

Q. How many Delimitation Commissions have been constituted by the Government of India till December 2023?

- a) One
- b) Two
- c) Three
- d) Four

(UPSC prelims 2024)

Delimitation Commission	Year of Establishment	Based on Census	Key Outcomes
1st Delimitation Commission	1952	1951 Census	Defined parliamentary and assembly constituencies for the first time.
2nd Delimitation Commission	1963	1961 Census	Adjusted constituencies based on population growth and created new seats .
3rd Delimitation Commission	1973	1971 Census	Increased the number of constituencies but froze seat allocation based on 1971 Census.
4th Delimitation Commission	2002	2001 Census	Redrew constituency boundaries, but kept the number of seats frozen until 2026.

Delimitation Commission:

Delimitation literally means the act or process of fixing limits or boundaries of territorial constituencies in a country to represent changes in population.

Purpose:

- One person one vote.
- Equal weightage of Votes/ “One Vote One Value”
- Fair division of geographical areas so that one political party doesn’t have an advantage over others in an election.
- **42nd Constitutional Amendment (1976) froze the total number of Lok Sabha seats to 543 until after the 2001 Census** to encourage **population control**.
- **84th Amendment (2001) extended the freeze until the first Census after 2026.**
- The next **Delimitation exercise is expected after the 2031 Census.**

Constitutional provision:

Article	Provision
Article 82	Mandates Delimitation after every Census by amending the representation of states in Lok Sabha.
Article 170	Provides for Delimitation of State Legislative Assembly Constituencies after each Census.
Delimitation Act, 1952, 1962, 1972, 2002	Parliament enacts laws to establish Delimitation Commissions as per Articles 82 and 170.
Scheduled Castes and Scheduled Tribes Reservation	The Commission is responsible for demarcating reserved constituencies for SCs/STs.

How delimitation is carried out?

- Under Article 82, the Parliament enacts a Delimitation Act after every Census.
- For Parliamentary as well as state assembly seats.
- Only parliament can constitute not state assembly

- Delimitation Commissions have been set up four times – 1952, 1963, 1973 and 2002.
- There was no delimitation after the 1981 and 1991 Censuses.
- The Delimitation Commission is appointed by the President of India and works in collaboration with the Election Commission of India.

Composition:

1. Retired Supreme Court judge
 2. Chief Election Commissioner
 3. Respective State Election Commissioners.
- Its orders have the **force of law** and **cannot** be called in question before any **court**.
 - Its mandate is **binding over parliament**.

Important points:

1. DC rearranges SC/ST Reserved Constituencies within a state.
2. The **Election Commission of India (ECI)** is responsible for rotating reserved constituencies for **Scheduled Castes (SCs) and Scheduled Tribes (STs)** based on the **Delimitation Commission's recommendations**.
3. **Rotation of reserved seat is done after each delimitation exercise**, ensuring equal opportunity for different regions.
4. **No Power Over Rajya Sabha or Local Bodies** – Delimitation is **only for Lok Sabha and State Assemblies**, not for Rajya Sabha or local government elections.
5. DC is not a constitutional body but a statutory body is established by an act of Parliament.

Expected Impact of Delimitation After 2026

- **More seats for high-growth states** like Uttar Pradesh, Bihar, Madhya Pradesh, Rajasthan.
- **Possible decrease in representation** for **Southern states** that have stabilized their population.
- **Potential political realignment** as power shifts to population-heavy states.

Q. The Constitution (71st Amendment) Act, 1992 amends the Eighth Schedule to the Constitution to include which of the following languages?

1. Konkani
2. Manipuri
3. Nepali
4. Maithili

Select the correct answer using the code given below:

- a) 1, 2 and 3
- b) 1, 2 and 4
- c) 1, 3 and 4
- d) 2, 3 and 4

(UPSC prelims 2024)

