



INDIAN POLITY



tutorialspoint

SIMPLY EASY LEARNING

www.tutorialspoint.com



<https://www.facebook.com/tutorialspointindia>



<https://twitter.com/tutorialspoint>

About the Tutorial

Indian Polity is a discipline that includes a wide range of topics such as the development of the Constitution, Citizenship, Fundamental Rights, Directive Principles, the Executive, the President, the Prime Minister & Council of Ministers, Judiciary, State Governments, Local Government, Election system, and many more. Indian Polity is one of the essential disciplines of Social Science that makes us understand our democratic governance as well as our rights.

This tutorial is divided into different chapters and explains the concept of Indian Constitution and democratic type of governance.

Audience

This tutorial is designed exclusively for the students preparing for the different competitive exams including **civil services, banking, railway, eligibility test**, and all other competitive exams of such kind.

Furthermore, school students (especially class 11th and 12th standard) can also take advantage of this tutorial for the fast revision of their Political Science course (especially during the annual exam time).

Prerequisites

This tutorial is entirely based on **NCERT Political Science** (class 8th to 12th) Books; all the important points, concepts, and definitions are filtered; therefore, prior knowledge of basic Indian Polity or else having past experience of reading NCERT Political Science books is essential to understand the topics.

Disclaimer & Copyright

© Copyright 2019 by Tutorials Point (I) Pvt. Ltd.

All the content and graphics published in this e-book are the property of Tutorials Point (I) Pvt. Ltd. The user of this e-book is prohibited to reuse, retain, copy, distribute, or republish any contents or a part of contents of this e-book in any manner without written consent of the publisher.

We strive to update the contents of our website and tutorials as timely and as precisely as possible, however, the contents may contain inaccuracies or errors. Tutorials Point (I) Pvt. Ltd. provides no guarantee regarding the accuracy, timeliness, or completeness of our website or its contents including this tutorial. If you discover any errors on our website or in this tutorial, please notify us at contact@tutorialspoint.com

Table of Contents

About the Tutorial	1
Audience	1
Prerequisites	1
Disclaimer & Copyright	1
Table of Contents	2
1. INDIAN POLITY – INTRODUCTION	7
Role of Constitution	7
2. CONSTITUTION FORMATION	9
Historical Background	9
The Constituent Assembly	10
Factors of Constitution Formation	10
3. CONSTITUTIONAL FEATURES	11
Key Features of Indian Constitution	11
Other Facts of Constitution	11
4. GUIDING VALUES OF THE CONSTITUTION	13
Introduction	13
Guiding Values of the Constitution	13
Preamble	15
5. SOURCES OF CONSTITUTION	17
Introduction	17
Major Sources	17
6. HOW THE CONSTITUTION WORKS	19
Introduction	19
Distribution of Power	19

7. UNION & ITS TERRITORY	22
8. CITIZENSHIP.....	24
9. FUNDAMENTAL RIGHTS	26
Introduction	26
Right to Equality.....	27
Right to Freedom	28
Right against Exploitation	30
Right to Freedom of Religion.....	31
Cultural and Educational Rights.....	31
Right to Constitutional Remedies.....	32
Expansion and Scope of Fundamental Rights	34
10. DIRECTIVE PRINCIPLES	35
Introduction	35
Difference between DPSP & FR	36
11. FUNDAMENTAL DUTIES	37
12. UNION EXECUTIVE	39
Introduction	39
Indian System.....	39
The President	40
Vice President	41
13. UNION LEGISLATURE.....	43
Introduction	43
Rajya Sabha.....	44
Lok Sabha.....	45
Functions of the Parliament	45

