 4 members elected from British Province.
- The first meeting of the constituent Assembly was held on 9th Dec, 1946 in Delhi.
- SachidanandaSinha was the first chairman of the Constituent Assembly.
- Dr. Rajendra Prasad was the permanent elected president of the Constituent Assembly from 11th Dec, 1946. H.C.Mukharjee was the Deputy chairman of the Constituent Assembly from 11th Dec, 1946.
- About 22 committee was formed by the Constituent Assembly for the New Constitution.
- Drafting Committee is the most important Committee of the Constituent Assembly.
- The Drafting Committee was the set up in 29 Aug, 1947.
- The Drafting Committee consists of 7 members --- AhalladiTrishnaswamiyire, N.Golaswamilyenger, Dr.B.R.Ambedkar, N.MadhabRao, SaiyyedMd.Shahdulla, D.P.Khaitan and K.N.Mumshi.
- B.R.Ambedkar was the chairman of the Drafting Committee.
- Shahdulla was the only Muslim member of the Drafting Committee.
- B.R.Ambedkar was the father of Indian Constitution.
- Indian Constitution was adopted by the Constituent Assembly from the Drafting Committee on the 26th Nov, 1949.
- Indian Constitution came into force on 26th Jan, 1950.
- 11th session was held by the Constituent Assembly.
- First meeting was held by the Constituent Assembly on 9th Dec, 1946.
- Second meeting was held by the Constituent Assembly on 17th Oct, 1949.
- Third Meeting was held by the Constituent Assembly on 14th Nov, 1949.
- Total time was taken 2 years 11 month 18 days and approximate expenditure was 64 lakh.

Important Features of the Indian Constitution

- Indian Constitution is the largest written Constitution in The World.
- Indian Constitution consists of some parts, articles and schedule.

-
- Originally the Constitution provided for Part-22, Article-395 and schedule -8.
 - It has been amended 103 times.
 - At Present Part-25, Article-465, Schedule-12.
 - It has fundamental rights and fundamental duties.
 - Parliamentary Govt., Cabinet system, citizenship etc.
 - Total number of ZillaParishad in West Bengal --- 23.
 - Vasco-da-Gama discovered the sea-root between Europe and India --- 1498.
 - The East India Company was set up in --- 1600.
 - The French East India company was set up in --- 1664.
 - The first municipality was set up in --- 1688, Madras.
 - The Indian Regulation Act was come into existence in --- 1775.
 - The separation of the Judiciary from Administration was introduced for the first time in --- 1774.
 - The Vernacular Press Act was passed in the year --- 1878.
 - The first commission was set up by the East India Company in --- 1778.
 - The Indian National Union was set up in --- 1854.
 - The charter Act which proposed for the English Education --- 1861.
 - The system of Budget was introduced in --- 1860.
 - First censors in India was conducted during Lord Mayo's in --- 1872.
 - First Regular Censor was conducted during the period of --- Lord Ripon in 1881.
 - Lord Ripon was the father of Local Self Govt. in India --- 1882.
 - Indian Arms Act was passed by Lord Lytton in --- 1878.
 - Anglo-Oriental Mohammedan College was set up in --- 1875.
 - The Discrimination Policy was abolished in --- 1858.
 - The East India Company was abolished by the Act of Queen Victoria Proclamation --- 1858.
 - Morle-Minto Reforms came into existence in --- 1909.
 - The Peel Committee was set up in --- 1916.
 - MonteguChemsford Report came into existence in --- 1919.
 - Diarchy system in the province was introduced in --- 1919.
 - Akali Dal was set up in --- 1921 by Master Tara Singh.
 - RSS/RashtraSayangShebakSangha was set up in --- 1925 by K.B.Hegdewade.
 - The Constituent Assembly was set in --- 6th Oct, 1946.

- The provincial Autonomy was created by the Govt. of India Act --- 1935.
- The Govt. of India Act 1935 came into force in --- 1937.
- Indian independence Act passed in --- 1947.
- Mountbatten Plan also known as --- June 3rd Plan.
- Separate Constituent Assembly for Pakistan was set up as a result of June 3rd Plan 1947.
- The Neheru Report 1928 granted nearly 20 Fundamental Rights.
- The Central list of 1919 contained --- 47 items.
- At present total subject of Union list --- 99 items.
- The Provincial List of 1990 contained --- 50 items . At present total subject of State list --- 61.
- At present total list of Con-current list --- 52.
- The Central list and Provincial list was created by the Act of --- 1919.
- The first meeting of the Constituent Assembly held on – 9th Dec, 1946.
- The first meeting of the Parliamentary held on --- 13th May, 1952.
- The Chairman of the linguistic Commission was --- Justice Fazal Act.
- The first chairman of the Planning Commission --- Jawaharlal Neheru.
- The first chairman of the Finance Commission of India --- K.C.Niyogi.

Borrowed Concepts of the Constitution

- U.K.
 - Parliamentary System.
 - Cabinet System.
 - Bicameral System.
 - Citizenship.
 - Post of Prime Minister.
 - CAG.
 - Attorney General of India.
 - Advocate General of State.
 - Writs of Constitution.
 - Equality before Law.
 - Rule of Law.
- USA
 - The Preamble of Constitution .

- The Fundamental Rights.
- Equality Protection of the Law.
- Impeachment Produced of the judges of Supreme and High Court.
- Post of Vice President.
- Concept of Supreme and High Court.
- Independence of Judiciary.
- Judicial Review.
- Judicial Activism.
- USSR
 - Planning System.(5th planning system)
 - The Fundamental Duties.
 - Term- Justice of the Preamble.
- France
 - Term- Equality, Liberty, Fraternity.
 - The Republic.
- Japan
 - Procedure established by Law.
- Ireland
 - Directive Principal of the State Policy.
 - Election Procedure of the President.
- Canada
 - A Federal Structure.
 - Central State Relation.
 - Distribution of power between the central and State according to list.
 - Freedom of Trade and Commerce.
- Australia
 - Con-current list.
- South Africa
 - Amendment Procedure of the Constitution.
 - Election System of the members of Rajya Shaba.

The Preamble of the Constitution

- Preamble --- Preamble is the Introductory Part of the Constitution. It is the key to the Constitution. It is the Philosophy of the Constitution. Preamble is the heart and soul of the Constitution. ___by B.R.Ambedkar.
- The concept of Preamble has been borrowed from U.S.A.
- The Preamble indicates aims and objects of the Constitution.
- The preamble indicates India a Sovereign, socialist, secular, democratic and republic country and admit that justice, Liberty, Equality, Fraternity, Integrity.
- The language concept of the Preamble has been borrowed from French Constitution --- Liberty, Equality, Fraternity and Republic.
- The Term Justice borrowed from USSR.
- The Preamble has been amended only One times by 42nd Amended Act in 1976.
- Three words added in the Preamble by 42nd Amended Act namely --- 1. Socialist 2. Secular 3. Integrity.
- Originally it was India is a sovereign Democratic, Republic count and admit the word Liberty, Fraternity.
- Sovereign denotes --- absolute power of the country, it application to internal and external matter of the country.
- Socialist denotes all production and distribution shall be controlled by the Govt. and people can participate in the politics.
- Secular denotes – there is no particular religion in India according to the Constitution.
- Democratic denotes --- the Govt. shall be elected by the people. The people are the source of all power of the Govt.
- Republic denotes --- highest executive authority(president) shall be elected by the people directly or indirectly. There is no facility of heredity.
- Justice denotes --- social, economic and Political.
- Liberty denotes --- thought, speech, expression, faith, worship etc.
- Equality denotes --- Equality before the law and equality of states opportunity.
- Fraternity denotes --- assurance of the dignity in the individual.
- Integrity denotes --- Unity and Integrity in the Nation.
- The preamble is not a part of the Constitution according to KushabanandaBharati case in 1973.
- The objective resolution of the Preamble was prepared by Jawaharlal Neheru.
- The Constitution of India was adopted by the people of India on 26th Nov. 1949 by the ascent of the president of India.
- Comment
- K.M.Munshi -> The preamble is the Horoscope of our sovereign, democratic, republic.
- Sir Earnet Barker -> Preamble is a key to the Constitution.
- Thakur Das Vargar -> Preamble is the soul of the Constitution.

➤ M.V.Pyle -> Preamble is the paradise of the lawyers.

Part of the Constitution

- New part of the onstitution:
- Part IV-A, Art- 51A --- The fundamental Duties by the 42nd Amendment Act 1976.
- Part IX-A, Art- 243P-243Z--- by 74th Amendment Act.
- Part XIV-A, Art- 323A-323B --- CAT /SAT by 42nd Amendment Act 1976.
- 42nd Amendment Act of 1976 is known as a MiniConstitution.
- Part VII --- The Princely State was abolished by 7th Amendment, 1956.

List of Schedule

- At Present total number of Schedule – 12.
- 1st Schedule --- 28th State and 7 Union Territory.
- 2nd Schedule --- salary and allowances of President, Vic-president, governor, Prime Minister, Council of Minister, Chief Minister, judges of supreme Court and High Court, member of election commission, member of UPSC, Attorney General of India, CAG etc.
- 3rd Schedule --- Oath and affirmation of Pm, Council of Minister, Chief Minister, President, Vice President, Governor etc.
- 4th Schedule --- Distribution of state of RajyaShabha between the state and Union territories.
- 5th Schedule --- Special Provision for SC,ST and other minorities Community(OBC).
- 6th Schedule --- Tribal area in Nagaland, Manipur, Mizoram etc.
- 7th Schedule --- Distribution of power between the central and state according to Union list, State list and Con-current list.
- 8th Schedule --- 22 languages of the Constitution.
- 9th Schedule --- Abolition of the Zamindari system by the 1st Amendment Act in 1951.
- 10th Schedule --- Disqualification of the memberof Parliament and State legislature (anti Defetion Law) by 52nd Amendment Act 1985.
- 11th Schedule --- Composition qualification, terms of offices reservation and function of the Gram Panchayet by 73rd Amendment Act 1992.
- 12th Schedule --- Composition qualification of Municipality by 74th Amendment Act 1992.

The Citizenship of India

- Part – II, Art – 5-11

The concept of citizenship has been borrowed from U.K.

The type of Indian citizenship is Single Citizenship.

Dual citizenship means citizenship at a time the union and the states of the country. It is available in USA and Switzerland.

Double citizenship means citizenship at a time of two sovereign country. Exam- AmartyaSen, Bill Clinton, Amitabh Bachchan, Mother Teresa.

- Art 5 -- Citizenship at the commencement of the constitution.
- Art 6 -- Right of Citizenship of certain person who have migrated to India from Pakistan.
- Art 7 -- Right of Citizenship of certain person who have migrated to Pakistan from India.
- Art 8 -- Right of Citizenship of certain person of Indian origin residing outside India.
- Art 9 -- Person voluntarily acquiring citizenship of a Foreign State not be citizenship.
- Art 10 -- Continue of the Right of Citizenship.
- Art 11 -- The Parliament to regulate the Right of Citizenship by Law.

Fundamental Rights

- Part – III, Art 12-35
- Concept taken from USA.
- In the original Constitution there are 7 Fundamental rights.
- At present -- 6 Fundamental rights.
 - 1) Right to equality.
 - 2) Right to freedom.
 - 3) Right to exploitation.
 - 4) Right to religion.
 - 5) Right to Cultural and educational rights.
 - 6) Right to constitutional remedies.
- Right to property has been eliminated by 44th Amendment Act, 1978 and it became a legal right under Art-300A.
- Fundamental Right are justiciable Rights .We can go the Supreme Court under Art-32 and to the High Court under Art- 226 for the enforcement of the Fundamental Rights.
- Under Art- 359 the Fundamental Right can be suspended by the President during national Emergency (Except Art-20 & 21) and this two Articles can be enjoyed by the Foreigner also.
- The Fundamental Rights can be Amendment by the parliament itself by law.
- Fundamental Rights are mainly political rights.
- Art- 12 -- Definition.