Most important constitutional amendments		
Amendment	changes	Significance

1 st CAA 1951	<ol style="list-style-type: none"> Added Ninth Schedule to protect the land reform from JR. nationalisation of any trade or business by the state is not invalid on the grounds such as violation of the right to trade or business. Reasonable restriction on freedom of expression to protect public order, friendly relation with foreign nation, incitement to an offence. 	Strengthened government power to implement land reforms and control speech in certain cases.
7 th CAA 1956	Introducing the concept of UTs. And creation of states on linguistic lines	Created the modern federal structure of India .
10 th CAA, 1961	Incorporated Dadra and Nagar Haveli in the Indian Union	
12 th CAA, 1962	Incorporated Goa, Daman and Diu in the Indian Union	
14 th CAA, 1962	Incorporated Puducherry in the Indian Union.	
24 th CAA, 1971	<ol style="list-style-type: none"> Affirmed the power of Parliament to amend any part of the Constitution including fundamental rights. Made it compulsory for the president to give his assent to a Constitutional Amendment Bill 	Passed to nullify the Supreme Court ruling in Golaknath Case (1967) , which restricted Parliament's power to amend Fundamental Rights.
25 th CAA Act, 1971	<ol style="list-style-type: none"> Curtailed the fundamental right to property. Provided that any law made to give effect to the Directive Principles contained in Article 39 (b) or (c) cannot be challenged on the ground of violation of the rights guaranteed by Articles 14, 19 and 31. 	Strengthened socialist policies like land redistribution and nationalization of industries.
26 th CAA, 1971	Abolished the privy purses and privileges of the former rulers of princely states.	
36 th CAA, 1975	Made Sikkim a full-fledged State of the Indian Union and omitted the Tenth Schedule.	
39 th CAA, 1975	disputes relating to the election of president, vice president, prime minister and Speaker beyond the scope of the judiciary. They are to be decided by such authority as may be determined by the Parliament.	
42 nd CAA , 1976 (mini constitution)	<ol style="list-style-type: none"> Added three new words (i.e., socialist, secular and integrity) in the Preamble. Added Fundamental Duties by the citizens (new Part IV A). Made the president bound by the advise of the cabinet. Provided for administrative tribunals and tribunals for other matters (Added Part XIV A) Made the constitutional amendments beyond judicial scrutiny. tenure of LS and VS from 5 to 6 years Provided that the laws made for the implementation of Directive Principles cannot be declared invalid by the courts on the ground of violation of some Fundamental Rights Added three new Directive Principles viz., equal justice and free-legal aid, participation of workers in the management of industries and protection of environment, forests and wild life. Facilitated the proclamation of national emergency in a part of territory of India. 	Made DPSP superior to Fundamental Rights . gave the government more power, leading to concerns over authoritarian rule.

	<p>10. Shifted five subjects from the state list to the concurrent list, viz, education, forests, protection of wild animals and birds, weights and measures and administration of justice, constitution and organisation of all courts except the Supreme Court and the high courts</p> <p>11. Provided for the creation of the All-India Judicial Service.</p> <p>12. curtailed the power of JR and writ jurisdiction of SC and HC.</p>	
43 rd CAA 1977	Restored power of SC/HC w.r.t JR	
44 th CAA 1978	<ol style="list-style-type: none"> 1. Original term of LS/VS from 6 to 5 again 2. President can send a bill or advice once for reconsideration but not twice. 3. Replaced the term 'internal disturbance' by 'armed rebellion' 4. Written advice of the cabinet for declaring national emergency 5. Deleted right to property from FR and changed it to legal rights. 6. fundamental rights guaranteed by 7. Articles 20 and 21 cannot be suspended during a national emergency 	<ol style="list-style-type: none"> 1. Restored democratic balance after the Emergency (1975-77). 2. Constitutional recognition to 'cabinet'
52 nd CAA 1985	Anti-defection law	Constitutional recognition to political parties.
61 st CAA 1989	Voting age from 21 to 18 years	Youth participation in democracy
69 th CAA	Special status to Delhi	
73 rd CAA 1992	Panchayati raj	Democratic decentralization
74 th CAA 1992	ULBs	Urban governance
84 th CAA 2001	Extended the ban on readjustment of seats in the Lok Sabha and the state legislative assemblies for another 25 years (i.e., up to 2026)	Population control
86 th CAA 2002	<ol style="list-style-type: none"> 1. RTE as FR under art 21 A 2. DPSP→ "The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years" 3. fundamental duty under Article 51-A which reads—"It shall be the duty of every citizen of India who is a parent or guardian to provide opportunities for education to his child or ward between the age of six and fourteen years" 	Emphasis on universal education
89 th CAA 2003	Separate NCSC and NCST	
91 st CAA 2003	<ol style="list-style-type: none"> 1. Total strength of CoM can't be more than 15% of LS/VS 2. Total number of CoM in VS can't be less than 12. 3. A member debarred under ADL is also not eligible to remain minister or hold any other type of remunerative post under the Government 	To curb side effects of coalition era politics and improve upon administrative efficiency

	4. defectors have no more protection on grounds of splits.	
92 nd CAA 2003	four more languages in the Eighth Schedule. They are Bodo, Dogri (Dongri), Mathilli (Maithili) and Santhali.	
93 rd CAA 2005	Reservation for SC/ST/OBC extended to private educational institutes barring those being run by a minority.	
97 th CAA 2011	1. Right to form cooperatives as FR under art 19. 2. DPSP → states are to promote formation of Cooperatives.	Implementation of Gandhian principles
99 th CAA 2014	Replaced collegium with NJAC	
100 th CAA 2015	Exchange of enclaves between India and Bangladesh	
101 st CAA 2016	GST	
102 nd CAA 2018	Constitutional status to NCBC	
103 rd CAA 2019	10% reservation to EWS	
105 th CAA 2021	Power of states to identify and maintain separate list of OBC	
106 th CAA 2023	1/3 rd reservation for women in LS, VS and Delhi VS.	

