



INDIAN POLITY BY- SUJEET BAJPAI SIR



Numbers	Subject Matter	Articles Covered
First Schedule	1. Names of the States and their territorial jurisdiction	1 and 4
	2. Names of the Union Territories and their extent.	
Second Schedule	Provisions relating to the emoluments, allowances, privileges and so on of:	59, 65, 75, 97, 125, 148, 158, 164, 186 & 221
	1. The President of India	
	2. The Governors of States	
	3. The Speaker and the Deputy Speaker of the Lok Sabha	
	4. The Chairman and the Deputy Chairman of the Rajya Sabha	
	5. The Speaker and the Deputy Speaker of the Legislative Assembly in the states	
	6. The Chairman and the Deputy Chairman of the Legislative Council in the states	
	7. The Judges of the Supreme Court	
	8. The Judges of the High Courts	

9. The Comptroller and Auditor-General of India

Third Schedule	Forms of Oaths or Affirmations for: <div style="position: absolute; top: 100px; left: 150px; color: red; font-size: 2em;">2147</div>	75, 84, 99, 124, 146, 173, 188 and 219
	1. The Union ministers	
	2. The candidates for election to the Parliament	
	3. The members of Parliament	
	4. The judges of the Supreme Court	
	5. The Comptroller and Auditor-General of India	
	6. The state ministers	
	7. The candidates for election to the state legislature	
	8. The members of the state legislature	
	9. The judges of the High Courts	

Fourth Schedule	Allocation of seats in the <u>Rajya Sabha</u> to the states and the union territories.	4 and 80
Fifth Schedule	Provisions relating to the administration and control of <u>scheduled areas and scheduled tribes</u> .	244
Sixth Schedule	Provisions relating to the administration of <u>tribal areas</u> in the states of <u>Assam</u> , Meghalaya, Tripura and Mizoram.	244 and 275
Seventh Schedule	Division of powers between the Union and the States in terms of List I (<u>Union List</u>), List II (<u>State List</u>) and List III (<u>Concurrent List</u>). Presently, the Union List contains 100 subjects (originally 97), the state list contains 61 subjects (originally 66) and the concurrent list contains 52 subjects (originally 47).	246

RTA@

AmTm



9

**Eighth
Schedule**

Languages recognized by the Constitution. Originally, it had 14 languages but presently there are 22 languages. They are: Assamese, Bengali, Bodo, Dogri (Dongri), Gujarati, Hindi, Kannada, Kashmiri, Konkani, Mathili (Maithili), Malayalam, Manipuri, Marathi, Nepali, Odia, Punjabi, Sanskrit, Santhali, Sindhi, Tamil, Telugu and Urdu. Sindhi was added by the 21st Amendment Act of 1967; Konkani, Manipuri and Nepali were added by the 71st Amendment Act of 1992; and Bodo, Dongri, Maithili and Santhali were added by the 92nd Amendment Act of 2003. Oriya was renamed as 'Odia' by the 96th Amendment Act of 2011.

344 and
351

1947 → 1950 → Land reforms

Acts and Regulations (originally 13 but presently 282)¹⁹ of the state legislatures dealing with land reforms and abolition of the zamindari system and of the Parliament dealing with other matters. This schedule was added by the 1st Amendment (1951) to protect the laws included in it from judicial scrutiny on the ground of violation of fundamental rights. However, in 2007, the Supreme Court ruled that the laws included in this schedule after April 24, 1973, are now open to judicial review.

(Jud. Review) (Laws)
↑
9th Sch.

Ninth Schedule

31-B

Violations of FR

Tenth Schedule	Provisions relating to disqualification of the members of Parliament and State Legislatures on the ground of defection. This schedule was added by the 52 nd Amendment Act of 1985, also known as Anti-defection Law.	102 and 191
Eleventh Schedule	Specifies the powers, authority and responsibilities of Panchayats. It has 29 matters. This schedule was added by the 73 rd Amendment Act of 1992.	243-G
	Specifies the powers, authority and responsibilities of	

होरा तद्वला निरोधक आरग

12th नगरपालिका | 74th | 1992

$$22 - 1 = 21$$

$$21 + 4 = 25$$

<i>Parts</i>	<i>Subject Matter</i>	<i>Articles Covered</i>
I	The Union and its territory	1 to 4
II	Citizenship	5 to 11
III	Fundamental Rights	12 to 35
IV	Directive Principles of State Policy	36 to 51
IV-A	Fundamental Duties	51-A
V	The Union Government	52 to 151
	Chapter I – The Executive	52 to 78
	Chapter II – Parliament	79 to 122
	Chapter III – Legislative Powers of President	123
	Chapter IV – The Union Judiciary	124 to 147
	Chapter V – Comptroller and Auditor-General of India	148 to 151