-
- Art- 14-18 --- Right to equality.
 - Art- 14 --- "Equality before law" and "Equal protection of laws".
 - Equality before law --- Concept taken form UK.
 - All individuals are equally subjected to the ordinary law of the land.
 - Equality Protection of laws --- Concept taken from USA.
 - The laws made by the State should provide equal to all citizens without any distinction.
 - Art- 15 --- prohibition of social discrimination on the grounds of religion, race, caste, sex or place of birth.
 - Art- 16 --- Equality of opportunity in matter of Public employment.
 - Art-17 --- Abolition of Untouchibility and prohibition of its practice.
 - Art-18 --- Abolition of titles excepts military and academic (Maharaja, Raja, Rai-Bahadur, Raja-bahadur but Bharat Ratna, Padmashree, Padmabhusan etc. are not title, these are national award instituted by Congress Govt. in 1954. They are Non-violative of the art 18)
 - Art- 19-22 --- Right to Freedom
 - Art- 19 --- Protection of 6 rights in respect of 1st Freedom speech and expression. To assembly peacefully and without arms, to from associations, to move freely throughout, to reside any part of the country, to practice any profession or occupation with in the territory of India.
 - Art-20 --- Protection against Double Jeopardy.
 - Art-21 --- Protection of life and personal liberty.
 - Art-21A --- Right to elementary education for all children between the age of 6-14 years. (Added by 86th Amendment Act, 2002)
 - Art-22 --- protection against arrest and detention. Every arrested person shall be informed on the ground for such arrest and shall be entitled to consult a lawyer of his own choice and shall be produced within 24 hrs. to the nearest Magistrate. This Article shall not be implemented to the person who has been arrest under the Preventive Detention Act.
 - Preventive Detention Act was passed in 1950.
 - It expired in 1969.
 - MISA(Maintenance of Internal Security Act) passed in 1971 and expired in 1978 by Indira Gandhi.
 - COFEPOSA --- passed in 1974.
 - Art- 23-24 --- Right against expardition.
 - Art-23 --- Prohibition of Traffics in human beings and forced labour.(mainly for woman and children)
 - The immoral Traffic Act --- 1956.
 - The bonded Labour system Abolition Act --- 1976.
 - The Minimum Wages Act --- 1948.
 - The Control labour Act --- 1970.
 - The Suppression of Traffic inn Women and Girl Act --- 1958.

-
- Art- 24 --- Prohibition of employment of Children in any hazardous place below the age of 14 years.
 - The Child labour Act --- 1986.
 - The Factories Act --- 1948.
 - The Mines Act --- 1952.
 - The Motor Transfer Works Act --- 1951.
 - The Bidi and Cigar Workers Act --- 1966.
 - Art-25-28 --- Right to Freedom of Religion.
 - Art- 25 --- Freedom of conscience and free profession practice and propagation of religion.
 - Art-26 --- Freedom to Manage Religious Affairs
 - Art-27 --- Freedom from Payment of Taxes for promotion of any religion.
 - Art-28 --- Freedom from Attending Religious institution or worship in public education institutes.
 - Art- 29-30 --- Culture and Education Rights (This Right has been protected only for the Minorities)
 - Art- 29 --- Protection of language, script and culture of Minorities.
 - Art- 30 --- Right of Minorities to establish and administer educational institutions of their own choice. (Protection of Educational Right)
 - Art- 32 --- Right To Constitutional Remedies.
 - This article known as “The Heart and Soule of the Constitution” said by Dr. B.R.Ambedkar.
 - Right to move the Supreme Court for the enforcement of the Fundamental Rights including 5 Writs---
 - 1) Habeas Corpus --- ‘To have the body of ‘ It is an order issued by the court to the detaining authority to produced the detain person before court. The court then examine the cause and legality of the detention. It would set the determined person free if the detention is found to be illegal.
 - 2) Mandamus --- It literary means ‘We order or we command’. It is an order issued by the court to the public officials or lower court or tribunal or the Govt. asking them to perform their official duties that they have failed or refused to perform.
 - 3) Prohibition --- Literary means ‘To Probid’. It is issued by a Higher Court to a lower court or tribunal forbidding it to perform and act outside it’s jurisdiction. (This Writ can be issued only against the judicial body and not against administrative , legislative or private bodies)
 - 4) Quo-Warranto --- It literary means ‘By what authority or warrant’. It is issued by the court to enquire into the legality of claim of a person to a public office (this Writ can be issued only in the case of public office and not in the case of private office)
 - 5) Certiorari--- It literary means ‘ to be informed’ or ‘To be certified’. It is issued by a Higher Court to a lower court or tribunal to transfer a case to itself for its proper consideration .(This Writ can be issued only against the judicial body and not against the administrative, legislative or private bodies.)

The Directive Principles of State Policy

- Part – IV, Art – 36-51
- The concept taking from Ireland. Ireland has taken the concept from Spain.
- **Features of DPSP**

DPSP are the constitution direction towards State and it shall be the duty of the State to apply this Principles in making laws. Thus they impose a moral obligation on the State authority for their applications. They are non-justiciable and cannot be enforced by the court s for their violation like Fundamental Rights. The purpose of DPSP is to set up a welfare of State in our country.
- Prof. K.T.Saha stated that the DPSP is just like a cheque on a bank, payable at the convenience of that bank.
- In the original Constitution there were 13 DPSP.

4 DPSP were added by the 42nd Amendment Act 1976.

They are – 39f, 39-A, 43A, 48-A.
- Art-36 --- Definition of DPSP.
- Art-37 --- Importance of DPSP.
- Art- 39-A --- To promote equal justice and to provide free legal aid to the poor citizens.
- Art- 40 --- To organize village Panchayet and endowed there with necessary power and authority to enable them to function as units of self Government.
- Art- 41 --- TO secure the right to work, to education and public assistance increase of unemployment, old age, sickness and disablement.
- Art- 42 --- to make provision for just and humane conditions for all and maternity relief.
- Art- 44 --- To secure foe all citizens uniform, civil code though out the country.
- Art- 45 --- To provide free and compulsory education and economic interests of SC's, ST's and OBC and protect them from social injustice and exploitation.
- Art- 47(I) --- To raise the level of nutrition and the standard of living people and to improve public health.
- Art- 48A --- To protect and improve the environment and to save forest and wildlife.
- Art- 49 --- To protect monuments, place and objects of history interests as declared to be of National Emergency.
- Art- 50 --- To separate the judiciary from the executive.
- Art- 51 --- To promote international peace and security.
- Classification of DPSP on the basis of contained and direction. They can be classified into three group--
 - 1) Socialistic–Art–38,39,39A,41,42,43A,43(1),47(1)
 - 2) Gandhian – Art --- 40,43(II),46,47(II),48(II)
 - 3) Liberal intellectual – Art --- 44,45,48(I),48A,49,50,51.

Parliament

- Part- V, Art- 79–122
- Concept taken from --- U.K.
- 1st meeting of the Parliament --- 13th May, 1952.
- Every 1st meeting of each session of parliament is joint sitting.
- Minimum number of session in parliament is---2.(Maximum gap- can't be more than 6 month)
- Number of session at present ---3
 - The Budget Session – Feb- May.
 - Monsoon session – July – Sept.
 - Winter session – Nov- Dec.
- Art- 79 --- Composition of Parliament.
 - The Parliament consist of the President, the Lokshabha and the RajyaShabha.
- Art- 80 --- Composition of RajyaShabha (Council of states or upper House or Second Chamber)
- RajyaShabha represents the State.
- The elected members of RajyaSabha are elected indirectly by elected MLA's.
- 12 members are nominated by President from the fields of the country are Arts, Science, Culture, Social Science etc.
- All the States have not been given equal representation in RajyaSabha . It is based on the population of the state.
 - Max from UP – 31, WB – 16
 - RajyaSobha – 245 seats (229 from state + 4 from Union territory + 12 from Nomination)
- Art- 81 --- Composition of Loksabha.
- Other name --- House of people, Lower House, popular House, First Chamber.
- Loksabha represents the people of India.
- Break up: Total Seats= 552(530 from state + 20 from Union Territory + 2 Nominated).
- Elected members of Loksabha are elected by the people of India directly on the basis of Universal Adult Franchise.
- 2 members may be nominated to the Loksabha by the President from the Anglo-India community if they are not adequately represented in the Loksabha.
- 545= 530 from State + 13 from Union Territory + 2 Nominated
- Now exact figure is 543.
- Art- 83 --- Duration
 - Rajyasabha --- It's a permanent body. It cannot be dissolved. But 1/3rd of its members retired often

every two years . Thus, a member of Rajyasabha enjoys a term of 6 years.

Loksabha --- it's term is 5 years. It can be extended by Parliament by law during National Emergency for a period of one year at a time.

- Art- 84 --- Qualification for membership
 - 1) Citizen of India
 - 2) At least 25 years of age for Loksabha and 30 years of age for Rajyasabha.
 - 3) Additional qualification can be prescribed by Parliament by law.
- Art- 102 --- Disqualification for membership
 - 1) Not a citizen of India
 - 2) Hold office of profit under the union or state govt.
 - 3) In solvency
 - 4) Of unsound mind
- Art- 89 --- Chairman and Deputy chairman of Rajyasabha
 - 1) The Vice President is the ex-officio chairman of Rajyasabha.
 - 2) Deputy chairman is elected by the members of Rajyasabha among themselves.
- Art- 93--- Speaker and Deputy Speaker of Loksabha
 - 1) Speaker and Deputy Speaker are elected by the members of Loksabha by themselves.
 - 2) They may resign to each other.
- Art- 99 --- Oath
 - 1) By the president
- Art-100 --- Quorum

1/10th of total members of the house.
- Art- 108 --- Joint sitting of both houses of the Parliament.
 - 1) The President summon joint sitting of both houses of the Parliament if a deal lock arises as a result of a disagreement between the two houses regarding the passage of a bill.
 - 2) Joint sitting cannot be summoned for money bill and constitution Amendment Bill.
 - 3) The Speaker presides over joint sitting. In his absence speaker and in his absence deputy chairman of Rajyasabha.
- Art-110 --- Money Bill
 - 1) The money bill can be introduced only in the Loksabha with the prior consent of the President.
 - 2) Whether a bill is money bill or not, the decision of the Speaker is final.
 - 3) Rajyasabha can withhold a money bill maximum for 14 days. Thus the Loksabha is more powerful than Rajyasabha because Loksabha enjoys the power over the money bill.

-
- Art-112 — Annual Financial Statement (Budget)
 - 1) It is a Statement of annual expenditure and receipt of the Govt. of India. (Financial year 1st April- 31st March)
 - 2) It is a money bill.
 - Art-116 — Vote on Account
 - 1) The ordinance granted by the Parliament to meet expenditure for a period before passing annual Budget.
 - Zero Hour — Since 1962 'O' hour is an unspecified time. It is not mentioned in the rules of procedure of Parliament. Within zero hour the members of Parliament can raise matter without any prior notice.
 - Parliamentary Committee: (17th standing committee)
 - 1) Public Account Committee/PAC:
 - a) Total members – 22 (15 from Loksabha and 7 from Rajyasabha)
 - b) The chairman of this committee is appointed by the speakers of Loksabha amongst its members from opposition.
 - c) No minister can be a member of this committee.
 - d) Function — PAC examines the Annual Audit Report of CAG.
 - 2) Establishment committee: (largest parliamentary committee)
 - a) Total members – 30 (all from Loksabha)
 - b) Chairman is appointed by the speaker.
 - c) Function – to examine the estimates included in the budget.
 - 3) Committee on public undertakings:
 - a) Total members – 22 (15 from Loksabha and 7 from Rajyasabha)
 - b) Chairman – same as previous.
 - c) To examine the reports and the accounts of Public undertakings.
 - 4) Business Advisory Committee:
 - a) Loksabha committee consists of – 15 member
Chairman – Speaker himself.
 - b) Rajyasabha consists of – 11 members
Chairman – Vice President.
 - 5) Largest Opposition Party:

Party having not less than 1/10th seats of the total strength of the house.