Q. Consider the following pairs:

	Party	Its Leader
1.	Bharatiya Jana Sangh	Dr. Shyama Prasad Mukherjee
2.	Socialist Party	C. Rajagopalachari
3.	Congress for Democracy	Jagjivan Ram
4.	Swatantra Party	Acharya Narendra Dev

How many of the above are correctly matched?

- a) Only one
- b) Only two
- c) Only three
- d) All four

(UPSC prelims 2024)

Swatantra party:

- The Swatantra Party was an Indian classical liberal political party.
- It was founded by C. Rajagopalachari in reaction to what he felt was the Jawaharlal Nehru-dominated Indian National Congress's increasingly socialist and statist outlook.
- Advocate of free market rather than socialist pattern of society.
- Nehru was its critique.

Congress socialist party:

- socialist group within the Indian National Congress (INC).
- founded in 1934 by socialists such as Jayaprakash Narayan and Acharya Narendra Dev and Meenu Masani.

- suspension of the Civil Disobedience Movement in 1934 → constitutionalist wanted to join legislature; some were against this idea and instead decided to form a left wing withing INC.
- The first All India Congress Socialist Party was formed in Bombay in October 1934 under the presidentship of Sampurnananda and Jayaprakash Narayan as the General Secretary.

Goals:

- Independence + Socialism + abolition of zamindari + freedom struggle in princely states.

Imp points:

- Against Communist party of India views + CSP was not joined by Nehru and Subash + Gandhiji was not in its favour + They were influenced by Marxism-Leninism + The CSP was not separate from the Congress. Its constitution defined that the members were all required to be members of the Indian National Congress + dissolved in 1948.

Jagjivan Ram

Aspect	Details
Political Party	Indian National Congress (INC), later founded Congress for Democracy (CFD)
Role in Green Revolution	- As Agriculture Minister (1967-70) , played a key role in India's Green Revolution , making India self-sufficient in food production.
Role in 1971 War	- As Defence Minister (1970-74) , led India during the 1971 Indo-Pak War , which resulted in the liberation of Bangladesh .
Leader of Opposition	- Opposed Emergency (1975-77) imposed by Indira Gandhi . - Formed Congress for Democracy (CFD) , later merged with Janata Party .
Deputy Prime Minister	- Served as Deputy PM (1977-79) under Morarji Desai's Janata Government .
Social Justice Contributions	- Fought against caste discrimination and worked for Dalit rights . - Introduced labour laws to improve workers' rights.
Parliamentary Record	- Elected to Lok Sabha for 50 years (from 1936-1986) . - One of India's longest-serving parliamentarians .

Q. Which one of the following statements is correct as per the Constitution of India?

- Inter-State trade and commerce is a State subject under the State List.
- Inter-State migration is a State subject under the State List.
- Inter-State quarantine is a Union subject under the Union List.
- Corporation tax is a State subject under the State List.

(UPSC prelims 2024)

- 42nd CAA → Transferred **Education, Forests, Protection of Wild Animals & Birds, Weights & Measures, and Administration of Justice** from the **State List to the Concurrent List**.
- Number of items in union and concurrent list has increased over time while state list it has decreased.

Epidemic Diseases Act, 1897

- colonial-era law enacted to prevent the spread of dangerous epidemic diseases in India. It grants special powers to the government to take extraordinary measures during an outbreak.
- Inter-state movement is decided by centre while intra-state movement is decided by the state government.
- Violation may draw fine and imprisonment.
- **legal immunity** to government officials acting in "good faith" under this Act, protecting them from lawsuits.

- In 2020, the Act was **amended** to include **protection for healthcare workers**, making attacks on doctors and medical personnel a punishable offense.

Q. Under which of the following Articles of the Constitution of India, has the Supreme Court of India placed the Right to Privacy?

- a) Article 15
- b) Article 16
- c) Article 19
- d) Article 21

(UPSC prelims 2024)

About FR:

