



SAFALTA CLASSTM

An Initiative by **अमर उजाला**



CVC (2020)
T (July)
Sanjay Kothari

The Central Vigilance Commission (CVC) is the main agency for preventing corruption in the Central government.

It was established in 1964 by an executive resolution of the Central government.

संजोतक

Santanam
Comm.
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Its establishment was recommended by the Santhanam Committee on Prevention of Corruption (1962–64).

Thus, originally the CVC was neither a constitutional body nor a statutory body. Later, in 2003, the Parliament enacted a law conferring statutory status on the CVC.

Composition

(1 + 2)

The CVC is a multi-member body consisting of a Central Vigilance Commissioner (chairperson) and not more than two vigilance commissioners.

They are appointed by the president by warrant under his hand and seal on the recommendation of a three-member committee consisting of the prime minister as its head, the Union minister of home affairs and the Leader of the Opposition in the Lok Sabha.

They hold office for a term of four years or until they attain the age of sixty five years, whichever is earlier.

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After their tenure, they are not eligible for further employment under the Central or a state government.

Organisation

The CVC has its own Secretariat, Chief Technical Examiners' Wing (CTE) and a wing of Commissioners for Departmental Inquiries (CDIs).

Working

The CVC conducts its proceedings at its headquarters (New Delhi).

It is vested with the power to regulate its own procedure.

It has all the powers of a civil court and its proceedings have a judicial character.

The CVC has to present annually to the President a report on its performance.

The President places this report before each House of Parliament.



→ Santanam Comm
Report
(1964)

The Central Bureau of Investigation (CBI) was set up in 1963 by a resolution of the Ministry of Home Affairs. Later, it was transferred to the Ministry of Personnel and now it enjoys the status of an attached office.

The Special Police Establishment (which looked into vigilance cases) setup in 1941 was also merged with the CBI.

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+ CPD
The establishment of the CBI was recommended by the Santhanam Committee on Prevention of Corruption (1962-1964).

The CBI is not a statutory body. It derives its powers from the Delhi Special Police Establishment Act, 1946.

Composition of CBI The CBI is headed by a **Director**.

He is assisted by a special director or an additional director.

The Director of CBI as Inspector-General of Police, Delhi Special Police Establishment, is responsible for the administration of the organisation.

July, 2020 →

Rishi-Ko
Shukla

States

Lokayukta



UNION

Modern democratic states are characterised by a welfare orientation.

Hence, the government has come to play an important role in the socio-economic development of a nation.

This has resulted in the expansion of bureaucracy and the multiplication of administrative process, which in turn increased the administrative power and discretion enjoyed by the civil servants at different levels of the government.

The institution of Ombudsman was first created in Sweden in 1809.

'Ombud' is a Swedish term and refers to a person who acts as the representative or spokesman of another person.

According to Donald C. Rowat, Ombudsman refers to “an officer appointed by the legislature to handle complaints against administrative and judicial action.”

He submits his annual report to the Parliament and hence, is also known as ‘Parliamentary Ombudsman.’

But he is independent of the Parliament (legislature) as well as the executive and judiciary.

Lokpal

The Administrative Reforms Commission (ARC) of India (1966–1970) recommended the setting up of two special authorities designated as ‘Lokpal’ and ‘lokayukta’ for the redressal of citizens’ grievances.

According to the ARC, the Lokpal would be appointed by the president after consultation with the chief justice of India, the Speaker of Lok Sabha and the Chairman of the Rajya Sabha.

The Lokpal and Lokayuktas (Amendment) Bill, 2016

- This Bill was passed by Parliament in July 2016 and amended the Lokpal and Lokayukta Act, 2013.
- It enables the leader of the single largest opposition party in the Lok Sabha to be a member of the **selection committee** in the absence of a recognized Leader of Opposition.

- It also amended section 44 of the 2013 Act that deals with the provision of furnishing of details of assets and liabilities of public servants within 30 days of joining the government service.
- The Bill replaces the time limit of 30 days, now the public servants will make a declaration of their assets and liabilities in the form and manner as prescribed by the government.

Structure of Lokpal

exams

Lokpal is a multi-member body, that consists of one chairperson and a maximum of 8 members.


Out of the maximum eight members, half will be judicial members and minimum 50% of the Members will be from SC/ ST/ OBC/ Minorities and women.

Chairperson of the Lokpal should be either the former Chief Justice of India or the former Judge of Supreme Court or an eminent person with impeccable integrity and outstanding ability, having special knowledge and expertise of minimum 25 years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.


The term of office for Lokpal Chairman and Members is 5 years or till the age of 70 years.