COM headed by PM

- Part – V,
- Concept taken from UK
- In the parliamentary system of Govt. the President is the nominal executive authority and the real executive authority is COM headed by PM i.e. the President is the head of the Indian Union and PM is the head of the Indian Govt.
- Art- 74(1)
 - 1) Com headed by Pm shall aid and advice the President in exercising in function (by 42nd Amendment Act 1976 the President is bound to take the advice of the central COM).
 - 2) By 44th Amendment Act 1978 (Moraji Desai) the President may send back the advice to the COM only for once.
 - 3) Under this Article --- the post of PM and other central minister have been created.
- Art- 75 --- Other provisions of Union COM
 - 1) Appointment --- Pm is appointed by President and other minister are appointed by the President on the advice of the PM.
 - 2) The Union COM consists of PM and other minister of COM shall be the members of either house of Parliament.
 - 3) If PM dies and resigns suddenly, the stands dissolved.
 - 4) All the minister hold office during of the pleasure of the President.
 - 5) The Union COM is collectively responsible to the Loksabha and individually to the President (When the resolution of no confidence motion in the Loksabha against COM, total ministry has to resign and the resolution of no confidence motion must be approved by at least 50 members).
 - 6) Oath by the President
 - 7) A person who is not a member of Parliament can remain minister as long as from 6 months.
 - 8) Salary --- Determined by the Parliament by law and shall be charged from Public Accounts Fund of India .
 - 9) Term --- As long as it enjoys majority support in Loksabha. Maximum 5 years.
 - 10) Rajyasabha --- to the president.
- Art-77 --- Conduct of the business of Union Govt.

All the executive action the Govt. of India shall be taken in the name of the President.
- Art-78 --- Duties of PM

Powers and function of PM:

 - 1) PM is the chairman of COM and presides over the meeting of COM.
 - 2) He allocates the portfolio's among the minister.
 - 3) He may advice the president to dismiss any minister in case of difference of opinion.
 - 4) He may advice the President to dissolve the Loksabha.
 - 5) He is the chief link between the COM and President.

-
- 6) He is the chief spokesman of central Govt.
 - 7) He is the leader of the party in power and the leader of Lok Sabha.
 - 8) He is the chairman of Planning Commission, National Development Council, Nation Integration Council and Inter State Council.
 - 9) He controls and coordinates the activities of all the ministers.
 - 10) He determines the size of COM by 91st Amendment Act 2003, the size of COM shall not exceed of 15% of the total strength of Lok Sabha.
- 1st Deputy PM--- Sardar Vallabhbhai Pattel.

The President

- Part- V
- Concept taken from USA and under Union List i.e. controlled by the centre or Parliament.
- The President is the executive head and the constitutional head of the Indian Union and the first citizen of India.
- Art- 52 --- There shall be a President of India.(The post has been created)
- Art- 53 --- All the executive powers of the Union Govt. shall be vested in the President (Under this Article the President is the chief executive head of the Indian Union)
- Art-54 --- Election of the President. The President of India is elected by an electoral College consisting of "Elected MP's and Elected MLA's".
- Art-55 --- Manner of election of the President.
$$\text{Quote} = \frac{\text{total number of valid votes}}{(\text{number of seats} + 1)} + 1$$
- Art -56 --- Term of the President of India is 5 years.
- Art-57 --- The President of India can be reelected any number of time.
- Art-58 --- Qualification
 - 1) Citizen of India
 - 2) At least 35 years of age (No upper age limits)
- Art-59 --- Condition of President's office
 - 1) He shall not be the member of Parliament or State legislatures and if he holds such memberships, he has to resign from such membership before he entered upon his office.
 - 2) He shall not hold any office of profile under the union or the State Govt.
 - 3) Salary --- Determined by the Parliament by law and shall be charged upon from consolidated fund of India.

-
- 4) Present salary --- 500000 tax free.
 - 5) He is also entitled a rent free residence i.e. Rashtrapati Bhawan.
 - 6) His salary shall not be reduced during their term of office.
 - 7) The office of President must be proposed by 50 members and supported by another 50 member i.e. sponsored by 50+50 members.
 - 8) He address his resignation to the Vice- President and vice- versa.
- Art-60 --- President take oath by the chief justice of supreme court (in his absence senior most judge of S.C)
 - Art-61 --- Impeachment
 - 1) Ground --- Violation of the Constitution
 - 2) Process --- Impeachment bill of the President may be initiated in either house of the Parliament with 1/4th support of that house and 14 days advance notice to the President.
 - 3) After the impeachment bill is passed by 2/3rd majority of that house it is sent to the other house.
 - The other house investigates the charge and the President has the right to participate.
 - After investigation if the other house passed the bill by 2/3rd majority, then the President stand removed.
 - Art-62 --- If the office of President falls vacant due to Death, resignation or impeachment, the election is held within 6 month. And vice President acts as President till the new President is appointed.
 - Art-71 --- Disputes regarding the election of President or vice President shall be decided over by the Supreme Court.
 - Art-72 --- Pardoning Power of President
 - 1) He shall have the power to grand pardon, reprieves or remission of punishment including the capital punishment.(sentence to death and life imprisonment)
 - Art- 111 --- Assent to the bills by the President. When a bill is President to him for his ascent he has three alternatives
 - 1) He may gives sign over the bill.
 - 2) He may with hold his ascent or
 - 3) He may send back the bill to the Parliament for reconsideration.
 - Art- 123 --- Ordinance making power of President

The President may issue ordinance during the recess of the Parliament. It must be approved by the resembled in the parliament within 6 weeks. Otherwise it will be cease to be operated.

The Vice President

- Part- V
- Concept --- taken from USA.
- Under Union list.

-
- Art-63 --- There shall be a vice-President of India .
 - Art-64 --- The Vice President to be the ex-officio chairman of Rajyasabha.
 - Art-65 --- Vice President to act as President during the absence of the President.
 - Art-66 ---
 - 1) Vice President elected by Electoral Collage consisting of all MP's.
 - 2) Qualification --- citizen of India, 35 years in age.
 - 3) Conditions ---
 - a) He shall not be the member of Parliament or State legislature.
 - b) He shall not hold any office of profile under the union or the State Govt.
 - 4) Salary --- 400000 determined by the Parliament.
 - Art-67 --- term of Vice President is 5 years.
 - 1) Resignation --- to the President.
 - 2) Removal --- obey a resolution of Rajyasabha passed by a majority by all the members of Rajyasabha and agreed to by the Loksabha. Such resolution can be initiated only in the Rajyasabha.
 - 3) The office of vice President must be proposed by 20 members and supported by another 20 members.
 - Art-68 --- vice President take oath by the President.
 - 1) 1st vice President --- Dr. SarbapalliRadhakrishnan.
 - 2) President and longest duration --- Rajendra Prasad.
 - 3) The only President who was a spaeaker --- NilamSanjivareddy.
 - 4) 1st Vice President who was chief of justice before --- Justice Md. Hidayatullah.

State Legislature

- Part - VI, Art- 168 -212
- Art- 168 --- Composition of State legislature
 - 1) The State legislature consists of --- The Governor and two houses (SLA, SLC) in 6 States of --- Bihar, Karnataka, Maharashtra, UP, J&K, Andhra Pradesh and one houses (SLA) in the rest of the States.
 - 2) SLA or State legislature Assembly is known as Bidhansabha or lower house or first chamber.
SLC or State legislature Council is known as BidhanParishad or upper house or second chamber.
 - 3) SLC of WB was abolished in 1969.
- Art- 169 --- Abolition or creation of SLC
The Parliament by law by simple majority provides for the creation or abolition of SLC of a State

legislature, if the SLA of that State passed a resolution by special majority.

- Art- 170 --- Composition of SLA

WB SLA consists of 294 members.

Total member of SLA in India – 30.

- Art-171 --- Composition of SLC (same as above)

- Art-172 --- Duration of State legislature

SLC duration --- Permanent body, cannot be dissolved. (but $1/3^{\text{rd}}$ of it's members retire after every 2 years. Term of a member of SLC is 6 years)

SLA duration --- Normal term 5 years.

It can be extended by parliament by law during national emergency for period of 1 years at a times.

- Art-173 --- Qualification

1) Citizen of India

2) Must **completed** at least 25 (SLA) years 30(SLC) years

Additional qualification can be prescribed by Parliament by law.

- Art-191 --- Disqualifications for memberships

1) Insolvency

2) Of unsoundmind

3) Holds office of profit under the Union on the State Govt.

4) Not a citizen of India.

- Art-192 --- Any question of qualification or disqualification of any member shall be decided by the Governor after the consultation with the election commission.

- Art- 189 --- Quorum

10 members or $1/10^{\text{th}}$ of total member of the house whichever is greater.

- Art- 190 --- If any member without the permission of the presiding officer of the concerned house, is absent for 60 days his seat will be declared vacant.

COM Headed by CM

- Part – VI, Art – 163-167

- The governor is the head of the State but CM is the head of the State Govt.

- Art-163(1) ---

1) COM headed by CM shall aid an advice the Governor in exercising his function.

-
- 2) Under this article post of CM and other minister have been created.
 - 3) Discretionary power of Governor has been created.

The question as to what falls under the category of discretionary power shall be decided over by the Governor himself and his decision shall be final.

- Art-164 --- other Provisions of State COM

- 1) Appointment --- a) CM is appointed by the Governor and other ministers are appointed on the advice of CM.
 - b) State COM consists of CM and other minister.
 - c) The CM and other ministers of COM shall be the member of either house State legislature.
 - d) If CM dies or resigns suddenly the COM stands dissolve.
 - e) The CM of State cannot take part in the election of the President when he is the member of the SLC or Upper house.
 - f) All the minister hold office during the pleasure of Governor.
 - g) The State COM is collectively responsible to SLA or Bidhansabha and individually to the Governor.
- 2) Oath --- CM take Oath by Governor.
- 3) Salary --- determined by State legislature law and shall be charged upon Public Account's Fund of State.
- 4) Recognition --- to the Governor.
- 5) Term --- As long as it enjoys the majority support in the SLA.

- Art-165 --- Advocate General of State

He is the legal advisor of the State Government.

- Art-166 --- Conduct of business of the State Government--- all executive functions or actions of State govt. shall be taken out in the name of the Governor.

- Art-167 --- Duties of CM

Powers and Functions of CM

- 1) He is the chairman of COM and presides over the COM.
- 2) He allocates the portfolios among the minister.
- 3) He is the chief link between COM and Governor.
- 4) He is the chief spokesman of the State Govt.
- 5) He can recommend the dissolution of SLA to the Governor.
- 6) He is the chairman of State planning board.
- 7) He is the member of either State Council/ NDC.
- 8) He determined the size of the State COM .

-
- 9) At present total number of CM= 28+2=30
 - 10) First woman CM --- SuchetaKripalini (UP)
 - 11) First CM of WB --- PrafullaGhosh
 - 12) First non congress CM --- E.M.S.Namboodiripad. (Kerala-CPI)

The Governor

- Part – VI, Art – 153-161
- Under Union list.
- The Governor is the chief executive head of the state and acts as the agent of the President. He is the essential part of the state legislature.
- Art- 153 --- There shall be a Governor of a state or some person as Governor of two more states.
Under this article the post of Governor has been created.
- Art- 154 --- All the executive powers of the state are vested in the Governor.
Under this article Governor is the chief executive head of the state.
- Art-155 --- Appointed by the President.
 - 1) He is responsible for his work to the President.
- Art- 156 --- Term of office
 - 1) Normal term 5 years .
 - 2) Practically he holds office during the pleasure of President.
 - 3) He will address his resignation to the President.
 - 4) The President may transfer a Governor from one state to another state for the rest of his term.
 - 5) He may be reappointed any number of times.
- Art-157 --- Qualification
 - 1) Citizen of India.
 - 2) 35 years of age.
- Art-158 --- Conditions of Governors office
 - 1) He shall not be the member of parliament or State legislature. If such member is appointed as Governor he shall have to vacate his seat before entering upon the office.
 - 2) He shall not hold any office of profit under the union or the State Govt.
 - 3) Determined by the Parliament by law and shall be charged upon consolidated fund of state but pension of the retirement shall be charged upon consolidated fund of India.
 - 4) Present salary is 350,000.
 - 5) He is also entitled a rent free residence –Rajbhawan.