- Fundamental Rights are **enshrined in Part III of the Constitution**.
- Constitution derived inspiration from the Constitution of USA (i.e., **Bill of Rights**).
- Part III of the Constitution is rightly described as the **Magna Carta of India**.
- The Fundamental Rights are meant for promoting the ideal of political democracy.
- protect the liberties and freedoms of the people against the invasion by the State.
- They operate as limitations on the tyranny of the executive and arbitrary laws of the legislature.
- FR are negative in connotation.
- FR are guaranteed and protected by the Constitution.
- **They are not absolute but qualified.**
- They are defended and guaranteed by the **Supreme Court**.
- Hence, the aggrieved person can **directly go to the Supreme Court**, not necessarily by way of appeal against the judgement of the high courts
- They are **not sacrosanct or permanent**.
- The **Parliament can curtail or repeal** them but only by a **constitutional amendment** act and not by an ordinary act.
- Moreover, this can be done **without affecting the 'basic structure' of the Constitution**.
- **Some of them are negative** in character, that is, place limitations on the authority of the State, while others are **positive** in nature, conferring certain privileges on the persons.
- They can be **suspended** during the operation of a National Emergency **except the rights guaranteed by Articles 20 and 21**.
- Their **application to the members of armed forces, para-military forces, police forces, intelligence agencies and analogous services** can be restricted or abrogated by the Parliament (Article 33).
- Their application can be restricted while **martial law** is in force in any area.
- Martial law means '**military rule**' imposed under abnormal circumstances to restore order (Article 34).
- Most of them are **directly enforceable** (self-executory) while a few of them can be enforced on the **basis of a law made for giving effect to them**. (E. RTE under art 21A)
- Such a **law can be made only by the Parliament and not by state legislatures** so that uniformity throughout the country is maintained (Article 35).

Q. Which of the following statements about the Ethics Committee in the Lok Sabha are correct?

1. **Initially it was an ad-hoc Committee.**
2. **Only a Member of the Lok Sabha can make a complaint relating to unethical conduct of a member of the Lok Sabha.**
3. **This Committee cannot take up any matter which is sub-judice.**

Select the answer using the code given below:

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1, 2 and 3

(UPSC prelims 2024)

Important Parliamentary committees:

Types of Parliamentary Committees:

1. **Standing Committees:** Permanent bodies.
2. **Ad Hoc committees:** made from time to time to deal with particular matter.

Standing Committees:

1. Public Accounts Committee.
2. Estimates Committee
3. Committee on Public Undertakings
4. Departmental Standing Committees.
5. Committee on Petitions.
6. Committee of Privileges.
7. Ethics Committee.
8. Committee on Subordinate Legislation.
9. Joint Committee on Offices of Profit.

Ad Hoc Committee:

- ✓ Ad hoc committees can be divided into two categories:
 - **Inquiry Committees:** inquire into and report on specific subjects.
 - **Advisory Committees:** include select or joint committees on bills, which are appointed to consider and report on particular bills.
- 1) **Public Accounts Committee:**
 - This committee was set up first in 1921 under the provisions of the **Government of India Act of 1919**.

Composition: 22 Member (15 LS, 7 RS).

Criteria: Through Proportional representation.

- Thus, **all parties** get due representation in it.
- The term of office of the members is **one year**.
- A **minister cannot be elected** as a member of the committee.
- The chairman of the committee is appointed from amongst its members by the **Speaker** (Not Chairman).
- convention has developed whereby the **chairman** of the committee is selected invariably from the **Opposition**.

Function:

- Analyse report of CAG which are laid before the Parliament by the President.
- The committee examines public expenditure not only from legal and formal point of view to discover technical irregularities but also from the point of view of economy, prudence, wisdom and propriety to bring out the cases of waste, loss, corruption, extravagance, inefficiency and nugatory expenses.
- the CAG acts as a guide, friend and philosopher of the committee.

Utility:

- Ensure fiscal accountability of Executive towards legislature.
- Ensure fiscal prudence.
- Check over fiscal extravaganza.
- Watchdog over Public Purse.
- It has expert support of CAG , making this committee more effective.

Limitation:

- Its work is post facto. Ie. When expenditure is already incurred.
- Thus, its work have only post mortem utility only.
- It cannot intervene in the matters of day-to-day administration.
- advisory and not binding.
- not vested with the power of disallowance of expenditures by the departments.
- It is not an executive body and hence, cannot issue an order. Only the Parliament can take a final decision on its findings.
- Sometimes, party politics may mar effective functioning.

2) Estimates Committee:

The first Estimates Committee in the post-independence era was constituted in **1950 on the recommendation of John Mathai**, the then finance minister.

Members: 30. (Larger than PAC)

Membership:

- Only Lok Sabha members. (PAC both) Members are elected by the Lok Sabha every year from amongst its own members.
- all parties get due representation in it.
- The term of office is one year.
- A minister cannot be elected as a member of the committee. The chairman of the committee is appointed by the Speaker from amongst its members and he is invariably from the ruling party. (PAC: opposition party chairman)

Functions:

- To analyse estimate of expenditure submitted by each ministry.
- Check over estimation.
- Ensure efficiency of expenditure.
- it has been described as a 'continuous economy committee'.
- report what economies, improvements in organisation, efficiency and administrative reform consistent with the policy underlying the estimates, can be affected.
- suggest alternative policies.