VI	The State Governments	152 to 237
	Chapter I – General	152
	Chapter II – The Executive	153 to 167
	Chapter III – The State Legislature	168 to 212
	Chapter IV – Legislative Powers of Governor	213
	Chapter V – The High Courts	214 to 232
	Chapter VI – Subordinate Courts	233 to 237
		238

VII	The States in Part B of the First Schedule (deleted)	(deleted)
VIII	The Union Territories	239 to 242
IX	The Panchayats	243 to 243-0
IX-A	The Municipalities	243-P to 243-ZG
IX-B	The Co-operative Societies	243-ZH to 243-ZT
X	The Scheduled and Tribal Areas	244 to 244-A
XI	Relations between the Union and the States	245 to 263
	Chapter I – Legislative Relations	245 to 255
	Chapter II – Administrative Relations	256 to 263

9A ②

9B ③

XI	Relations between the Union and the States	245 to 263
	Chapter I – Legislative Relations	245 to 255
	Chapter II – Administrative Relations	256 to 263
XII	Finance, Property, Contracts and Suits	264 to 300-A
	Chapter I – Finance	264 to 291
	Chapter II – Borrowing	292 to 293
	Chapter III – Property, Contracts, Rights, Liabilities, Obligations and Suits	294 to 300
	Chapter IV – Right to Property	300-A
XIII	Trade, Commerce and Intercourse within the Territory of India	301 to 307
XIV	Services under the Union and the States	308 to 323
	Chapter I – Services	308 to 314
	Chapter II – Public Service Commissions	315 to 323
		323-A to

14A - 4

XIV-A	Tribunals	323-B
XV	Elections	324 to 329-A
XVI	Special Provisions relating to Certain Classes	330 to 342
XVII	Official Language	343 to 351
	Chapter I – Language of the Union	343 to 344
	Chapter II – Regional Languages	345 to 347
	Chapter III—Language of the Supreme Court, High Courts, and so on	348 to 349
	Chapter IV—Special Directives	350 to 351

XVIII	Emergency Provisions	352 to 360
XIX	Miscellaneous	361 to 367
XX	Amendment of the Constitution	368
XXI	Temporary, Transitional and Special Provisions	369 to 392
XXII	Short title, Commencement, Authoritative Text in Hindi and Repeals	393 to 395



विशेषताएँ

Main Characteristics of Constitution of India.

The Constitution of India has some distinct and unique features as compared to other constitutions to the world. As Dr. B.R. Ambedkar, the Chairman of the Drafting Committee puts it, the framers had tried to accumulate and accommodate the best features of other constitutions, keeping in view the peculiar problems and needs of our country. Main

Characteristics of Constitution of India are:-

1. Longest written constitution.
2. Partly Rigid and Partly Flexible
3. A Democratic Republic
4. Parliamentary System of Government
5. A Federation
6. Fundamental Rights
7. Directive Principles of State Policy
8. Fundamental Duties
9. Secular State
10. An Independent Judiciary
11. Single Citizenship

Fed.
Head of State will be elected.

Preamble of the Constitution

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a '**[SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC]** and to secure to all its citizens :

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity and to promote among them all;

FRATERNITY assuring the dignity of the individual and the ²[unity and integrity of the Nation];

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

Base = objective
Re so.

1949
+ 57

2006
दि. ए.

Ingredients of the Preamble The Preamble reveals four ingredients or components:

1.

Source of authority of the Constitution:

The Preamble states that the Constitution derives its authority from the people of India.

2.

Nature of Indian State:

It declares India to be of a sovereign, socialist, secular democratic and republican polity.

3.

Objectives of the Constitution:

It specifies justice, liberty, equality and fraternity as the objectives.

4.

Date of adoption of the Constitution:

It stipulates November 26, 1949 as the date.