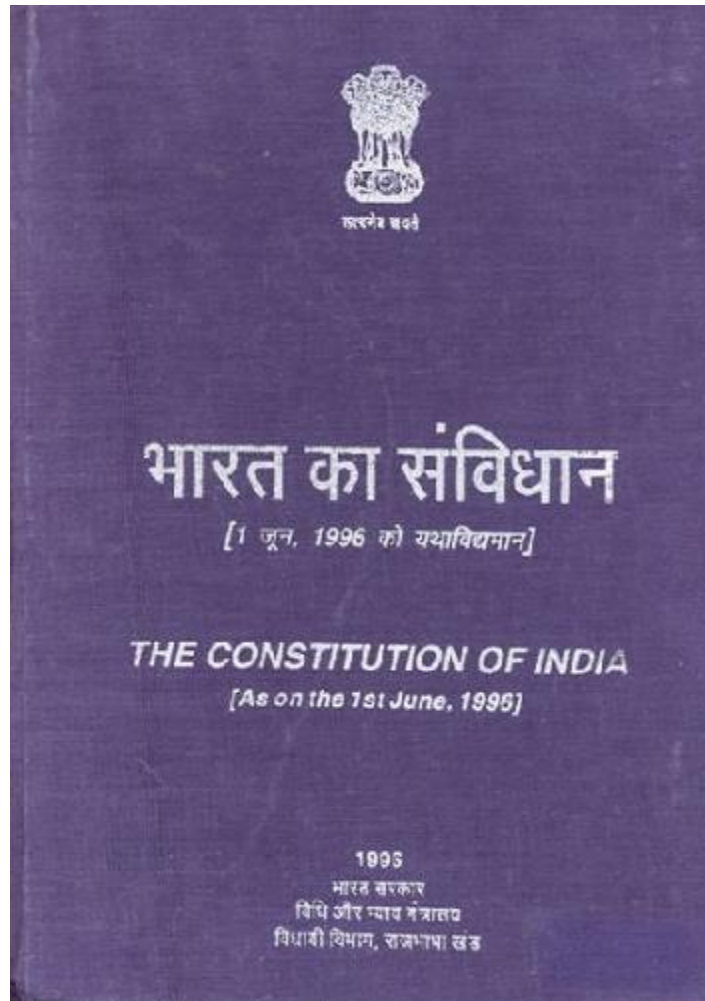
Other Facts.....	47
Prime Minister and Council of Ministers	48
14. LOCAL GOVERNMENT	50
Introduction	50
Evolution of Local Government	50
Panchayati Raj.....	51
Nagarpalika	52
15. INDIAN JUDICIARY.....	54
Introduction	54
Judges of Supreme Court.....	55
Jurisdictions of Supreme Court.....	55
Rights of the Supreme Court	56
16. INDIAN FEDERAL SYSTEM.....	58
Introduction	58
Subjects of Federal System.....	59
Other Facts.....	61
17. CENTER STATE RELATION	62
Introduction	62
Legislative Relations.....	62
Administrative Relations	63
Financial Relations	64
18. EMERGENCY PROVISION	65
Introduction	65
National Emergency	65
Failure of constitutional machinery in state/s or President’s Rule.....	66

Financial Emergency.....	66
19. ELECTIONS SYSTEM.....	67
Introduction.....	67
Reserved Constituencies	68
Voting System	68
Nomination of Candidates.....	69
Educational Qualifications for Candidates.....	70
Election Campaign.....	70
Code of Conduct.....	71
Polling and Counting of Votes	71
Independent Election Commission	73
Role of Election Commission	73
Acceptance of Election Outcome.....	74
20. POLITICAL PARTIES.....	75
Introduction.....	75
Eligibility of National Political Party	75
Eligibility of State Political Party.....	76
21. CONSTITUTIONAL AMENDMENTS.....	77
22. CONSTITUTIONAL SCHEDULES.....	78
23. SEPARATION OF POWERS.....	80
24. PARTS OF CONSTITUTION.....	82
25. INTERNATIONAL ORGANIZATIONS	83
Introduction	83
Structure of the UNO	84
Functions of UN.....	85

Agencies of UN.....	85
26. ENVIRONMENT & POLITICS	86
Introduction	86
International Programs	87
27. GLOBALIZATION.....	89
Introduction	89
Critics of Globalization	90
World Social Forum.....	91
28. POPULAR MOVEMENTS	92
Introduction	92
Evolution of Voluntary Organizations.....	93
29. FOREIGN POLICY	95
Introduction	95
Nehru Policy.....	95
Bilateral Agreements.....	96
Nuclear Development	98

Indian Polity – Introduction

- The constitution of a country is a document that comprises a set of written rules accepted by everyone living together in that country.
- The Constitution of a country is the supreme law of the land and it determines the relationship among people living in that country and also regulates the government and its policies towards its citizens.