Limitations:

- It **cannot question the policy** laid down by the Parliament.
- Recommendations are **advisory** and not binding on the ministries.
- It examines every year **only certain selected ministries** and departments.
- It **lacks the expert assistance** of the CAG which is available to the Public Accounts Committee.
- Demands for grants may be **finally voted** despite the fact that the Committee has made **no report**.
- Work is in the nature of a **post-mortem**.
- Examines the budget estimates only **alter they have been voted** by the Parliament

Estimates Committee Vs PAC:

- EC is bigger than PAC.
- EC draws member only from LS.
- Chairman of EC is from Ruling party.
- EC does not have assistance of expert body like CAG.

3) Committee on Public Undertakings:

- This committee was created in 1964 on the recommendation of the **Krishna Menon** Committee.
- Members: 22 (15 from the Lok Sabha and 7 from the Rajya Sabha).
- **Tenure: 1 Year.**
- A **minister cannot be elected** as a member of the committee.
- The **chairman** of the committee is appointed by the **Speaker** from amongst its members who are drawn from the **Lok Sabha only**.
- Thus, the members of the committee who are from the **Rajya Sabha cannot be appointed** as the chairman.

Utility:

- To examine the reports and **accounts of public undertakings**
- To examine the **reports of the Comptroller and Auditor General** on public undertakings.
- Check whether PSUs are run on **sound business principles and efficiency**.

Limitation:

- Not examine **day to day** administration of PSUs.
- **Only policy matters** not business decisions.
- **No technical expertise.**
- recommendations are **advisory** and not binding.
- Cover only **few PSUs** in a year.

4) Departmental standing committees:

- Each standing committee consists of **31 members** (21 from Lok Sabha and 10 from Rajya Sabha). (Largest size)
- The members of the Lok Sabha are **nominated** by the Speaker from amongst its own members.
- Members of the Rajya Sabha are **nominated** by the Chairman from amongst its members.
- Out of the 24 standing committees, 8 work under the Rajya Sabha and 16 under the Lok Sabha.

Purpose:

- Main objective of the standing committees is to secure **more accountability of the Executive** (i.e., the Council of Ministers) to the Parliament, particularly financial accountability.
- They also assist the **Parliament in debating the budget more effectively**.
- The 24 standing committees cover under their jurisdiction all the ministries / departments of the Central Government.
- To **consider the demands for grants** of the concerned ministries / departments before they are discussed and voted in the Lok Sabha.
- To examine bills pertaining to the concerned ministries / departments
- To consider **annual reports** of ministries / departments.

5) Committee on Petitions

- This committee examines **petitions on bills** and on matters of general public importance.
- It also entertains representations from individuals and associations on matters pertaining to Union subjects.
- The Lok Sabha committee consists of 15 members, while the Rajya Sabha committee consists of 10 members.

6) Committee of Privileges:

- It examines the **cases of breach of privileges** of the House and its members and **recommends appropriate action**.
- The functions of this committee are **semi-judicial** in nature.
- Each House of Parliament has its **own privileges committee** (one for Lok Sabha, one for Rajya Sabha).
- The **Lok Sabha committee** has 15 members, while the **Rajya Sabha committee** has 10 members.
- Members are nominated by presiding officer.
- Can't act suo motu.
- Can recommend actions such as reprimand, suspend, expel and imprisonment.
- It does not have direct **punitive powers**—its recommendations must be approved by the House.

7) Ethics Committee:

- It enforces the **code of conduct** of members of Parliament.
- Initially it was an ad-hoc committee.
- It examines the cases of **misconduct** and recommends appropriate action.
- maintaining **discipline** and **decorum** in Parliament.
- Ethics Committee of Parliament** generally **does not take up matters that are sub judice**

Ethics Committee vs. Parliamentary Committee on Privileges

Feature	Ethics Committee	Parliamentary Committee on Privileges
Objective	Ensures ethical conduct of MPs and enforces the code of conduct.	Safeguards parliamentary privileges and examines cases of privilege breach.
Scope	Deals with MPs' moral and ethical behavior inside and outside Parliament.	Deals with breach of parliamentary privileges and contempt of the House .
Nature of Cases	Includes conflict of interest, corruption, misuse of office, and unethical behavior .	Includes obstruction of parliamentary work, disrespect to the House, and threats to MPs .
Composition	Lok Sabha: 15 members (nominated by Speaker).- Rajya Sabha: 10 members (nominated by Chairman).	Lok Sabha: 15 members (nominated by Speaker).- Rajya Sabha: 10 members (nominated by Chairman).

Power to Initiate Action	Can act suo motu (on its own) or based on a complaint.	Cannot act suo motu ; it needs a reference from the Speaker or Chairman.
Punitive Powers	Can recommend warning, reprimand, or expulsion of an MP.	Can recommend suspension, reprimand, or even expulsion of an MP.
Jurisdiction	Focuses on individual behavior of MPs.	Focuses on protection of parliamentary privileges and dignity of the House.
Accountability	Ensures MPs follow a code of conduct inside and outside Parliament.	Ensures MPs and others do not violate parliamentary privileges .
Notable Cases	- Cash-for-query scandal.- MPs' conflict of interest cases.	- Expulsion of MPs for breach of privilege.- Summoning journalists for misreporting.