The members are appointed by the president on the recommendation of a Selection Committee.

Ist Lokpal → P. C. Ghosh



The selection committee is composed of the Prime Minister who is the Chairperson; Speaker of Lok Sabha, Leader of Opposition in Lok Sabha, Chief Justice of India or a Judge nominated by him/her and One eminent jurist.



Tenure

In most of the states, the term of office fixed for lokayukta is of 5 years duration or 65 years of age, whichever is earlier.

He is not eligible for reappointment for a second term.

हिंदी

~~National Language~~ ✓

Official Language ✓

of India

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Part XVII of the Constitution deals with the official language in Articles 343 to 351.

**Its provisions are divided into four heads—
Language of the Union, Regional languages,
Language of the judiciary and texts of laws and
Special directives.**

Hindi written in **Devanagari** script is to be the official language of the Union.

But, the form of numerals to be used for the official purposes of the Union has to be the international form of Indian

In 1955, the president appointed an Official Language Commission under the chairmanship of B G Kher.

The commission submitted its report to the President in 1956.



New map

शेख
का फुल्ला



The Jammu and Kashmir Reorganisation Bill 2019

- A Union Territory of Ladakh will be formed
- It will contain Kargil and Leh districts
- A Union Territory of Jammu and Kashmir will be formed
- It will contain all the areas other than Ladakh and Leh

Status of governor

- Governor of existing state of Jammu and Kashmir will be Lieutenant governor of UT of Jammu and Kashmir and UT of Ladakh

Representation in Council of States

- Four sitting RS members from J&K will be deemed to be members of UT of J&K., Their



term remains unaltered.

Representation in Lok Sabha

- UT of J&K will have five LS seats
- UT of Ladakh will have one LS seat

The Lieutenant Governor and the Legislative Assembly of Jammu and Kashmir

- The provisions contained in

article 239A, which are applicable to "Union territory of Puducherry", shall also apply to the "Union territory of Jammu and Kashmir".

- The legislative assembly will have 107 seats with direct elections. (J&K assembly earlier had 111 seats out of which 87 elected)
- 24 seats in Pakistan

Occupied Kashmir (PoK) will remain vacant (Same as in earlier assembly)

- LG can nominate two women members to the assembly

■ Term of assembly will be five years (as against six years earlier)

■ Central laws have been made applicable to Union Territories of Jammu and Kashmir and Ladakh

■ Government proposes delimitation of assembly segments

■ There will be reorganization of assembly segments and constituency maps will be redrawn

■ At the moment Jammu region has 37 assembly segments and Kashmir has 46

Art. 35A

Has Article 370 been scrapped?

- The Constitution (Application to Jammu and Kashmir) Order, 2019, issued by President Ram Nath Kovind “in exercise of the powers conferred by Clause (1) of Article 370 of the Constitution”, has not abrogated Article 370.
- While this provision remains in the statute book, it has been used to withdraw the special status of Jammu and Kashmir.

What is the status of Article 35A now?

- Article 35A stems from Article 370, and was **introduced through a Presidential Order** in 1954. Article 35A does not appear in the main body of the Constitution — Article 35 is followed by Article 36 — but appears in Appendix I.
- Article 35A empowers the Jammu and Kashmir legislature to define the permanent residents of the state, and their special rights and privileges.

Article 3 of the Constitution gives Parliament the power to amend the Constitution by a simple majority to change the boundaries of a state, and to form a new state.

But this change requires that such a Bill be first referred to the concerned state Assembly by the President for ascertaining its views.

Explanation II of Article 3 says Parliament's power extends to forming Union Territories.

- Jammu and Kashmir will have its own Legislative Assembly with an increased number of seats. The Jammu and Kashmir Reorganisation Act lists 83 constituencies.
- Earlier, the Jammu and Kashmir Assembly had 87 members excluding the seats reserved for Pakistan-occupied Kashmir.

- The Election Commission will now carry out a delimitation process in Jammu and Kashmir.
- The Act states that Jammu and Kashmir Assembly will have 107 seats (including 24 vacant ones for PoK) which will be increased to 114 after delimitation.

- The tenure of Jammu and Kashmir Assembly will be five years compared to six years earlier.
- In the Lok Sabha, the Union Territory of Jammu and Kashmir will have five MPs while the Ladakh will have two. Four sitting Rajya Sabha MPs will continue to be members of the upper house from the state.

- The Legislative Council of Jammu and Kashmir stands abolished. Jammu and Kashmir was one of the seven states to have a legislative council. Now, only six states have upper house in their legislatures.