Role of Constitution

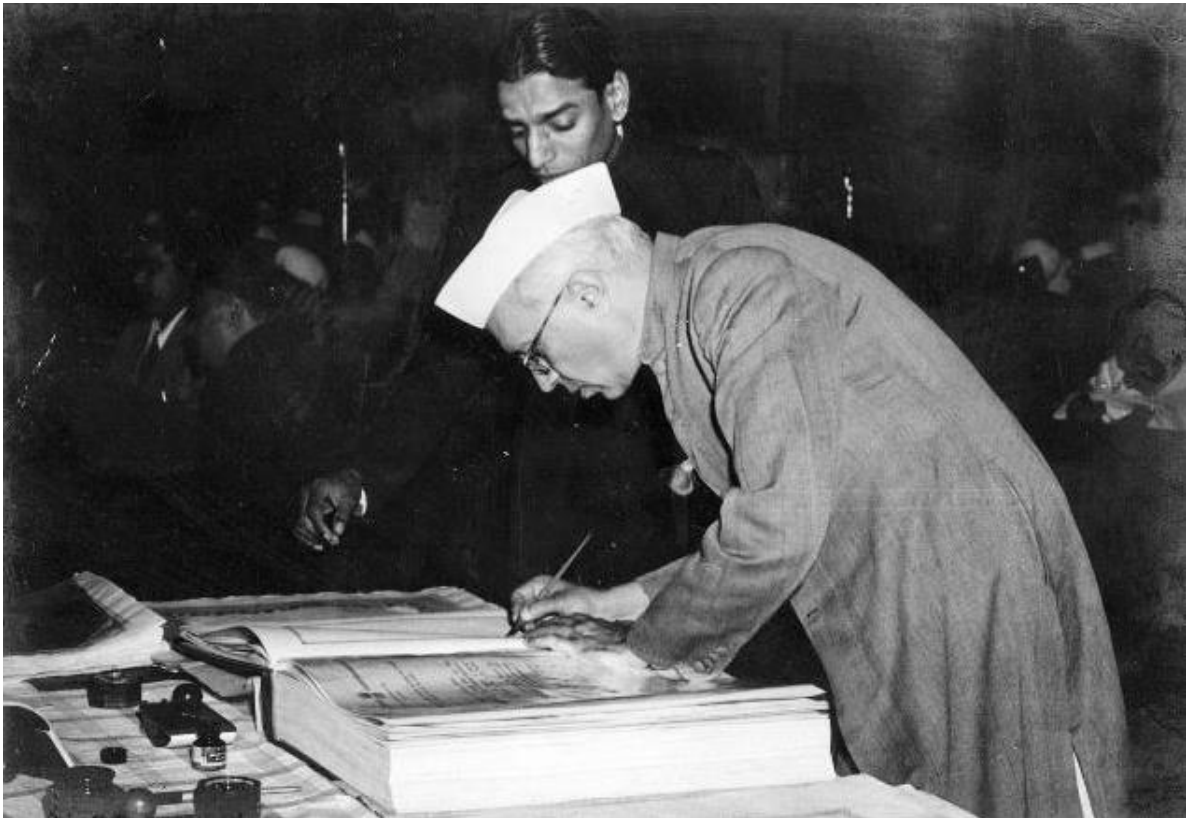
- A constitution serves a lot of purpose; its major roles are as follows:
 - It describes rules and regulations that generate a degree of trust and coordination among the people of different strata of a society who live together;
 - It provides a framework within which the government and other institutions work in the country;

- It lays down the procedure as to how the government will be constituted and the manner in which decisions are taken;
- It defines the powers, duties, and limits of the respective government.
- It also tells the rights of the citizens and defines the rule of law and a procedure to protect them.
- All the democratic countries have their own constitutions. But having a full-fledged constitution in a country is not a guarantee for it to be truly democratic.
- The Americans gave themselves a constitution after the War of Independence against the Great Britain in 1787.
- Similarly, the French people approved a democratic constitution after the Revolution, i.e., first in 1791 and recently in 1958. Since then, it has become a practice in all democracies to have a written constitution.
- A compilation of basic rules is called a constitution, and these rules are comprehensive that define:
 - the powers of the elected governments to do things;
 - the limitations for not to do certain things;
 - fundamental rights of the citizen; and
 - how the rulers are to be chosen in future.