-
- 6) His salary shall not be reduced during their term of office.
 - 7) If same person is appointed as Governor of two more states, then his salary shall be allocated among these states in proportional equation as determined by the President.

The Centre-State Relation

- Part- XI
- Concept has been taken from Canada.
- In India there are three centre – State relations --- Legislative, Administrative and Financial.

Centre State Legislature Relation:

- Art- 245 --- Laws made by
 - 1) Parliament --- for the whole part of India.
 - 2) State --- for whole part of that state.
- Art-246 --- Executive power to make laws(in terms of 3 lists)
 - 1) Parliament --- Any matter of union list or list I (presently 99 subjects, originally 97)
 - 2) State legislature --- Any matter of State list (presently 61 subjects, originally 66)
 - 3) Both --- Any matter of Con-current or list III (presently 52 subjects, originally 47)
- Art 248 --- Residuary Power (Subjects that are not included in any of the three list)

Residuary Power have been vested in the Parliament only.

Zonal Councils --- it is a statutory body and created by the Parliament by law.

Established by the State Reorganization 1956 by the Parliament. This Act divided India into 5 zones(Northern, Southern, Eastern, Western and Central) and provided a zonal council for each zone.

- Northern Zonal council --- J&k , Himachal Pradesh, Haryana, Punjab, Chandigarh, Delhi (Headquarters).
- Southern Zonal Council --- Andhra Pradesh, Karnataka, Kerala, Puducherry, Tamilnadu (Chennai headquarter).
- Eastern Zonal Council --- Bihar, Jharkhand, Orissa, WB (Kolkata headquarter).
- Western Zonal Council --- Gujrat, Goa, Maharashtra (Mumbai headquarter), Dadra & Nagar Haveli, Daman & Diu.
- Central Zonal Council --- UP (Allahabad headquarter), Utteranchal, Chattisgarh, MP.
- North-Eastern Council --- Assam (Gwahatihq), Manipur, Meghalaya, Mizoram, Tripura, Arunachal Pradesh, Nagaland and Sikkim.

Came into force on Aug, 1972 under Act 1971.

- Union List --- Defence of India, Atomic Energy, CBI, Lottery, Foreign Affairs, Corporation Tax, War & Peace, Supreme court & High court, citizenship, office of President & Vice President, Passport & Visa, UPSC, All India services, UPSC, railway, stock exchange, National Highways, Insurance, Post & telegraph,

Inter- State trade & commerce, Property of all the Union ,RBI, Public debt. Of the Union, Foreign Loans.

- State list --- police, local govt., public health & sanitation, agriculture, fisheries, market & fairs, state public service, SPSC, public debt. Of the state.
- Concurrent list --- marriage & divorce, bankruptcy& Insolvency, population control & family planning.
- Under the 42nd Amendment 1976 the following 5 subjects from State list to Concurrent list:
Education, forest, weight & measures, protection of wild animals & birds, Administration of Justice constitution and organization of all courts except the Supreme & High court.

The Supreme Court

- Part- V, Art 124- 147
- Concept taken from USA.
- The Supreme Court is the highest court of India.
- The custodian guidance&interpreter of the Indian Constitution.
- Supreme court was set up on 28th Jan, 1950.
- Art-124
 - 1) Composition --- 1 chief and 30 other judges(originally 1+7=8)
 - 2) Appointment of Chief Justice --- By the President (after consultation with the other judges of SC and HC as he deems necessary)
 - 3) Appointment of Other judges --- By the President (After the consultation with chief justice of SC)
 - 4) Qualification
 - a) Citizen of India
 - b) A judge of high court for at least 5 years or an advocate of HC for 10 years or a distinguished join in the opinion of the President.
 - 5) Term --- upto 65 years of age.
 - 6) Resignation --- to the President.
 - 7) Removal --- May be removed by the President.
 - 8) Ground --- If proven misbehavior or incapability.
 - 9) Initially --- either house.
 - 10) Process --- removal bill should be paved by each home of the Parliament separately by special majority.
 - 11) The judges of SC shall not plead before any court in India.

- Art- 129 --- Court of Records
 - Concept taken from UK.
 - It proceeding shall be duly recorded.
 - It shall be the power to punish for contempt of itself.
- Art- 130 --- Seats of SC.
- Art- 140 --- Aucilliary Powers
 - To enable the SC to exercis its jurisdiction effectively the Parliament by the may empower the SC supplementary powers.
- Jurisdiction of Supreme Court:
- Art- 131 --- Original Jurisdiction
 - Any dispute between the Central & the State Govt.
- Art- 132 --- Appeals from High Court in certain cases which requires interpretation of the Constitution.
- Art- 133 --- Appeals from High Court in regard to civil matters.
- Art- 134 --- Appeals form High Court in regard to the criminal matters.
- Art- 136 --- Special leave to appeal by the SC.
- Writ Jurisdiction (Art 132 & 139)
- Right to move the SC for the enforcement of Fundamental Rights including 5 writs.
- Art- 139 --- The Parliament by law empower the SC to issue writs for the other purpose.
- Art- 143 --- Advisory jurisdiction
 - The President may seek advice from the SC on any matter.
 - The advice of SC is not binding on the President.
 - SC may report its opinion to the President.
- Art- 137 --- Judicial Review
 - Concept taken from USA.
 - The SC has the power to review & determine the validity of any law & order.
 - It means any law (of Parliament) or order conflicts with the written constitution the court can declare it unconstitutional and void.
 - The constitution vests the power of judicial review to the HC & SC.

The High Court

- Part-VI, Art 214-238
- Concept taken from USA.

-
- Under Union list.
 - In India first High court were set up a Calcutta, Bombay & Madras in 1862 by Indian High Courts Act 1861.
 - In India total high court at present --- 25.
 - Out of 7 UT only Delhi has it's one High court & the rest of the UT have common high court.
 - Art- 214 --- High Court for each state.
 - Art- 231 --- the parliament by law can establish common High court for two or more states.
 - Art- 215 --- High Court to be the court of records (same as SC)
 - Art-216 --- Constitution of High Courts

The number of judges in a High Court shall be determined by the President.

- Art-217 --- **Appointment and conditions of office.**

Chief justice appointed by the President after consultation with the chief justice of Supreme Court & the Governor of that state.

Other justice appointed by the President after consultation with Chief Justice of concern High Court.

Term --- upto 62 years.

Resignation/Removal --- same ground and manner as the judge of Supreme Court.

Qualification :

- 1) Citizen of India
- 2) Held a judiciary office in the territory of India for at least 10 years.
- 3) Has been an advocate of High Court for at least 10 years.

Rules and regulation shall be determined by the Parliament by law.

- Art- 219 --- oath – By the Governor.
- Art-220 --- Any person who has held the office of a judge of High Court shall not plead before any court in India except the Supreme Court and the other High Courts.
- Art-221 --- Salary—determined by parliament by law and shall be charged upon consolidated fund of India.

Chief justice --- 30000 raised to 90000

Other judges --- 26000 raised to 80000

- Art-222 --- The President may transfer a judge from one High Court to another High Court. After consultation with the chief justice of Supreme Court.
- Art-223 --- Acting Chief Justice of High Court. Appointed by the president amongst the sitting judges of High Court.
- Art-224 --- Appointment of additional and acting judges.

Additional Judges --- The President may appoint duly qualified persons to be additional judges for

the temporary increase in the business of a High Court maximum for 2 years.

Acting judges --- The President may appoint a duly qualified person as acting judge temporarily in the absence of any judge.

Attorney General of India

- Part- V, Art- 76
- Concept taken from UK.
- Under Union list.
- Attorney General is the highest or the first law officer of the country and legal advisor of the central govt.
- Art- 76

Appointment --- by the President.

Qualification --- Same as the Judge of Supreme Court.

Term --- Not mentioned. He holds office during the pleasure of the President,

Removal --- Not mentioned. He is removed by the President conventionally he resigns when the Union Govt. resign because he is appointed on its advice.

Salary --- Determined by the President and shall be charged upon consolidated fund of India.

Rank --- He enjoys a rank like an ordinary MP.

- He can take part in the proceeding of both houses of the parliament and joint sitting without being a member but without right to vote.
- He has a right to listen (to audience) in all courts within the limiting of India.

Duty --- To give legal advice to the Union Govt. and to perform such other duties of legal character as may be referred to him by the President.

- Gulam-E-Bhawati --- Present Attorney General.

Advocate General of State

- Part- VI, Art- 165
- Concept from UK
- Advocate General is the highest or the first law officer of the State Government.
- Art- 165

Appointment --- by the Governor.

Qualification --- Same as the Judge of High Court.

Term --- Not mentioned. He holds office during the pleasure of the Governor.

Removal --- Not mentioned. He is removed by the Governor. Conventionally he resigns when the State Govt. resigns because he is appointed on his advice.

Salary --- Determined by the Governor shall be charged upon the consolidated fund of State.

Rank --- He enjoys the rank of an ordinary MLA.

- He can take part in the proceeding of state legislature (Both house)
- He has a right to audience in all courts within the territory of the state.

Duty --- to give legal advice to the State Govt. and to perform such other duties of legal character as may be referred him by the Governor.

The Panchayets

- Part -IX, Art- 243-2430
- Under State list.
- Eleventh schedule (29 subjects)
- Provisions added to the constitution by 73rd Amendment Act, 1993 and it came into force on 25th April, 1993.
- In original Constitution Under DPSP, Art 40
 - The state take steps to organize village panchayets and endow them with such powers and authority as may be necessary to enable them to function as units of local self govt. (it is based on Gandhiji's Democratic Decentralization of Power)
- August 1952 --- Establishment of NDC by the Central Govt. to ensure balanced and rapid development of all parts of the country.
- 2nd Oct, 1952 --- CDP was launched by NDC.
- Balbant Rai Mehta committee
 - 1) 1956 --- The NDC under J.L.Nehru got appointed Balbant Rai Mehta committee to suggest measure for the better working of the CDP.
 - 2) November 1957 --- The committee submitted its report to the NDC and recommended for 3 tier system of Panchayet Raj.
 - 3) 3 tier
 - a) Gram Panchayet at the base level.
 - b) Panchayet Samiti at the block level.
 - c) Zillaparishad at the district or Zilla level.
 - 4) January 1958 --- The recommendation of this committee by the NDC.
 - 5) 2nd Oct, 1959 --- The 3 tier system was first adopted by Rajasthan in Nagpur district.

RCA EDUCATION

9749176587

Indian Constitution

J.L.Neheru. This was followed by Andhra Pradesh and most of the States of the country. (except Nagaland & Meghalaya)

- Ashok Mehta committee (related to Panchayet)
 - 1) December, 1977 --- Appointed by Janata Govt. to examine for 2 tier system of Panchayet Raj
 - a) MandaPanchayet
 - b) ZillaPanchayet

But the recommendation of this committee could not be implemented due to the collapse of Janata Govt.
- G.V.K.Rao committee
 - 1) October 1985 --- Appointed by the planning commission.
- L.M.Singvi committee
 - 1) June 1986 --- Appointed by Congress Govt. headed by Rajiv Gandhi. This committee recommended for the first time for constitutional recognition of the Panchayet Raj institution.

73rd Amendment Act, 1992 by the Congress Govt. headed by P.V.NarashimaRao added Panchayet to the constitution under Article 243-2430
- Art- 243 --- Definition
- Art-243A --- Gram of Panchayet
- Art-243B --- Constitution of Panchayet
- Art-243C --- Composition of Panchayet
- Art-243D --- Reservation of Seats
- Art-243E --- Duration of Panchayet
- Art-243F --- Disqualification of membership determined by the SL by law.
- Art-243I --- Constitution of Financial commission to review the financial position of Panchayet set up by the governor.
- Art-243K
 - 1) Election to the Panchayet --- conducted by the State Election commission consisting of a State Election Commission to be appointed by the governor and total procedure is controlled by the State govt.