→ 2006 दिनांक 26 नवंबर

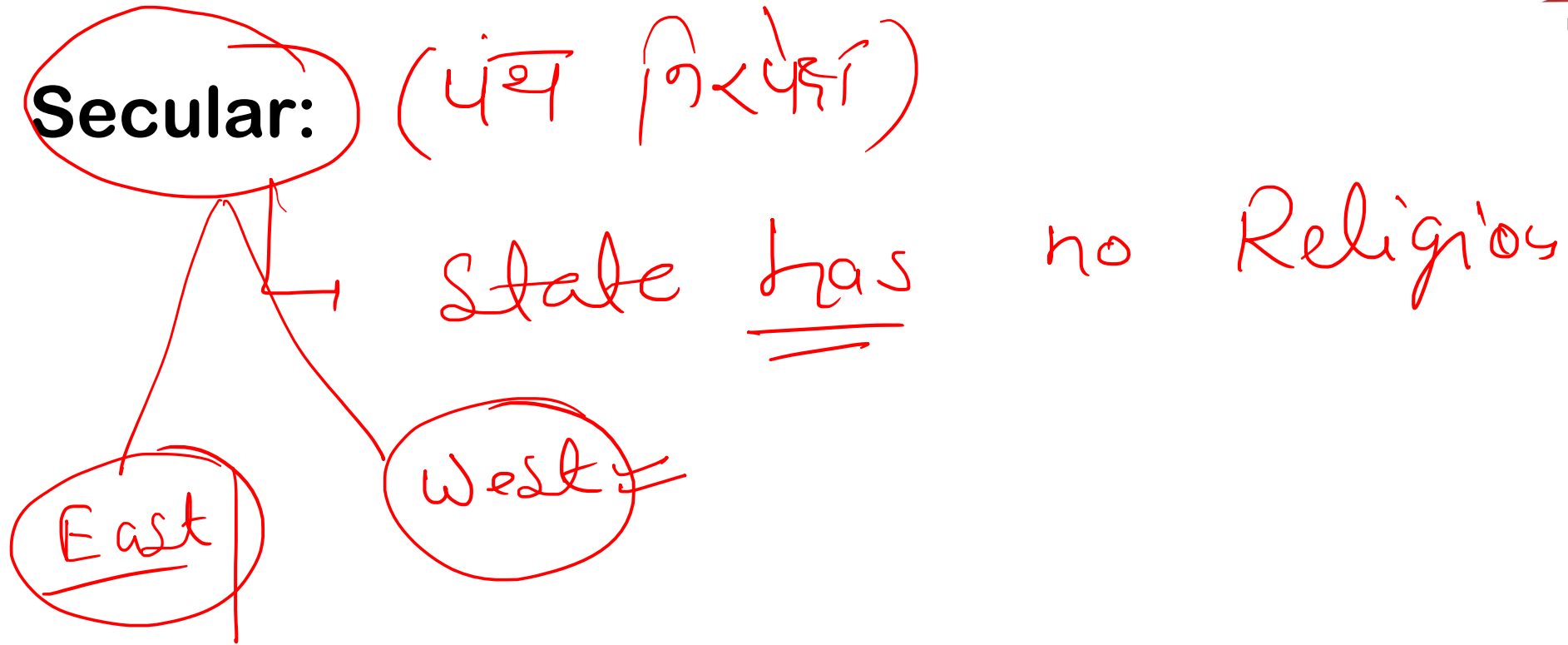
Key Words in the Preamble Certain key words—

Sovereign: (सिद्धान्त) वाक्य
 ↳ No external interference in internal affairs of India.

Socialist:

समानता

L, equitable distribution of
Resources



Democratic:

↳ जनता का शासन

Republic:

Britain - (X)

— Head of the state will be elected by people.

Popular Statements About Preamble:

Sir Alladi Krishnaswami Iyer, a member of the Constituent Assembly who played a significant role in making the Constitution, **'The Preamble to our Constitution expresses what we had thought or dreamt so long'**.

According to K M Munshi, a member of the Drafting Committee of the Constituent Assembly, the Preamble is the **‘horoscope of our sovereign democratic republic’**.

✓
M Hidayatullah, a former Chief Justice of India, observed, **“It is the heart & soul of our Constitution”.**

Art. 32

Rt. to

constitutional
Remedies

निवृत्ति
34-या

Preamble as Part of the Constitution

1. Berubari Union case (1960):

Preamble is not a part of the Constitution.

2. Kesavananda Bharati case (1973):

Preamble is a part of the Constitution.

सिद्धान्त

हल्लेख

↳ B. N. Rau

BASIC
STRUCTURE

Preamble ⊕ FR ⊕
DPSP ⊕ FD

NOTE:

न्यायालय द्वारा लागू (X)

1. The Preamble is neither a source of power to legislature nor a prohibition upon the powers of legislature.

2. **It is non-justiciable**, that is, its provisions are not enforceable in courts of law.