Committee on Government Assurances:

This committee examines the **assurances, promises and undertakings given by ministers** from time to time on the floor of the House and reports on the extent to which they have been carried through.

Committee on Subordinate Legislation:

- Examines whether **delegated legislation** (rules, regulations, notifications, and by-laws) conforms to parliamentary statutes.
- Prevents **excessive delegation** of legislative powers to the Executive.
- Two separate committees for LS and RS (15 members each)
- Ministers are **not** included in the committee.

Joint Committee on Offices of Profit :

- The committee scrutinizes existing and newly constituted committees, boards, commissions, and other bodies to determine if holding a position in them would disqualify an individual from being an MP under Article 102 of the Constitution.
- Based on its examinations, the committee recommends which offices should disqualify and which should not disqualify individuals from parliamentary membership.
- recommends whether persons holding these offices should be disqualified from being elected as members of Parliament or not.
- It consists of 15 members (10 from Lok Sabha and 5 from Rajya Sabha).

Parliamentary forum:

- provide a platform for interaction and discussion of critical issues with the ministers concerned.
- The first Parliamentary Forum on Water Conservation and Management was constituted in the year 2005.

Objectives:

- A member can discuss issues with → Minister+ officials+ experts+ scientists.
- sensitize members to understand nuances of any issue and enable them to raise the issue effectively on floor.

Q. Who was the Provisional President of the Constituent Assembly before Dr. Rajendra Prasad took over?

- (a) C. Rajagopalachari
 (b) Dr. B.R. Ambedkar
 (c) T.T. Krishnamachari
 (d) Dr. Sachchidananda Sinha.
 (UPSC prelims 2024)

Bheem Rao Ambedkar:

- launched a newspaper called "Mooknayaka"
- Bahishkrit Bharat.
- Samata Sainik Dal abbreviated as SSD, is a social organisation founded by B. R. **Ambedkar**
- he set up the Bahishkrit Hitkarini Sabha.
- Ambedkar signed the Poona Pact.

- Founded the Independent Labor Party.
- founded Scheduled Castes Federation.
- founded the Bharatiya Bauddha Mahasabha.
- Wrote “The Buddha or Karl Marx”
- 1st law minister post-independence.
- Quit due to differences w.r.t Hindu code bill
- Joined Buddhism in 1956.
- Established new sect ‘Navyana’ Buddhism.

List of the Women Members in the Constituent Assembly

	Name	Notable Contributions
1	Sarojini Naidu	First female Governor of India; strong advocate for women's rights and freedom struggle.
2	Rajkumari Amrit Kaur	India's first Health Minister , instrumental in founding AIIMS and promoting public health.
3	Durgabai Deshmukh	Social reformer; played a key role in women's education and founded Central Social Welfare Board .
4	Vijaya Lakshmi Pandit	India's first woman Cabinet Minister ; later became President of the UN General Assembly .
5	Hansa Jivraj Mehta	Advocated for gender equality in the Constitution; helped draft Article 14 & 15 on equal rights.
6	Renuka Ray	Championed women's rights in property laws; contributed to Hindu Code Bill reforms.
7	Leela Roy	A leading freedom fighter , worked for women's empowerment and education .
8	Purnima Banerjee	Strong advocate for civil liberties and the inclusion of Fundamental Rights .
9	Sucheta Kripalani	India's first woman Chief Minister (UP) ; contributed to labor and women's rights .
10	Kamla Chaudhry	Social worker and freedom fighter; worked on issues of women's representation in governance.
11	Malati Choudhury	A Gandhian activist; promoted rural development and education .
12	Annie Mascarene	Among the first women to be elected to Lok Sabha ; worked on trade union rights .
13	Begum Aizaz Rasul	The only Muslim woman in the Constituent Assembly; opposed separate electorates.
14	Dakshayani Velayudhan	The only Dalit woman in the Constituent Assembly; fought for Scheduled Castes' rights .

Q. As per Article 368 of the Constitution of India, the Parliament may amend any provision of the Constitution by way of:

1. Addition
2. Variation
3. Repeal

Select the correct answer using the code given below:

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1, 2 and 3

(UPSC prelims 2024)

Conditions of Amendment under 368:

- Only parliament can amend not state legislatures.
- Any house can initiate bill for amendment.
- Either minister or Private member can introduce CAB.
- No prior approval of President needed.
- Only by special majority.
- No joint sitting.

- Those features which alter federal features has to be ratified by half of the states through simple majority.
- President is bound to give his assent to Constitutional amendment bill.
- President does not enjoy any type of veto power w.r.t CAB.

Q. The North Eastern Council (NEC) was established by the North Eastern Council Act, 1971. Subsequent to the amendment of NEC Act in 2002, the Council comprises which of the following members?