3 tier Panchayati Raj SysyteminWest Bengal.
- 1963 --- 4 tier system
 - 1) Gram Panchayet
 - 2) Anchalpanchayet
 - 3) AnchalicParishad
 - 4) ZillaParishad

It was adopted by the Zilla Parishad Act, 1963

- 1973 --- 4 tier system was replaced by 3 tier system by Congress State Govt.
- 1978 --- The Panchayet Raj system in WB was first introduced on the basis of general election by the Left Front Govt., lead by CPI(M).
- **Gram Panchayet**
 - 1) Composition --- lowest tier of Panchayet Raj System consisting of 5-25 members. They are elected by the member of Gram Shabha.
 - 2) Term --- 5 years.
 - 3) Seat Reservation: SC/ST --- In proportion of their population of that area.
Woman --- 1/3rd of the total seat is reserved for women.
 - 4) Function --- Agriculture, Irrigation, Maintenance of Village roads, schools, libraries, supply of drinking of water & sanitation.
 - 5) Chairman --- Pradhan is selected among themselves by the members.
 - 6) Source of income --- local taxation & Govt. grants.
- **Gram Sabha** --- general body of village consists of all registered votes of that village. The member of gram sabha elect the member of gram panchayet after every 5 years.
- **Nyaya Panchayet** --- Judiciary body in the village level which provides speedy and inexpensive system of justice. It decided small criminal and civil disputes and has power to impose fine.
- **Panchayati Samiti**
 - 1) Composition --- Intermediate or block level consisting of pradhans of all gram panchayets with in the block. Minimum 3 member are directly elected from each gram panchayet are within the block. All non minister MP's & MLA's within the block.
 - 2) Term --- 5 years.
 - 3) Chairman --- Political head is elected among the elected member.
 - 4) Executive head --- BDO.
 - 5) Function --- Social welfare programme and to supervise the workings of gram panchayet within the block.
- **Zilla Parishad**
 - 1) Composition --- Highest level consisting of all sabhapati's of panchayet Samiti within the districts, minimum 2 members to be direct elected from each block within the district, all non-minister MP's & MLA's within the dist.
 - 2) Chairman
 - a) Political head --- Zilla Sabhadhipati's elected among the elected member
 - b) Executive head --- DM.
 - 3) Function --- to supervise the working of Gram Panchayets and Panchayet Samiti within the Govt.
 - 4) Total Gram Panchayet in WB --- 3360 approx.

-
- 5) Total Gram panchayetSamiti --- 341.
 - 6) Total ZillaParishad --- 17.

Municipality & Municipal Corporation

- Part -IX -A, Art 243P -243ZG
- Under State list.
- 12th schedule
- Provisions added to the constitution by 74th Amendment Act, 1992 and it was came into force 1st June, 1993.
- 1687 --- First Municipal Corporation were set up at madras.
- 1726 --- The municipal Corporation were set up in Bombay and Calcutta.
- 1882 --- Lord Ripon issued a resolution which continued to influence the development of local Govt. in India till 1947. He is known as "the father of local self govt. in India".
- Aug, 1989 --- The Rajiv Gandhi Govt. introduced the Nagar Balika Bill which was passed in the Loksabha but defeated in Rajyasabha.
- Sep, 1990 --- The National Front Govt. under V.P.Singh introduced the revised Nagar Balika Bill which was lapsed due to dissolution of Loksabha.
- Sep, 1991 --- P.V.NarashimaRao Govt. introduced the Municipalities Bill which was finally emerged as 74th constitutional Act, 1992, and it was came into force on 1st June, 1993.
- Art- 243P --- Definition
- Art- 243Q --- Constitution of Municipalities are 3 types
 - 1) Nagar panchayet for transitional Area.
 - 2) Municipal Council for the smaller urban area.
 - 3) Municipal corporation for the larger urban area --- specified by the Governor on the basis of population of that area.
- Art- 243R --- composition of Municipalities

All the member of the municipality shall be elected directly by the people of concerned area on the basis of Universal Adult Franchise. For this purpose each Municipal area shall be divided into territorial constituency to be known as wards.
- Art-243S --- Constitution and Composition of ward committee's
 - 1) There shall be constituted ward committee's consisting one or more ward within the territorial area of Municipality having population of 3 lakh or more.
 - 2) The state legislature may make provisions with the composition and territorial area of a ward committee.
- Art- 243T --- Reservation of seats
 - 1) Seat shall be reserved for SC's and ST's in proportion to their population in that area.

-
- 2) Out of which $\frac{1}{3}^{\text{rd}}$ seats shall be reserved for women belonging to SC's and ST's.
 - 3) $\frac{1}{3}^{\text{rd}}$ of the total seats shall be reserved for women's including seats reserved for SC's and ST's women.
- Art- 243U --- Duration of Municipalities --- 5 years.
 - Art-243V --- Disqualification for members.
 - Art-243W --- Election to the Municipalities – conducted by state election commission and controlled by state govt.
 - Bengal local self govt. Act --- 1885.
 - Bengal Municipal Act --- 1932.
 - WB Municipal Act --- 1993.
 - Provision
 - 1) Qualifications – at least 21 years of age.
 - 2) Shall not hold any office under the Union or State Govt. or Municipalities and shall not be a member of other Municipality or Panchayet.
 - 3) Shall not be insolvent or an unsound mind.
 - 4) Reservation of seat – same as panchayet.
 - Municipal Authority
 - Board of councilors – it consists of all elected member of the Municipalities.
 - Duration --- 5 years.
 - Chairman --- elected by the councilors among themselves.
 - Chairman-in-council --- It consists of chairman, deputy chairman and other members (The deputy chairman and other member are nominated by the chairman).
 - It is the Chief authority of the Municipality.
 - It is responsible for its work to the Board of councilors.
 - Chairman
 - He is the chief executive head of the Municipality.
 - He controls and supervises the total administration of Municipality.
 - He presided over chairman-in-council and Board of Councilors.
 - He may resign addressing to the Deputy Chairman.
 - Authorities in the Corporation --- consists of Corporation (general), mayor-in-council, Mayor
 - Mayor-in –council --- consists of Mayor, Deputy Mayor and maximum 10 others member. The Deputy Mayor and other member are nominated by Mayor.
 - Nagar Pachayet population between 10000-20000.
 - Municipal council population between 20000-300000.

-
- Municipal Corporation population above 300000.

Emergency provision

- Part- XVIII, Art- 352-360
- The concept taken from Germany.
- In India three types of Emergency's can be issued by the President – 1) National Emergency, 2) State Emergency, 3) Financial Emergency.
- National Emergency Art 352
 - Territory --- for whole and any part of India.
 - Ground --- If the security of the country is threaten by --- 1) External attack or war, 2) Internal disturbance. The term internal disturbance has been replaced by the term "Armed Rebellion" by 44th Amendment Act 1978 by Moraji Desai at the time he was PM (1977)
- The President can proclaim a National Emergency only after receiving the written recommendation of the union Cabinet by 44th Amendment Act 1978 by Moraji Desai.
- Approval of the Parliament
- Without approval—every proclamation of national Emergency has to be approval by the Parliament by special majority within a period of 1 month. Otherwise it will be ceased to be operated.
- With approval --- if approval by the Parliament it shall be in force for a period of 6 months, which can be extended after every 6 months for an indefinite period.
- Revocation of Proclamation--- by the president shall revoke a proclamation of National Emergency if the Loksabha passes a resolution by simple majority disapproving its constitution by 44th Amendment Act 1978.
- State Emergency --- Presidential Rule in a State, Constitutional Emergency.
- Art- 356 --- This Article is known as 'Dead Letter' said by B.R.Ambadkar.
 - Territory --- for whole or any part of the State.
 - Ground --- The State Emergency can be issued by the president under Art 256 on two grounds
 - 1) Art 356—ground --- failure of constitutional machinery in a State.
 - 2) Art 365--- ground --- if a state fails to comply with the centre's direction.
 - Without approval of Parliament --- it must be approved by the Parliament within a period of two month otherwise it will to be operated.
 - With approval of Parliament --- it continues for 6 months and it can be extended two a maximum period of 3 years.(42nd Amendment Act 1976 extended the one time duration of State Emergency 6 months to 1 years.
 - Revocation of Proclamation --- Revoke by the President on his own.

- Art- 360
 - Territory --- for whole or any part of India.
 - Ground --- If a situation has arise due to which the financial stability of the country is threatened.
 - Without approval of Parliament --- by simple majority within a period two months. Otherwise it will be sizes to operated.
 - With approval of Parliament --- it continues indefinitely till it is removed.
 - Revocation --- by the president on his own.
- Art- 355 --- it shall be the duty of the Union to protect every sate against external aggression and internal disturbance. To ensure that the govt. of every state is carried on in accordance with the provision of the constitution.
- Art- 358 --- While a proclamation of National Emergency under Art- 356 is in operation, the fundamental rights suspended automatically.
- Art- 359 --- The other fundamental right (except Art 21 &20) may be suspended by the President during national Emergency.

Declaration of Proclamation

- National Emergency --- 3 times all over.
- 1stProclamation --- 26th Oct, 1962 for China war.
- Revocation --- January, 1968.
- 2ndproclamation --- 3rd Dec, 1971 for Pakistan's attack.
- 3rdProclamation --- 25th-26th June,1975 for internal disturbance.
- Revocation --- both 2nd& 3rdProclamations were revoked in 21st Act, 1977.
- State Emergency --- more than 100 times.
- 1stProclamation in Punjab in 1951 about 11 times, in WB – 4 times(1968-69, 1970-71, 1971-72, 1977)
- Financial Emergency --- never so far.

Amendmentability of Constitution

- Part – XX, Art – 368
- The concept has been taken from South Africa.
- It is under Union list.
- Art- 368

- The Parliament shall have the power to amend the constitution and its procedure. This was ruled by the Supreme Court in the KesabanandaBharti Council 1997.
- The constitution Amendmend Bill can be initiated in either house of the Parliament.
- The amendmend Bill can be introduced by a minister or by a private member and does not require the prior permission of the President.
- The joint sitting cannot be summoned by the president for the Amendmend bill.
- The President has to give his sign over the amendmend bill for the first time.

CAG

- CAG --- Comptroller and Auditor General of India.
- Part – V, Art- 148-151
- The concept taken from UK.
- It is under Union list.
- CAG is the highest financial executive head of Indian Audit and Accounts departments.
- He is the guardian of public money and is known as 'The Waterdog of Public Purse'.
- He is the friend, philosopher and guide of PAC (Public Account's Committee)
- Present CAG BinodRai.
- Art- 148
 - Appointed by the President.
 - Term --- 6 years or 65 years of age whichever will be earlier.
 - Qualification --- not mentioned in the constitution. Conventionally 10 years experienced in any financial sector under the Union or State Govt.
 - Resignation --- to the President.
 - Removal --- Same manner & ground as the judge of Supreme Court.
 - Re-appointment --- He is not eligible for further appointment under the Union or State Govt. after retirement.
 - Salary --- determined by the Parliament of law and shall be charged upon the Consolidated fund.
 - Oath --- by the President.
 - Condition of service --- determined by the Parliament.
 - Responsibility --- He is responsible for his work to the Parliament.
- Art- 149
 - Duties & powers of CAG --- determined by Parliament by law. Accordingly the Parliament has enacted 'CAG's duties, power and conditions of service Act --- 1971'---Amended in 1976.
 - Originally two main duties were CAG's --- Accounts & Audit Amendment at 1976, separates accounts from audit. Presently CAG audits the accounts of central govt., state govt. and public

sector undertakings under this govt.