Amendability of the Preamble:

→ (सिद्धि)

(1976/42nd)

Yes

The Preamble has been amended only once so far, in 1976, by the 42nd Constitutional Amendment Act, which has added three new words—**Socialist, Secular and Integrity**—to the Preamble.

42nd Amendment

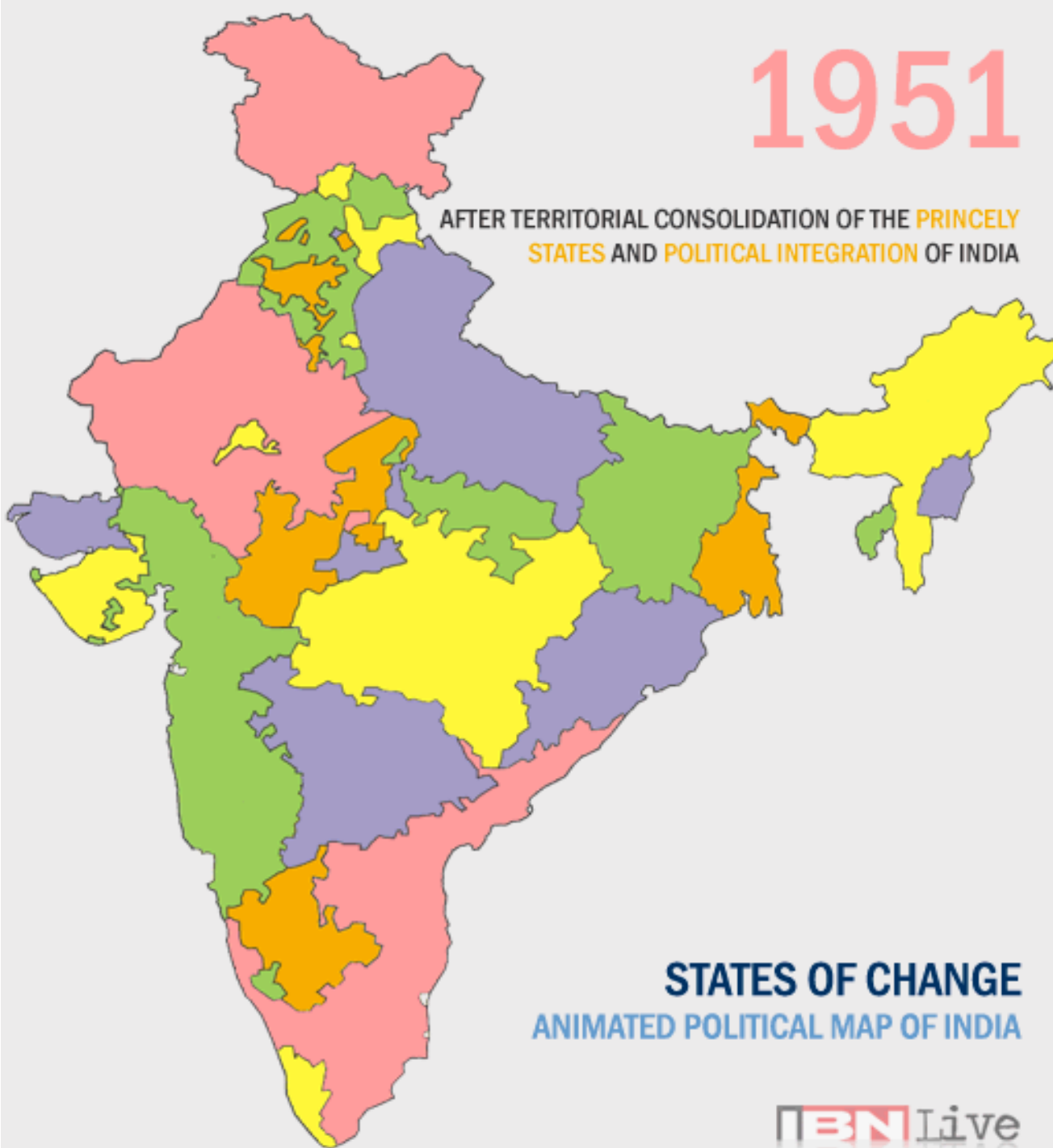
नए संविधान

- Known as 'mini constitution'
- Act passed by parliament on 11th November 1976.
- Three new words (i.e., socialist, secular and integrity) were added in the Preamble.
- Fundamental Duties by the citizens (new Part IV A) was added.