Constitution Formation

Historical Background

- In 1928, Motilal Nehru and eight other Congress leaders drafted a constitution for India.



- In 1931, Indian National Congress in its session at Karachi passed a resolution on how the constitution of independent India should look like.
- Both these two documents have included the right of universal adult franchise, right to freedom and equality, and to protecting the rights of minorities.
- Later, the provisions of these documents provided a background of the certain basic values, which were accepted by all leaders and included in the constitution of independent India.
- British rule had introduced weak legislatures in India by the given voting rights to a few elite persons only.
- Elections were held in 1937 to Provincial Legislatures all over British India, which were not fully democratic governments. However, the working with these legislative

institutions provided useful experience to Indians, which helped in setting up native institutions in independent India.

- Like South Africa, India's Constitution was also drawn up under very difficult circumstances.
- The makers of the Indian Constitution have adopted its fundamental structure from the Government of India Act 1935.

The Constituent Assembly

- The Constituent Assembly was the body of elected representatives of the people of India.
- Elections for the Constituent Assembly were held in July 1946 and its first meeting was convened in December 1946.
- On Partition, the Constituent Assembly was also divided into two parts called as the Constituent Assembly of India and the Constituent Assembly of Pakistan.
- The Constituent Assembly of India that drafted the Indian Constitution had 299 members.
- The Constituent Assembly of India had adopted the Constitution on **26 November 1949**, but it came into effect on **26 January 1950**.

Factors of Constitution Formation

- The factors that contributed to the making of Indian Constitution were:
 - French Revolution;
 - Parliamentary democracy in Britain;
 - Bill of Rights in the US; and
 - Socialist revolution in Russia.