1. Governor of the Constituent State
2. Chief Minister of the Constituent State
3. Three Members to be nominated by the President of India
4. The Home Minister of India

Select the correct answer using the code given below:

- a) 1, 2 and 3 only
- b) 1, 3 and 4 only
- c) 2 and 4 only
- d) 1, 2, 3 and 4

(UPSC prelims 2024)

Zonal Councils:

- Zonal Councils are the statutory (and not the constitutional) bodies.
- established by an Act of the Parliament, that is, States Reorganisation Act of 1956.
- five zones (Northern, Central, Eastern, Western and Southern).
- North-Eastern Council was created later.

Factors of zone formation:

natural divisions + Cultural+ economic development + security and law and order

Members:

Home minister of Central government + Chief ministers of all the States in the zone + Two other ministers from each state in the zone + Administrator of each union territory in the zone. Members:

Purpose:

Emotional integration + Arrest regionalism + removing the after-effects of separation + Cooperation. + Balanced regional growth.

Inter-state councils: Article 263

Constitutional Body.

Purpose:

- Inter state/ Centre- State Coordination.

Who can form? President nor Parliament.

Recommendation:

- **Sarkaria** Commission recommended for such permanent Council .
- **Janata Dal Government** in 1990 established such council for first time.

Note:

- Only **advisory** not Binding decision.
- Now permanent body post 1990.

Structure:

PM+ CM+ Administrator of UTs+ 6 Cabinet minister from Union Government.(Including MoHA).

Functioning:

examining, discussing and deliberating+ all questions are decided by consensus+ recommendatory body + assisted by a secretariat + Joint secretariat for Zonal Council.

Q. A Writ of Prohibition is an order issued by the Supreme Court or High Courts to:

- (a) a government officer prohibiting him from taking a particular action.
- (b) the Parliament/Legislative Assembly to pass a law on Prohibition.
- (c) the lower court prohibiting continuation of proceedings in a case.
- (d) the Government prohibiting it from following an unconstitutional policy.

(UPSC prelims 2024)

Writs:

- Writ refers to any formal order of court.
- The Supreme Court (under Article 32) and the high courts (under Article 226) can issue the writs of habeas corpus, mandamus, prohibition, certiorari and quo-warranto.
- Parliament (under Article 32) can empower any other court to issue these writs.

Habeas Corpus:

- means **'to have the body of'**.
- check against unlawful or arbitrary imprisonment.
- Order issued by the **court to a person who has detained another person**, to produce the body of the latter before it.
- It would set the **detained person free**, if the detention is **found to be illegal**.
- Thus, this writ is a **bulwark of individual liberty** against arbitrary detention.
- The writ of habeas corpus can be issued against both **public** authorities as well as **private** individuals.

Prohibition:

- 'to forbid'.
- It is issued by a **higher court to a lower court** or tribunal to **prevent the latter from exceeding its jurisdiction** or usurping a jurisdiction that it does not possess.

Limitation:

prohibition **can be issued only against judicial and quasi-judicial authorities.**

It is not available against

- administrative authorities,
- legislative bodies,
- private individuals.

Certiorari:

- it means **'to be certified'** or **'to be informed'**. It is issued by a **higher court to a lower court** or tribunal either to **transfer** a case pending with the latter to itself or to **quash the order** of the latter in a case.
- **Prohibition**, which is only **preventive**, **certiorari** is both **preventive as well as curative**.
- Can be issued **against judicial and quasi-judicial authorities**.
- **not available against legislative bodies and private individuals or bodies.**

Quo-Warranto:

- **'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**.
- Hence, it prevents **illegal usurpation** of public office by a person.

Exception:

- Not against Minister post.
- **Only for permanent executive**.
- this can be **sought by any interested person** and not necessarily by the aggrieved person.

Mandamus:

- Mandamus means **"we command"**.
- This writ is a command issued by court to a public official, public body, corporation, inferior court, tribunal or government **asking them to perform their duties which they have refused to perform**.
- Due to this, Mandamus is called a **"wakening call"** and it awakes the sleeping authorities to perform their duty.
- Mandamus thus demands an activity and **sets the authority in action**.
- Mandamus cannot be issued against the following:
 1. a private individual or private body.
 2. if the duty in question is discretionary and not mandatory.
 3. against president or governors of state
 4. against a working chief justice
 5. to enforce some kind of private contract.
- A petition for writ of mandamus **can be filed by any person** who seeks a legal duty to be performed by a person or a body.
- Such a filing person **must have real or special interest** in the subject matter and must have legal right to do so

Q. With reference to the Speaker of the Lok Sabha, consider the following statements:
While any resolution for the removal of the Speaker of the Lok Sabha is under consideration.

1. He/she shall not preside.
2. He/She shall not have the right to speak.
3. He/She shall not be entitled to vote on the resolution in the first instance.

Which of the statements given above is/are correct?