Union and its Territory

1951

AFTER TERRITORIAL CONSOLIDATION OF THE PRINCELY
STATES AND POLITICAL INTEGRATION OF INDIA



Art-① ⇒ India
that is Bharat
shall be
union of states

According to Article 1, the territory of India can be classified into three categories:

- 1. Territories of the states**
- 2. Union territories**
- 3. Territories that may be acquired by the Government of India at any time.**

Article 2 grants two powers to the Parliament:

- (a) the power to admit into the Union of India new states; and
- (b) the power to establish new states.

विदेशी
राज्य
को
शासन
करने
का
अधिकार

The first refers to the admission of states which are already in **existence** while the second refers to the establishment of **states which were not in existence before.**

Article 3, on the other hand, relates to the formation of or changes in the existing states of the Union of India.

In other words, Article 3 deals with the internal re-adjustment of the territories of the constituent states of the Union of India.

S.K. ६१

Dhar Commission and JVP Committee:

The integration of princely states with the rest of India has purely an ad hoc arrangement.

There has been a demand from different regions, particularly South India, for reorganisation of states on linguistic basis.

माघाई माघाई

Reject

Accordingly, in June 1948, the Government of India appointed the Linguistic Provinces Commission under the chairmanship of S K Dhar to examine the feasibility of this.

The commission submitted its report in December 1948 and recommended the reorganisation of states on the basis of administrative convenience rather than linguistic factor.

This created much resentment and led to the appointment of another Linguistic Provinces Committee by the Congress in December 1948 itself to examine the whole question afresh.

It consisted of Jawaharlal Nehru, Vallabhbhai Patel and Pattabhi Sitaramayya and hence, was popularly known as JVP Committee~~6~~.

It submitted its report in April 1949 and formally rejected language as the basis for reorganisation of states.

(दिल्ली) & Andhra

मद्रास
(दिल्ली)

However, in October 1953, the Government of India was forced to create the first linguistic state, known as Andhra state, by separating the Telugu speaking areas from the Madras state. This followed a prolonged popular agitation and the death of Potti Sriramulu, a Congress person of standing, after a 56-day hunger strike for the cause.

Fazl Ali Commission

The creation of Andhra state intensified the demand from other regions for creation of states on linguistic basis.

This forced the Government of India to appoint (in December 1953) a three-member States Reorganisation Commission under the chairmanship of Fazl Ali to re-examine the whole question.

Its other two members were K M Panikkar and H N Kunzru.

It submitted its report in September 1955 and broadly accepted language as the basis of reorganisation of states. But, it rejected the theory of 'one language–one state'.

Its view was that the unity of India should be regarded as the primary consideration in any redrawing of the country's political units.



2.	Admission or establishment of new states
2A.	Sikkim to be associated with the Union—(Repealed)
3.	Formation of new states and alteration of areas, boundaries or names of existing states
4.	Laws made under Articles 2 and 3 to provide for the amendment of the First and the Fourth Schedules and supplemental, incidental and consequential matters.

(14-32)
↑

magna carta of Human
~~rights~~



SAFALTA CLASS™
An Initiative by अमर उजाला

Fundamental Rights

Rights
in
India

Part-3
⇓
(12-35)



USA
==

(1st const to begin
with preamble)

Constitutional Rt



ORIG - 7
Part - 12
Rt. to Property
Art. 300A
Present
6

1 FR
2 CR
3 LR

The Fundamental Rights are enshrined in Part III of the Constitution from Articles 12 to 35.

In this regard, the framers of the Constitution derived inspiration from the Constitution of USA (i.e., Bill of Rights).

Originally, the Constitution provided for seven Fundamental Rights-

- 1. Right to equality (Articles 14–18)**
- 2. Right to freedom (Articles 19–22)**
- 3. Right against exploitation (Articles 23–24)**

- 4. Right to freedom of religion (Articles 25–28)
- 5. Cultural and educational rights (Articles 29–30)
- 6. Right to property (Article 31) (deleted)
- 7. Right to constitutional remedies (Article 32)

RT. to Property =)

However, the right to property was deleted from the list of Fundamental Rights by the 44th Amendment Act, 1978.

It is made a legal right under Article 300-A in Part XII of the Constitution. So at present, there are only six Fundamental Rights.