Constitutional Features

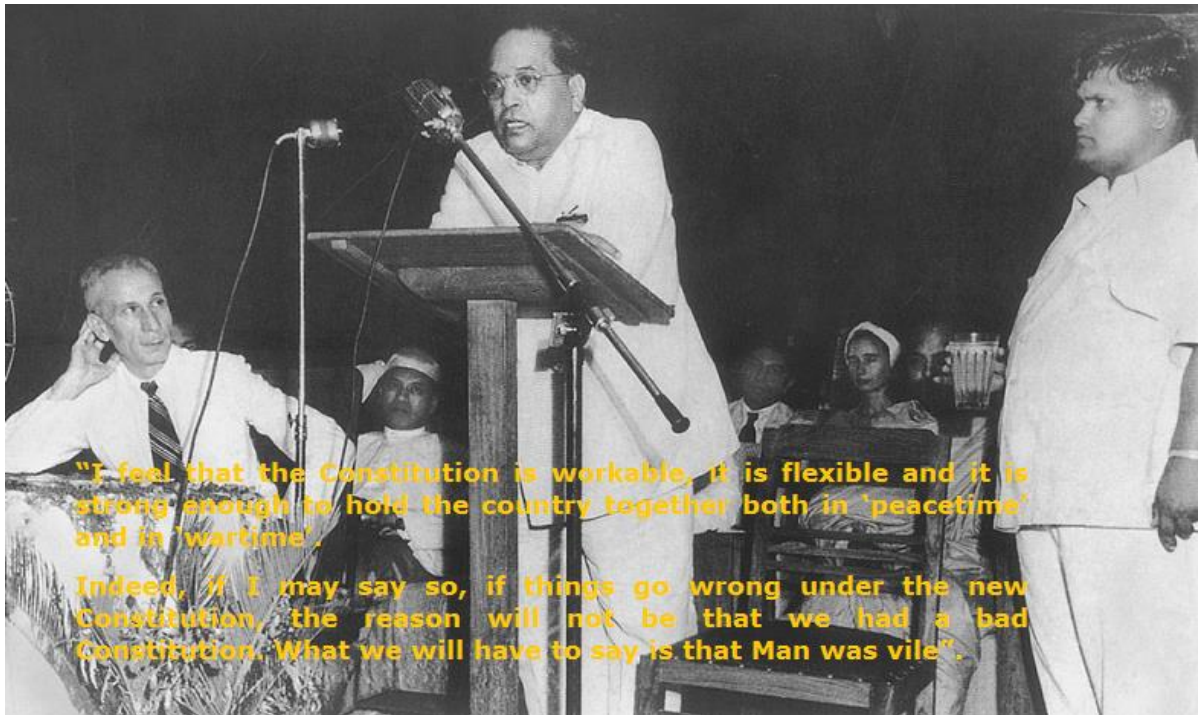
Key Features of Indian Constitution

- Following are the important features of the Indian Constitution:
 - Indian Constitution is a '**written**' constitution.
 - Indian Constitution is '**flexible**' (it can be amended), but it is also '**rigid**' (as some part, i.e., its '**basic structure**' cannot be amended).
 - Indian Constitution is '**Unitary**' (as Center has more power), but it is also '**Federal**' (as power is divided between the Center and the State).

Other Facts of Constitution

- The Indian National Congress made a demand for a Constituent Assembly in 1934, which came into existence for drafting the constitution of India on 9 December 1946.
- The Constituent Assembly drafted the Constitution for independent India between 9 December 1946 and 26 November 1949.
- We, the people of India, have adopted and enacted the Indian Constitution on 26 November 1949; however, it was made fully functional on 26 January 1950.
- Constitution is a fundamental set of rules and principles on the basis of which the people of this country obliged to be governed by.
- The fundamental rules of Constitution define the type of government and its constituent's parts as well as the nature of the policies to be adopted by the country.
- So, the Constitution serves as a pivot in striking a balance between the differences and provides safeguards to the interests of each of its citizen.
- Likewise, the Constitution of India makes India a democratic country and determines:
 - the procedures of government formation;
 - the methods and process of government's functionality; and
 - the process of interactions among the different parts of the government in the specific area of their work.
- In addition, the Constitution also defines a list of Fundamental Rights that are an important part of the Constitution to protect the interest of every citizen against the

tyranny of the state as well as from the dominance of a particular community (Who are in majority and in power).



- The Constitution is the supreme law of the land and the source of all the powers and authority of the government and its organs. Likewise, the government not only derives its origins from the Constitution, but discharges its functions and responsibilities within the framework of the Constitution.

