PARMAR SSC

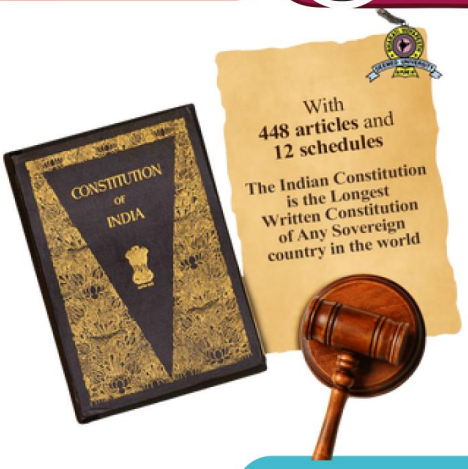
PARMAR SSC

Topic:

Slient Features of Indian Constitution



1. Indian constitution is the lengthiest written constitution in the world.



- Original Constitution contained 395 Articles, 22 Parts and 8 Schedules
- Presently it contains : 448 Articles, 25 Parts, and 12 Schedules.
- Part 7 has been deleted and new parts : IV-A, IX-A, IX-B and XIV-A have been added.

Written Constitution

- Compiled and structured in systematic form.
- Formally constituted
- Not easy to Amend
- Ex: India



Unwritten Constitution

- Not structured
- Not formally constituted
- Easy to Amend
- Ex : United Kingdom



Amendment

A formal change to law, contract, constitution, or other legal document.

2. Parliamentary form of Government.

- A Parliamentary Form of Government is a form of democracy in which the political party that wins the most seats in a national election forms the ruling government.
- This feature is borrowed from UK.



3. Federation with strong centre

- **Federalism** : This refers to existence of More than one level of Government in the Country



Three tier of government exist in India

1. Union/Centre
2. States
3. Local Bodies

Under federalism, the states are not merely agents of federal government, they drive their authority from Constitution Itself.

Federal Feature

- Written Constitution
- Supremacy of the Constitution
- Rigidity of Constitution
- Independence of Judiciary
- Bicameralism
- Dual Government

Unitary Feature

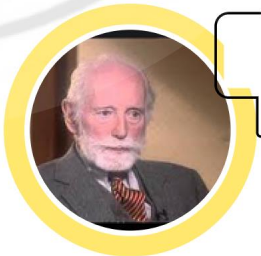
- Single Constitution
- Single Citizenship
- Integrated Judiciary
- All India Services
- Emergency Provinces
- Appointment of governors by Centre

Comments on Indian Federalism



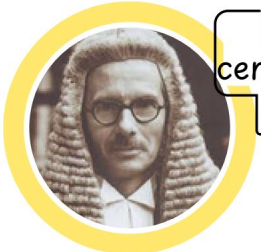
"Quasi Federal"

K.C Wheare



"Cooperative Federalism"

Granville Seward Austin



"Federalism with centralising tendency"

Ivor Jennings



"Bargaining Federalism"

Morris Jones

Legislative
Make Laws

Executive
Carries Out Laws

Judiciary
Evaluate Laws

Schedules of Indian Constitution

Schedules 1

Names of States and UT's and their territorial Jurisdiction

Schedules 2

Provisions relating to **emoluments** and **allowances** of : President, Vice President, Governor, Speaker, Deputy Speaker, Chairman, Deputy Chairman, Judges, CAG.

Schedules 3

Oaths and Affirmations (Union + State) of Ministers, MPs, MLAs, Judges, CAG

Schedules 4

Allocation of Seats in Rajya Sabha

Schedules 5

Provisions relating to administration of scheduled areas and scheduled tribes of Andhra Pradesh, Chhattisgarh, Maharashtra, Jharkhand, Madhya Pradesh, Gujarat, Himachal Pradesh, Odisha, Rajasthan and Telangana.

Schedules 6

Provisions related to administration of tribal areas of: Assam, Tripura, Meghalaya, Mizoram

Why Schedules 6 was in News ?



The Sixth Schedule has been in the news recently due to protests in Ladakh demanding its extension to the region to protect its tribal culture and autonomy

The Sixth Schedule entails

- Autonomous District Councils (ADCs):
- Powers of ADCs
- Cultural preservation

Schedules 7

Three list containing subject in which Union and States can make laws . (Federal Provision)

Union List

- Initially there are 97 Subjects.
- Currently 100 Subjects.

- Inter-state trade & Commerce
- Banking
- Foreign Affairs
- Labour & Mines
- Census etc.
- Defence
- Arms & Ammunition
- Atomic Energy
- Citizenship
- Airways

State List

- Initially there are 66 Subjects.
- Currently 61 Subjects.

- Public Order
- Local Government
- Health
- Pilgrimage
- Liquor
- Agriculture
- Fisheries
- Betting and Gambling etc.

Concurrent List

- Initially there are 47 Subjects.
- Currently 52 Subjects.

- Marriage and Divorce
- Insolvency and Bankruptcy
- Trade and Labour Dispute.
- Electricity
- Education
- Weights and Measure etc.

Residuary List

- These subjects are not included in Union,State or Concurrent List.
- Parliament has the power to legislate on residuary subjects
- Borrowed from Canadian Constitution

Few subjects transferred from State list to Concurrent List with effect of 42nd Amendment act 1976. They are : Education, Forest, Weight and Measures, Protection of Wild animals and Birds, Administration of Justice.

5 scenarios in which Parliament / Union can legislate on state list subjects.

1. National Emergency
2. President Rule
3. If two or more states ask the Centre
4. To enforce International Treaty
5. If Rajya Sabha give Parliament this Power with Special Majority.

Classical languages of India

- Tamil
- Sanskrit
- Telugu
- Kannada
- Malayalam
- Odia

Newly Added languages in 2024

- Marathi
- Pali
- Prakrit
- Assamese
- Bengali

Schedules 8

- Originally there were 14 languages.
- Presently there are 22 languages.

- 21st CAA, 1967 : Sindhi was added.
- 71st CAA, 1992 : Konkanin, Manipuri and Nepali
- 92nd CAA, 2003 : Bodo, Dogri, Santhali, Maithili (BDSM)
- 96th CAA, 2011 : It changed the name 'Oriya' to 'Odia'

Trick to Learn Classical Languages

Tu Shuru To Kar Mai Aariya (Oriya)

Schedules 9

- Provisions related to land reforms and Zamindari System (Added through 1st CA: 1951)

Schedules 10

- Provision relating to disqualification of MPs and MLAs on grounds of defection (added by 52nd CA 1985)

Schedules 11

- Provisions relating to Panchayat.
- 73rd CA: 1992, 29 Functional Matters

Schedules 12

- Provisions relating to Municipalities.
- 74th CA: 1992, 18 Functional matters

Trick to Learn Schedules

T : Territory
E : Emoluments
A: Affirmation and Oath
R : Rajya Sabha
S : Scheduled Area

O: Other Scheduled Area
F: Federal Provision

O: Official Languaga
L: Land Provision
D: Defection

P: Panchayat
M: Municipality

TEARS OF OLD PM