- a) 1 only
- b) 1 and 2 only
- c) 2 and 3 only
- d) 1, 2 and 3

(UPSC prelims 2024)

Speaker:

1. Office of Speaker is not coterminous with LS.
2. No automatic vacancy and continues till the newly-elected Lok Sabha meets.
3. The quorum to constitute a meeting of the House is one-tenth of the total strength of the House.
4. Only a member of LS can become Speaker.
5. He is elected by absolute majority in Lok Sabha.

Removal:

1. He can be removed by absolute majority in Lok Sabha and does not need approval of Rajya Sabha.
2. He resigns by **writing to the Deputy Speaker** not President.
3. During resolution for the removal of the Speaker is under consideration of the House, he cannot preside at the sitting of the House.
4. He can vote in removal proceedings in first instance only and not casting vote.

Powers of Speaker:

1. The Speaker is the head of the Lok Sabha.
2. guardian of powers and privileges of the LS.
3. **final interpreter** of the provisions of the **Constitution** of India within house.
4. He **adjourns** the House or suspends the meeting in absence of a quorum.
5. He decides the questions of disqualification of a member of the Lok Sabha in case of ADL, his decision is open to judicial review.
6. he does not vote in the first instance. But he can exercise a casting vote in the case of a tie.
7. Such vote is called casting vote, and its purpose is to resolve a deadlock.
8. He presides over a joint sitting of the two Houses of Parliament.
9. Joint sitting is summoned by President.
10. He decides whether a bill is a money bill or not and his decision on this question is final.
11. salary is charged on Consolidated Fund of India.
12. His powers of regulating procedure not open to Court scrutiny.
13. higher rank than all cabinet ministers.
14. Speaker does not resign from the membership of his party on his election. (unlike British Speaker)

#8. Deputy Speaker:

1. Deputy Speaker performs the duties of the Speaker's office when it is vacant.
2. Deputy Speaker is also elected by the Lok Sabha itself from amongst its members.
3. he is removed by a resolution passed by a majority of all the members of the Lok Sabha.
4. He also presides over the joint sitting of both the Houses of Parliament, in case the Speaker is absent from such a sitting.
5. Deputy Speaker has one special privilege, that is, whenever he is appointed as a member of a parliamentary committee, he automatically becomes its chairman.
6. Since the 11th Lok Sabha, there has been a consensus that the Speaker comes from the ruling party (or ruling alliance) and the post of Deputy Speaker goes to the main opposition party. (it is not legal obligation)

7. Speaker and the Deputy Speaker, while assuming their offices, do not make and subscribe any separate oath or affirmation.
8. institutions of Speaker and Deputy Speaker originated under the provisions of the Government of India Act of 1919 .
9. Panel of Chairpersons of Lok Sabha: Speaker nominates from amongst the members a panel of not more than ten chairpersons. Any of them can preside over the House in the absence of the Speaker or the Deputy Speaker.

#9. Speaker Pro-Tem:

1. Speaker of the last Lok Sabha vacates his office immediately before the first meeting of the newly-elected Lok Sabha.
2. Therefore, the President appoints a member of the Lok Sabha as the Speaker Pro Tem.
3. Usually, the senior most member is selected for this. (it is parliamentary convention not constitutional obligation)
4. The President himself administers oath to the Speaker Pro Tem.

Functions:

1. administer oath to the new members.
2. He also enables the House to elect the new Speaker.
3. Once new speaker is elected, office of Pro-tem speaker cease to exist.

Comparison Between Speaker of Lok Sabha and Chairman of Rajya Sabha

Aspect	Speaker of Lok Sabha	Chairman of Rajya Sabha
Constitutional Provisions	Article 93	Article 89
Presiding Over	Lok Sabha (Lower House)	Rajya Sabha (Upper House)
Election Process	Elected by members of the Lok Sabha from among themselves	Vice President of India acts as the ex-officio Chairman of Rajya Sabha
Removal Process	Removed by a resolution passed by a absolute majority of members of the Lok Sabha (no role of RS)	Removed by a resolution passed by an effective majority of members of Rajya Sabha + simple majority of LS
Voting Rights	Votes only in case of a tie	Votes only in case of a tie
Voting during removal	Can participate + can vote as ordinary member + no casting vote	Can participate + can't vote
Tenure	co-terminus with LS	5 years
Membership of the house	Member of LS	Not the member of RS
Administrative Role	Head of Lok Sabha Secretariat	Head of Rajya Sabha Secretariat
Disciplinary Powers	Can suspend a member for his unruly behaviour.	The Rajya Sabha Chair can only suspend a member through a motion and not by his own. The Chair names a member, following which the House takes up a motion to suspend that member for a period not more than the remaining of the session
Decision-Making on Bills	Decides whether a bill is a Money Bill	No such powers
Joint session	Preside over joint session of Parliament	No such power

 ForumIAS