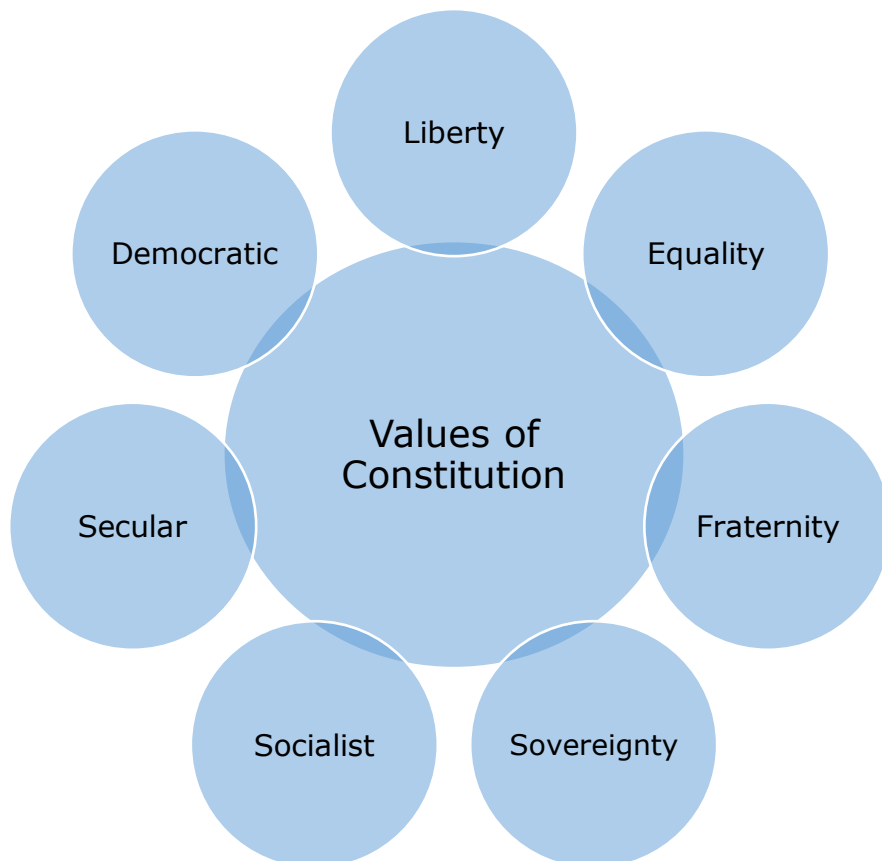
Guiding Values of the Constitution

Introduction

- India is a Republic Nation and the President of India is the head of the nation. He/she is elected every five years.
- The provisions are written in the Constitution to guarantee Justice for all. No one can be discriminated on the grounds of caste, religion, and gender. Social inequalities on any grounds of caste, religion, and gender are strictly prohibited.
- Welfare for all citizens is the prime objective of the Government; besides, the government also needs to give special attention, particularly to the underprivileged sections of the society.

Guiding Values of the Constitution

- The important values of Indian constitutions are depicted in the following illustration:



Liberty

- The Constitution provides every citizen a number of liberties and freedoms under Article 19 to 21, 21A, and 22. It is established that no unreasonable restrictions can be imposed upon citizens to regulate their freedom.
- Right to Freedom under Article 19 includes:
 - The right to freedom of speech and expression;
 - The right to form association;
 - The right to move freely;
 - Reside in any part of the country; and
 - The right to practice any profession, occupation, or business.

Equality

- The Constitution states that all citizens are equal before the law and the government should ensure that the traditional practice of social inequalities on the grounds of caste, religion, and gender has to be ended.
- Right to Equality is enshrined under Articles 14 to 18 of the Indian Constitution of India, which guarantees the right to equality to all persons and prohibits any kind of discrimination against any citizen on any of the grounds of religion, race, caste, gender, and place of birth.
- Article 14 provides that all persons are equal before the law. This means that all persons shall be equally protected by the laws of the country.
- Article 15 states that no citizen can be discriminated against on the basis of his/her religion, race, caste, sex, or place of birth.
- Article 16 states that the State cannot discriminate against anyone in matters of employment.
- Article 17 abolishes the practice of untouchability from India. It provides that every person has access to all public places including playgrounds, hotels, shops, etc.
- Right against Exploitation is enshrined under Article 23 to 24 of the Constitution of India. It provides fundamental right against exploitation to every citizen of India.
- Article 23 of the Constitution provides for prohibition of any kind of forced labor and any violation of this provision shall be an offence punishable in accordance with the law.
- Article 24 protects the children by stating that no child below the age of 14 shall be employed to work in any factory or mines or any other hazardous employment.

Fraternity

- All the Indians are members of a family, no one is inferior or superior, all are equal and have same rights and duties.

Sovereignty

- The government of India is free to take any decision on internal as well as external matters and no external power can dictate it.

Socialist

- In a socialist country, citizens have the right to property but the government should regulate it by law, the socio-economic activities to reduce inequalities in the society and hence, every citizen has equal right to share the resources of the country.
- The concept of social justice was adopted by the 42nd amendment of Constitution that enables courts to uphold provisions to remove economic inequalities in our society.