- Art- 151
 - CAG's report – Art 151(1) --- CAG submits its report relating to the accounts of union govt. to the President, who shall be laid before the Parliament.
 - Art 151(2) --- CAG submits its report relating to the accounts of state govt. to the Governor, who shall be laid before the state legislature.
- Simple Majority --- majority of the members of the house present and voting.
- Absolute Majority --- majority of the total members of the house.
- Special majority --- majority of total members of the house and 2/3 rd of the members present and voting.

Services Under the Union & States

- Part – XIV, Art- 308-323
- Recruiting bodies for the Govt. services under the central and the state are --- 1) UPSC, 2) SPSC, 3) JPSC (Joint Public Service Commission)
- UPSC
 - Constitutional body.
 - Statutory body.
 - Non-constitutional body (planning commission)
 - Under Union list.
 - UPSC conducts examinations for appointment to the All India Services --- IAS, IPS, IFS & Central Services.
 - Central service --- group A & B, SSC- staff selection commission. It conducts examination for central service group 'C' & 'D'.
- SPSC
 - Constitutional body.
 - It is under State list.
 - Members enjoy rank like judges of High Court.
 - It conducts examination for appointment to the State Public Service.
- Art- 315
 - There shall be PSC for the Union & PSC for the State.
 - The Parliament by law may establish a joint PSC for more than one State.
- Art- 316
 - Appointment & condition of the office of the members.
 - Members of UPSC & JPSC appointed by the President.

- Members of SPSC appointed by the Governor.
- Term
 - For UPSC 6 years & 65 years of age whichever will be earlier.
 - For SPSC / JPSC 6 years & 62 years of age whichever will be earlier.
- Composition
 - Number of members are determined by the President in UPSC & JPSC.
 - Number of members are determined by the Governor in SPSC.
- Resignation
 - UPSC & JPSC --- to the President.
 - SPSC --- to the Governor.
- Re-appointment
 - The members of PSC's shall not be eligible for re-appointment to that office.
- Acting Chairman
 - When the office of chairman of any PSC falls vacant the President appoints one of the members of UPSC & JPSC & Governor for SPSC as acting chairman.
- Salary
 - Salary of UPSC determined by the Parliament by law and shall be charged upon consolidated fund of India.
 - Salary of SPSC determined by the State legislature by law and shall be charged upon consolidation fund of the State.
- Qualification
 - No qualification are prescribed for the commission membership except that ½ members of any PSC should be such persons who have held office for at least 10 years under the Union or the State Govt.
- Art- 317 --- Removal of the member of PSC's
 - With enquiry by the Supreme Court --- removed by the President on the ground of proved misbehavior.
 - Without enquiry by the Supreme Court --- remove by the President on the following ground.
 - 1) Insolvency
 - 2) Holds office of profit under the Union or State Govt.
 - 3) Unfit to continue in office by reason of infirmity of body or mind.
- Suspension
 - UPSC / JPSC --- by the President
 - SPSC --- by the Governor.
- Art- 318 --- Conditions of service

-
- UPSC & JPSC --- determined by the Parliament.
 - SPSC --- determined by the Governor.
 - Art- 319 --- Eligibility for further appointment
 - UPSC --- Chairman is not eligible for further appointment under the Union or State Govt.
 - Others members --- as chairman of UPSC or SPSC.
 - SPSC--- chairman can appointed as chairman or member of UPSC and other member of UPSC.
 - Art- 320 --- Functions of PSC's
 - To conduct exams for appointment to the services of Union, State and jointly two or more States.
 - The PSC may not be consulted on any matter related to the ways of giving effect to the provisions of reservation I in favor of SC's, ST's or OBC's.
 - Art- 321 --- New All India Services can be created by the Parliament by law of Rajyasabha passes a resolution by 2/3rd majority for National interest.
 - Art- 323 --- Report of PSC's
 - UPSC Submit the report to the President, who shall be laid it before Parliament.
 - SPSC submit the report to the Governor, who shall be laid it to the State legislature.
 - All India Service --- IAS, IPS, IFS.
 - Central Service --- Central Engineering Service, Central Health Service, Central Information Service, Central Legal Service, Central Secretarite Service, Indian Audit& Account Service, Indian Defence Account Service, Central Economic Service, Central Foreign Service, Indian Postal service, Indian Revenue Service, Indian Statistical Service, Railway Person Service.
 - State Service --- Civil Service, Police Service, Foreign Service, Agricultural Service, Medical Service, Fisheries Service, Judicial Service, Public Health Service, Educational Service, Co-operative Service, Registration Service, Sales Tax Service, Jail Service, Service of Emergency.

Election Provision

- Part – XV, Art- 324-329
- Under Union list.
- Art- 324 --- Election commission
 - Election Commission conducts election to Parliament both houses, State legislature, both house, President & Vice-President upto there.
- Composition
 - Determined by the President.
 - At present three members --- chief election commissioner & two other commissions since 6th Oct, 1993.
- Appointment
 - Chief election commissioner and other commissions are appointed by the President.

-
- The Regional commissioners are appointed by the president after consultation with the chief election commission.
 - Term --- determined by the President (subject to the law's made by the parliament).
At present term 6 years & 65 years of age whichever will be earlier.
 - Salary
 - Determined by the Parliament by the law and shall be charged by the consolidated fund of India.
 - Rank
 - Same as judges of Supreme Court.
 - Resignation
 - To the President.
 - Removal
 - Chief Election Commissioner--- Same manner and ground as the judges of Supreme Court.
 - Other Commissioner --- by the President on the recommendation of chief election commission.
 - Art- 325 --- No person to be ineligible for the inclusion in any electoral on the ground of religion, race, caste, sex etc.
 - Art- 326 --- Right to vote
 - Election to the Loksabha& the Bidhansabha's shall be held on the basis of universal adult franchise by 61st Amendment Act, 1988.
 - Other voting age reduced to 18 year from 21 years.
 - It was implemented in 1989 in 9th general election during Rajiv Gandhi.
 - The first general election held in 1952.
 - The first session of the parliament --- 13th May, 1952.
 - Art- 327 --- The Parliament is empowered to make any provision by law with respect to election to te Parliament & State Legislature.

Youtube Channel – Pijush Sir@ RCA EDUCATION

1. ভারতের মূল সংবিধানে কতগুলি তফশিল (Schedule) ছিল ? 8টি (B) 10টি (C) 12টি (D) 14টি 13. ভারতীয় সংবিধানের
2. 19-22 ধারায় কোন মৌলিক অধিকারটি বর্ণিত হয়েছে? A)সাম্যের অধিকার (B) স্বাধীনতার অধিকার (C) ধর্মীয় স্বাধীনতার অধিকার
3. জাতীয় উন্নয়ন পর্ষদ (NDC-National Development Council) কোন সালে স্থাপিত হয়? A)1945(B) 1948 (C) 1952(D) 1965
4. সুপ্রিম কোর্টের বিচারপতিদের অবসর গ্রহণের বয়স কত?(A) 55 বছর (B) 60 বছর | (C) 62 বছর (D) 65 বছর।
5. ভারতের সংসদের দুটি কক্ষের যুগ্মসভা আহ্বান করেন কে? | (A) রাষ্ট্রপতি (B) উপরাষ্ট্রপতি(C) লোকসভার অধ্যক্ষ (D) প্রধানমন্ত্রী।
6. বর্তমানে শিক্ষা কোন তালিকার অন্তর্ভুক্ত?(A) রাজ্য। (B) কেন্দ্রীয়। (C) যুগ্ম।(D) কোনটিই নয়।
7. সংবিধান সংশোধনের ক্ষমতা কার হাতে ন্যস্ত রয়েছে? (A) সংসদ। (B) প্রধানমন্ত্রী।(C) রাষ্ট্রপতি (D) সুপ্রিম কোর্ট
8. সম্পত্তির অধিকার একটি (A) আইনগত অধিকার (B) মৌলিক অধিকার(C) সামাজিক অধিকার (D) নির্দেশমূলক নীতি
9. কোন সংশোধনীর মাধ্যমে সংবিধান সংশোধনের ক্ষমতা সংসদের ওপর ন্যস্ত হয়েছে? A)12 তম B)17 তম C)18 তম D)24 তম

10. সংবিধানের কোন ধারায় পার্লামেন্টের দ্বারা নতুন রাজ্য গঠনের কথা বলা হয়েছে? (A) 1 (B) 2 (C) 3 (D) 4
11. অষ্টম তফসিলে প্রথমে কতগুলি ভাষার উল্লেখ ছিল? (A) 8 (B) 10 (C) 14 (D) 18
12. ভারতীয় সংবিধানে কত ধরনের স্বাধীনতার স্বীকৃতি আছে? (A) 6. (B) 8 (C) 10. (D) 12
13. নিচের কোনটি ভারতের একনাগরিকত্বকে (Single Citizenship) বিরোধিতা করে? (A) যুক্তরাষ্ট্রীয় ব্যবস্থা (B) বিচার ব্যবস্থা (C) সংসদীয় গণতন্ত্র (D) মৌলিক অধিকার
14. নিবর্তনমূলক আটক আইনে সরকার কোন অপরাধীকে সাধারণভাবে কতদিনের জন্য আটক রাখতে পারে? (A) 14 দিন। (B) 1 মাস। (C) 3 মাস (D) 6 মাস।
15. ভারতীয় সংবিধানের প্রস্তাবনাটি কে লিখেছিলেন? (A) বি. আর. আম্বেদকর (B) জহরলাল নেহেরু (C) রাজেন্দ্র প্রসাদ (D) কে.এম. মুন্সী
16. পশ্চিমবঙ্গ বিধানসভার মোট সদস্য সংখ্যা কত? (A) 350 (B) 294 (C) 542 (D) 242
17. মুখ্যসচিব কার দ্বারা নিযুক্ত হন? (A) মুখ্যমন্ত্রী। (B) রাষ্ট্রপতি। (C) প্রধানমন্ত্রী (D) রাজ্যপাল
18. রাজ্য নির্বাচন কমিশনার কার দ্বারা নিযুক্ত হন? (A) মুখ্যমন্ত্রী (B) রাজ্যপাল (C) আইনমন্ত্রী (D) বিধানসভার স্পিকার
19. কোন্ বিল শুধু মাত্র লোকসভায় আনা যায়? (A) প্রতিরক্ষা বিল (B) আইন বিল (C) মানি বিল (D) কোনটাই নয়
20. ভারতে প্রথম নির্বাচন কমিশনার কে? (A) জে. এম. লিংডো (B) কে. জে. রাও (C) সুকুমার সেন (D) মাডলস্কার
21. ভারতের প্রথম সাধারণ নির্বাচন কবে অনুষ্ঠিত হয়? (A) 1950-51। (B) 1951-52 (C) 1952-53 (D) 1953-54
22. রাজ্য পাবলিক সার্ভিস কমিশনের সদস্যদের অবসরগ্রহণে বয়স কাল কত? (A) 62 বছর। (B) 61 বছর। (C) 60 বছর (D) 59 বছর
23. রাজ্যবিধানসভার অধিবেশন কে ডাকেন? (A) মুখ্যমন্ত্রী (B) রাজ্যের আইনমন্ত্রী (C) রাজ্যপাল (D) বিধানসভার স্পিকার
24. পশ্চিমবঙ্গে বিধান পরিষদ কবে বিলুপ্ত হয়? (A) 1965 (B) 1969 (C) 1979 (D) 1971
25. বিচারপতিদের ভাতা এবং বেতন ভারতীয় সংবিধানের কোন তপশিল (Schedule) ভুক্ত বিষয়? (A) প্রথম তপশিল (B) ষষ্ঠ তপশিল (C) দ্বিতীয় তপশিল
26. বিধান পরিষদ (Legislative Council) গঠনের জন্য ন্যূনতম সদস্যসংখ্যা কত হতে হয়? (A) 40 (B) 45 (C) 35 (D) 30
27. দলত্যাগ বিরোধী বিল ভারতে কত সালে পাশ হয়? (A) 1998 (B) 1985 (C) 1986 (D) 1996
28. নীচের কোন বিষয়টি জিরো আওয়ারে আলোচিত হয়? (A) স্বরাষ্ট্র সংক্রান্ত (B) প্রতিরক্ষা সংক্রান্ত (C) অর্থনীতি বিষয়ক (D) বিবিধ
29. 'তেলেঙ্গানা রাষ্ট্রীয় সমিতি' (TRS) নীচের কোন রাজ্যের দল? (A) অন্ধ্রপ্রদেশ (B) কর্ণাটক। (C) তামিলনাড়ু (D) কেরালা
30. নতুন গঠিত গ্রাম পঞ্চায়েতের প্রথম সভা আহ্বান করেন কে? (A) গ্রামপ্রধান (B) সভাপতি (C) জেলাশাসক (D) ব্লক উন্নয়ন আধিকারিক
31. ভারতীয় সংবিধানের 14-18 ধারায় কোন মৌলিক অধিকারটি বর্ণনা করা হয়েছে? (A) স্বাধীনতার অধিকার (B) ধর্মীয় স্বাধীনতার অধিকার (C) সাম্যের অধিকার (D) বাকস্বাধীনতার অধিকার
32. গান্ধিয়ান পরিকল্পনা (Gandhian Plan) কত সালে রচিত হয়? (A) 1944 (B) 1945 (C) 1946 (D) 1947
33. জাতীয় উন্নয়ন পরষদের চেয়ারম্যান কে হন? (A) রাষ্ট্রপতি। (B) পরিকল্পনা কমিশনের ডেপুটি চেয়ারম্যান (C) প্রধানমন্ত্রী (D) উপরাষ্ট্রপতি
34. ভারতের প্রথম অস্থায়ী বা Acting প্রধানমন্ত্রী কে হন? (A) অটলবিহারী বাজপেয়ী (B) মোরারজি দেশাই (C) চরণ সিং (D) গুলজারিলাল নন্দ
35. ভারতের রাষ্ট্রপতি কখন অধ্যাদেশ জারি করতে পারেন? (A) রাষ্ট্রপতি মনে করলে। (B) উপরাষ্ট্রপতির পদ শূন্য থাকলে। (C) পার্লামেন্টের অধিবেশন বন্ধ থাকলে। (D) পার্লামেন্ট নির্দেশ দিলে
36. ভারতীয় সংবিধানের কোন্ ধারাগুলিতে কেন্দ্রশাসিত (The Union Territories) অঞ্চলের প্রশাসনিক ব্যবস্থার বিষয়ে ঘোষিত হয়েছে? (A) 33-35 ধারা (B) 240-250 ধারা (C) 232-233 ধারা (D) 239-240 ধারায়
37. লোকসভায় পশ্চিমবঙ্গের আসনসংখ্যা কত স্থির করা হয়েছে? (A) 40 (B) 42 (C) 43 (D) 44
38. রাষ্ট্রপতির নির্বাচন সম্বন্ধীয় বিরোধের নীমাংসা এবং সমাধান নীচের কে করেন? - (A) উপরাষ্ট্রপতি (B) সুপ্রিমকোর্ট (C) মুখ্য নির্বাচন কমিশনার
39. ভারতীয় সংবিধানের অষ্টম তপশিলে (Eight Schedule) কতগুলি ভাষাকে স্বীকৃতি জানানো হয়েছে? (A) 20 টি (B) 21 টি (C) 22 টি (D) 23
40. সার্টিংরি কথার অর্থ কি? (A) আমাদের দ্বারা আদেশ (B) বিশেষভাবে জ্ঞাত হওয়া (C) বন্দীপ্রত্যক্ষীকরণ (D) নিজ অধিকার প্রয়োগ
41. অর্থবিলের উপরে শংসাপত্র কে দেন? (A) রাষ্ট্রপতি (B) অর্থমন্ত্রীর এ (C) স্পীকার (D) প্রধানমন্ত্রী
42. কলিকাতা হাইকোর্ট কোন কেন্দ্রশাসিত অঞ্চলের বিচার করে? (A) আন্দামান ও নিকোবর দ্বীপপুঞ্জ (B) দমন ও দিউ (C) লাক্ষাদ্বীপ (D) পুডুচেরি
43. রাষ্ট্রপতি কার কাছে পদত্যাগপত্র পেশ করেন? (A) উপরাষ্ট্রপতি। (B) প্রধানমন্ত্রী। (C) প্রধান বিচারপতি (D) স্পীকার
44. লোকসভায় অর্থবিল উত্থাপনের আগে কার অনুমতির এ প্রয়োজন হয়? (A) অর্থমন্ত্রী (B) রাষ্ট্রপতি (C) স্পীকার (D) প্রধানমন্ত্রী
45. বর্তমানে ভারতে কয়টি হাইকোর্ট রয়েছে? (A) 21 (B) 22 (C) 23 (D) 24.
46. অ্যাডভোকেট জেনারেল কার দ্বারা নিযুক্ত হন? (A) হাইকোর্টের প্রধান বিচারপতি (B) মুখ্যমন্ত্রী (C) রাজ্যপাল (D) রাষ্ট্রপতি
47. নিম্নলিখিত কে পার্লামেন্টের সদস্য না হয়েও পার্লামেন্টে নিজের বক্তব্য রাখতে পারেন? (A) রাষ্ট্রপতি (B) অ্যাটর্নী জেনারেল (C) স্পীকার
48. ভারতবর্ষে স্বাধীনতার পরে আজ পর্যন্ত কতবার জরুরি অবস্থা জারী করা হয়েছে? (A) 1 (B) 2 (C) 3 (D) 4
49. 'হেবিয়াস কর্পাস' শব্দটির বাংলা প্রতিশব্দ হল? (A) পরমাদেশ (B) প্রতিষেধ। (C) উৎপ্রেষণ (D) বন্দীপ্রত্যক্ষীকরণ।
50. রাজ্যসভার কার্যকালের মেয়াদ কত? (A) 5 বছর (B) এটি একটি স্থায়ী সংস্থা (C) 4 বছর (D) 6 বছর
51. কেন্দ্রীয় সরকারের সর্বোচ্চ আইনজ্ঞ আধিকারিক কে? (A) প্রধানমন্ত্রী (B) অ্যাডভোকেট জেনারেল (C) অ্যাটর্নী জেনারেল

52. ভারতীয় সংবিধানের কোন ধারাটিতে (ARTICLE)মৌলিক কর্তব্যসমূহ লেখা আছে? a)51 A (B) 52 A (C) 53 A (D) 54 A
53. উপরাষ্ট্রপতি হবার জন্য ন্যূনতম কত বছর বয়স প্রয়োজন? (A) 25 বছর (B) 30 বছর (C) 35 বছর (D) 32 বছর
54. নিম্নলিখিত কোন ধারাটিতে ড.বি.আর.আম্বেদকর ভারতীয় সংবিধানের আয়ু বা প্রাণ' বলে বর্ণনা করেন? a)35 ধারা B) 34 ধারা C) 32 ধারা
55. ভারতীয় নাগরিকতা আইন পাশ হয় কত সালে? (A) 1952 (B) 1955 (C) 1951(D) 1966
56. ভারতীয় সংবিধানের কোন অংশটি আদালত দ্বারা কার্যকর হয় না? A)প্রস্তাবনা (B) রাষ্ট্রের নির্দেশমূলক নীতি (C) মৌলিক কর্তব্য
57. ভারতীয় সংবিধানের 5-11 ধারায় নীচের কোন বিষয়টি ব্যাখ্যা করা হয়েছে? A) নাগরিকত্ব (B) মৌলিক অধিকার (C) মৌলিক কর্তব্য
58. নীচের কোন ধারা প্রয়োগ করে পার্লামেন্ট ভারতের কোন রাজ্যের বিধান পরিষদের বিলোপ অথবা সৃষ্টি করতে পারে A) 123 B) 167 C)169 A D)178
59. 15 তম অর্থকমিশনের চেয়ারম্যান কে? (A) Y. S. P Thorat (B) T. S. Vijayan (C) Vijay Kelker (D) N.K.Singh
60. গণপরিষদের সদস্য সংখ্যা কত ছিল? (A) 384 (B) 389 (C) 386(D) 387
61. গণপরিষদের প্রথম সভাপতি কে ছিলেন? A)জওহরলাল নেহেরু (B) বল্লভভাই প্যাটেল(C) আবুল কালাম আজাদ (D) রাজেন্দ্র প্রসাদ
62. কোন দেশের সংবিধান অনুসারে ভারতীয় সংবিধানের প্রস্তাবনা গ্রহণ করা হয়েছে? A)জার্মানি B) ইংল্যান্ড C) আমেরিকা যুক্তরাষ্ট্র D) রাশিয়া
63. লোকসভায় কে সভাপতিত্ব করেন ? | (A) প্রধানমন্ত্রী (B) ডেপুটি স্পিকার (C) রাষ্ট্রপতি (D) স্পিকার
64. মন্ত্রী সভায় কত প্রকারের মন্ত্রী থাকেন? (A) 2(B) 3. (C) 4.(D) 5
65. স্পিকার কিভাবে ঠিক হয় ?A) রাজ্যসভার সদস্যদের নির্বাচনে (B) লোকসভার সদস্যদের নির্বাচনে (C) প্রধানমন্ত্রীর মনোনীত
66. এখন ভারতে সম্পত্তির অধিকার কোন্ ধরনের অধিকার ? a)আইনগত অধিকার (B) মৌলিক অধিকার (C) নৈতিক অধিকার
67. নীচের কোন সংস্থাটির একজন সদস্য ভারতবর্ষ নয়? (A) G-15. (B) ASEAN (C) UNO(D) কমনওয়েলথ
68. নীচের কোন করটি পঞ্চায়েত সংগ্রহ করে?(A) কাষ্টমস ডিউটি (B) ভূমিকর (C) স্থানীয় মেলার উপর কর (D) বিক্রয় কর
69. সংবিধান রচনা সমিতির প্রথম বৈঠক কবে অনুষ্ঠিত হয় a)1946 ১লা জানুয়ারী B)1946 সালের 9 আগষ্ট C)1946 সালের 9ই ডিসেম্বর
70. সংবিধান রচনা সমিতির প্রথম অধ্যক্ষ কে ছিলেন?a)ডা. সচ্চিদানন্দ (B) বাবু রাজেন্দ্র প্রসাদ - (C) বাবু জগজীবন রাম
71. কবে থেকে ভারতীয় সংবিধান কার্যকরী হয় a)1948 সালের 26শে জানুয়ারী b) 1950 সালের 15ই আগষ্ট c) 1950 সালের 26শে জানুয়ারী
72. সংবিধান খসড়া সমিতির সাংবিধানিক মন্ত্রণাদাতা কে ছিলেন a)বাবু রাজেন্দ্র প্রসাদ b)বি. এন. রাও c)ড. বি. আর. আম্বেদকর d) জগজীবন রাম
73. ভারতীয় সংবিধানের কয়টি অধ্যায় রয়েছে? (A) 24টি (B) 20টি (C) 23টি (D) 25টি
74. ভারতীয় সংবিধানের প্রস্তাবনার খসড়া তৈরী করেন কে? a)জওহরলাল নেহেরু (B) মতিলাল নেহেরু। মত (C) বল্লভভাই প্যাটেল
75. সংবিধানের কয়টি তফসীল রয়েছে? (A) 10 কি ছিল (B) 11 ক খ গ (C) 12 (D) 13 সাল
76. রাষ্ট্র পরিচালনার নীতি সংবিধানের কোন অনুচ্ছেদে বর্ণিত হয়েছে?a)152-237 (B) 36 - 51(C) 12-35 দিয়ে ভাল (D) 5 - 11 জয়।
77. নির্বাচন ও নির্বাচন আয়োগ সংক্রান্ত বিষয় সংবিধানের কোন্ ভাগে বর্ণনা করা হয়েছে?a) XIV (B)XI (C)XVI (D) XV
78. 14 বছরের নীচে শিশুদের কারখানা বা খনির কাজে লাগানো নিষিদ্ধ ঘোষিত হয়েছে সংবিধানের কত নং অনুচ্ছেদ অনুসারে ?(A) 12-13 (B) 23-24 (C) 31-32 . (D) 37-38
79. ভারতের রাষ্ট্রপতি হওয়ার ন্যূনতম বয়স কত বছর?(A) 3500 (B) 25 (C) 30 (D) 32
80. নাগরিকের কর্তব্যের কথা মূল সংবিধানে কত সালে অন্তর্ভুক্ত হয়? (A) 1976 (B) 1950 (C) 1962 (D) 1947
81. নিম্নলিখিতদের মধ্যে কে সবচেয়ে কম বয়সে রাষ্ট্রপতি হন ? (A) বি ডি, জেটি (B) কে, আর নারায়ণন । (C) ভি ভি গিরি । (D) নীলম সঞ্জীব রেডি
82. রাষ্ট্রপতি কার পরামর্শে মন্ত্রীসভা গঠন করেন?a)উপরাষ্ট্রপতি (B) প্রধানমন্ত্রী(C) লোকসভার অধ্যক্ষ (D) প্রধান বিচারপতি
83. নীচের কোনটি একটি স্থায়ী কক্ষ ? (A) রাজ্যসভা (B) বিধানসভা (C) লোকসভা (D) বিধানসভা ও লোকসভা
84. সুপ্রিমকোর্টে সর্বাধিক মোট কতজন বিচারপতি থাকতে পারেন? | (A) 25 (B) 22) (C) 28 (D) 26
85. কেন্দ্রীয় নিয়োগাধিকার আয়োগ (UPSC) এর চেয়ারম্যান ও অন্যান্য সদস্যদের কে নিযুক্ত করেন?a)রাষ্ট্রপতি। (B) প্রধানমন্ত্রী (C) সুপ্রিমকোর্টের প্রধান বিচারপতি (D) উপরাষ্ট্রপতি।
86. সংবিধানের কোন অনুচ্ছেদ অনুসারে বিত্ত কমিশন (FINANCE COMMISSION) ? a)281 (B) 291 (C) 280 (D) 290.
87. ভারতে মোট কয়টি হাইকোর্ট রয়েছে? (A) 29 (B)17 c)25
88. রাজ্য সরকারকে আইনী ব্যাপারে পরামর্শ কে দেন? A)অ্যাটর্নি জেনারেল (B) সলিসিটার জেনারেল।(C) অ্যাডভোকেট জেনারেল (D) বিচারপতি
89. রাজ্যসূচীতে কয়টি বিষয় অন্তর্ভুক্ত রয়েছে? a) 97 B) 67 C) 91 D) 62
90. সরকারী ভাষা আইন কত সালে ঘোষিত হয়? A) 1965 B) 1963 C) 1960 D) 1950
91. মানিবিল রাজ্যসভায় সর্বাধিক কতদিন আটকে রাখা যায় - A) 15 B) 14 D) 30.
92. সংসদের হৌথ অধিবেশন কে আহ্বান করেন?(A) উপরাষ্ট্রপতি (B) প্রধানমন্ত্রী (C) অধ্যক্ষ (D) রাষ্ট্রপতি
93. সংবিধানের কততম অনুচ্ছেদ সরকারকে পঞ্চায়েত স্থাপনের নির্দেশ দেয় ? (A) 48 (B) 33 (C) 40 (D) 45
94. 1989 সালে কততম সংশোধনের দ্বারা ভোটাধিকারের বয়স 21 থেকে কমিয়ে 18 করা হয়? a)60তম (B) 62তম। (C) 63তম(D) 61তম