Secular

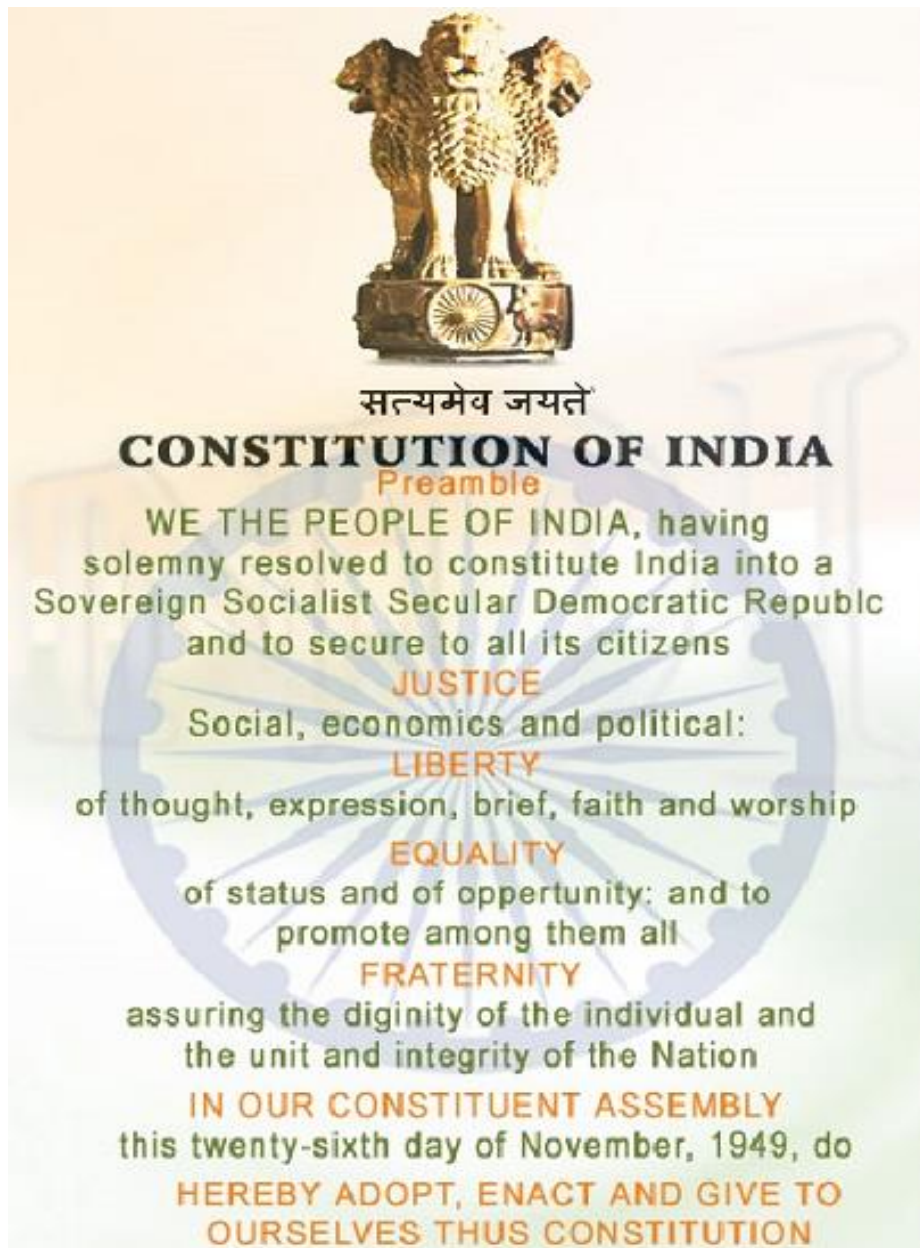
- India is a secular country. There is no official religion of the government and the government treats all the religions equally.
- Articles 25 to 28 provide 'Right to freedom of Religion' for every citizen. This is a Fundamental Right that allows every individual a freedom to live by their religious beliefs and practices as they interpret these beliefs.
- Cultural and Educational Rights (Article 29 to 30) state that all minorities, religious or linguistic, having a distinct language, script or culture of its own, (they) can set up their own educational institutions in order to preserve and develop their language, script, or culture.

Democratic

- The democratic system of government runs according to some basic principles, which are collectively called as 'Rule of Law.'
- In a democratic form of the government, the people of the country enjoy equal political rights, choose to elect and change their representatives, and hold them accountable.

Preamble

- The Indian democracy is founded on those values that had inspired and guided the freedom struggle.
- The Indian Constitution embedded the values in its Preamble. Therefore the Preamble emanates lights that glitter all the articles of the Indian Constitution.



- The Preamble provides a short introductory statement of the basic values of the constitution to start with. In other words, it is the 'Soul of the Constitution.'
- It is the preamble that provides a standard to examine and evaluate any law and action of the government to judge its validity and sanctity.

End of ebook preview

If you liked what you saw...

Buy it from our store @ <https://store.tutorialspoint.com>