95. সংবিধানের প্রথম সংশোধন কত সালে করা হয় ? - (A) 1950 (B) 1954 (C) 1956 (D) 1959
96. সংসদের কার্য সমাধানের জন্য 'কোরাম পূর্ণ হওয়ার জন্য ন্যূনতম কত সদস্যের উপস্থিতি আবশ্যিক? a)8 ভাগ (B)4 ভাগ (C)10 ভাগ (D)6ভাগ।
97. 1975 সালে 36 তম সংশোধনের দ্বারা কোন রাজ্যের হয় ? (A) হিমাচল প্রদেশ(B) সিকিম (C) গোয়া(D) মেঘালয়
98. ভারতের 25 তম রাজ্য হিসাবে কোনটি স্বীকৃতি (A) মিজোরাম। (B) ত্রিপুরা। (C) অরুনাচল প্রদেশ (D) গোয়া
99. বলবন্ত রায় মেহতা কমিটি নিম্নলিখিত কোন বিষয় সংক্রান্ত - A) তপশিলী জাতি ও উপজাতি সংক্রান্ত (B) সংবিধান সংশোধন সংক্রান্ত (C) জরুরী অবস্থা সংক্রান্ত(D) পঞ্চায়েত ব্যবস্থা সংক্রান্ত
100. সংবিধানের জরুরী অবস্থার ধারণা কোন দেশের সংবিধান থেকে গৃহীত হয়েছে? a)ইংল্যান্ড B) জার্মানি C) আমেরিকা যুক্তরাষ্ট্র D) আয়ারল্যান্ড
101. বিধান পরিষদের সদস্য হতে গেলে ন্যূনতম কত বয়স হতে হয় ? a)30 বছর(B) 25 বছর। (C) 18 বছর। (D) 35 বছর
102. অ্যাটর্নি জেনারেল কতদিন পদে থাকতে পারেন? A)রাষ্ট্রপতির ইচ্ছানুসারে (B) 5 বছর (C) 6 বছর। (D) 2 বছর
103. কেন্দ্রীয় আইনসভা কি কি নিয়ে গঠিত? a)লোকসভা (B) রাজ্যসভা (C) লোকসভা ও রাজ্যসভা। (D) লোকসভা, রাজ্যসভা ও রাষ্ট্রপতি
104. পদাধিকারবলে রাজ্যসভার চেয়ারম্যান কে? (A) রাষ্ট্রপতি (B) উপরাষ্ট্রপতি (C) প্রধানমন্ত্রী (D) লোকসভার অধ্যক্ষ
105. রাষ্ট্রপতিকে শপথবাক্য পাঠ করান কে? A)উপরাষ্ট্রপতি (B) প্রধানমন্ত্রী (C) বিদায়ী রাষ্ট্রপতি(D) সুপ্রিমকোর্টের প্রধান বিচারপতি
106. জরুরী অবস্থা প্রয়োগের ক্ষেত্রে a)লোকসভার ক্ষমতা বেশী। (B) উভয়পক্ষের ক্ষমতা সমান। (C) রাজ্যসভার ক্ষমতা বেশী। d)উভয়পক্ষের ক্ষমতা সমান।
107. কোন সংশোধনী অনুযায়ী ভোটারদের বয়স 21 থেকে 18 বছর করা হয়? a)62তম . (B) 61তম। (C) 69তম (D) 73তম
108. রাজ্যসভা কবে প্রতিষ্ঠিত হয়? A)1952-3রা ফেব্রুয়ারী (B) 1951-3রা ফেব্রুয়ারী(C) 1950-26শে জানুয়ারী (D) 1953-3রা ফেব্রুয়ারী।
109. ভারতের সংবিধানের মৌলিক কর্তব্য কোন দেশের মতো? (A) আমেরিকা (B) রাশিয়া।(C) ইংল্যান্ড। (D) অস্ট্রেলিয়া।
110. 1991 খ্রিস্টাব্দে কততম সংশোধনের দ্বারা দিল্লীকে National Capital Territory হিসাবে ঘোষণা করা হয় (A) 62 তম (B) 69 তম (C) 70
111. লেখ বা writ বলতে কি বোঝায়? (A) সুরক্ষা।(B) নির্দেশ বা পরোয়ানা (C) নিরাপত্তা।(D) সময়ানুবর্তিতা
112. ভারতের নাগরিকতা আইন পাশ হয় কোন সালে? (A) 1950(B) 1955 (C) 1967(D) 1952
113. হ্যাবিয়াস কর্পাস এর অর্থ কি?(A) সশরীরে হাজির করা (B) পলায়ন করা।(C) উপস্থিত হওয়া। (D) অভিযোগ করা
114. 1984 খ্রিস্টাব্দে প্রথম কোন সরকার পারিবারিক আদালত আইন পাশ করে? a)তামিলনাড়ু (B) মহারাষ্ট্র। (C) দিল্লী ,(D) কর্ণাটক
115. কে প্রস্তাবনাকে "Soul of the constitution" বা সংবিধানের আত্মা বলে মনে করতেন? a)জী অস্টিন (B) ঠাকুরদাস ভার্গব (C) আর্নেস্ট বাকার
116. ভারতীয় সংবিধান সভা কবে গঠিত হয়?(A) 1945 সালে (B) 1996 সালে(C) 1947 সালে (D) 1948 সালে
117. ভারতীয় সংবিধানে কতগুলি তফসিল রয়েছে? (A) 8.(B) 10 (C) 12(D) 24
118. সংবিধানের কোন ধারা অনুযায়ী রাষ্ট্রপতি দেশে জরুরি অবস্থা জারি করতে পারেন? (A) 352(B) 356 (C) 360(D) 364
119. ভারতীয় সংবিধানে কোন ধরনের নাগরিকতা স্বীকৃত?(A) এক নাগরিকতা (B) দ্বি নাগরিকতা(C) ত্রি নাগরিকতা (D) বহু নাগরিকতা
120. ভারতীয় সংবিধানে নির্দেশমূলক নীতি গ্রহণ করা হয়েছে। কোন দেশের সংবিধান অনুসরণ করে? (A) ইংল্যান্ড(B) রাশিয়া।(C) কানাডা।(D) আয়ারল্যান্ড
121. ভারতের রাষ্ট্রপতি কখন অধ্যাদেশ (Ordinance) জারি করতে পারে? (A) পার্লামেন্ট নির্দেশ দিলে। (B) রাষ্ট্রপতি মনে করলে (C) উপরাষ্ট্রপতির পদ শূন্য থাকলে(D) পার্লামেন্টের অধিবেশন বন্ধ থাকলে
122. লোকসভার স্পীকারকে পদচ্যুত করতে হলে কতদিন আগে নোটিস দিতে হয় ?A)10 দিন(B) 14 দিন। (C) 20 দিন।(D) 25 দিন
123. রাষ্ট্রপতি কার কাছে পদত্যাগপত্র পেশ করেন?(A) প্রধানমন্ত্রী (B) দেশের প্রধান বিচারপতি(C) স্পীকার। (D) উপরাষ্ট্রপতি
124. রাজস্ব বিল বা 'অর্থ বিষয়ক বিল' (Finance Bill) কত প্রকার ? (A) দু-প্রকার (B) চার প্রকার(C) তিন প্রকার (D) পাঁচ প্রকার
125. লোকসভায় অর্থবিল উত্থাপনের পূর্বে কার অনুমতির প্রয়োজন? (A) স্পীকার(B) রাষ্ট্রপতি (C) প্রধানমন্ত্রী (D) অর্থমন্ত্রী
126. Mandamus' কথাটির বাংলা প্রতিশব্দ হল A)কোন্ অধিকারে B) আমরা আদেশ করি C) বন্দীকে সশরীরে হাজির করা D) নিষেধ করা
127. ভারতীয় সংবিধানের কোম-মা অ ঘোষণা করা হয়েছে? (A) 17 ধারায় (B) 18 ধারায় (C) 19 ধারায় (D) 21 ধারায়।
128. ভারতীয় সংবিধানের কোন অংশে (Part) ৯ অধিকারকে লিপিবদ্ধ করা হয়েছে? A)Part- I (B) Part-II(C) Part-III (D) Part-IV
129. ভারতীয় সংবিধানের কোন ধারায় ক্যাবিনেট (Cabinet) কথাটির উল্লেখ করা হয়েছে? A)352 ধারায় (B) 356 ধারায় (C) 360 (D) 226 ধারায়