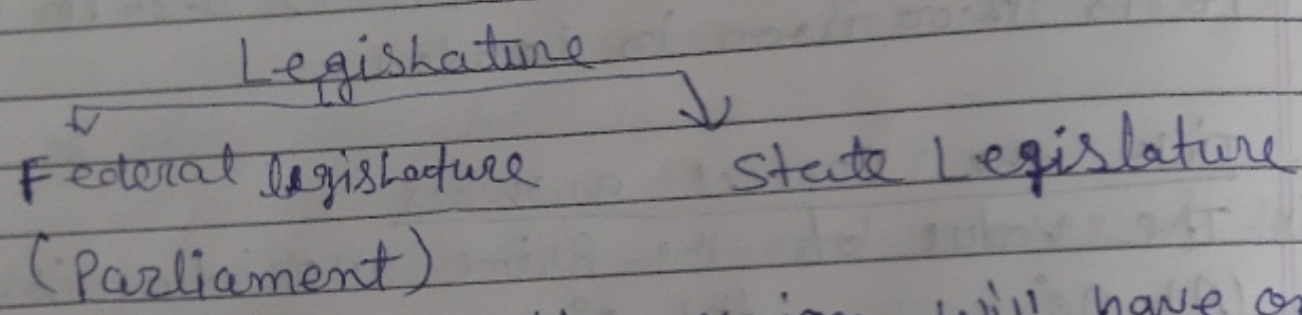
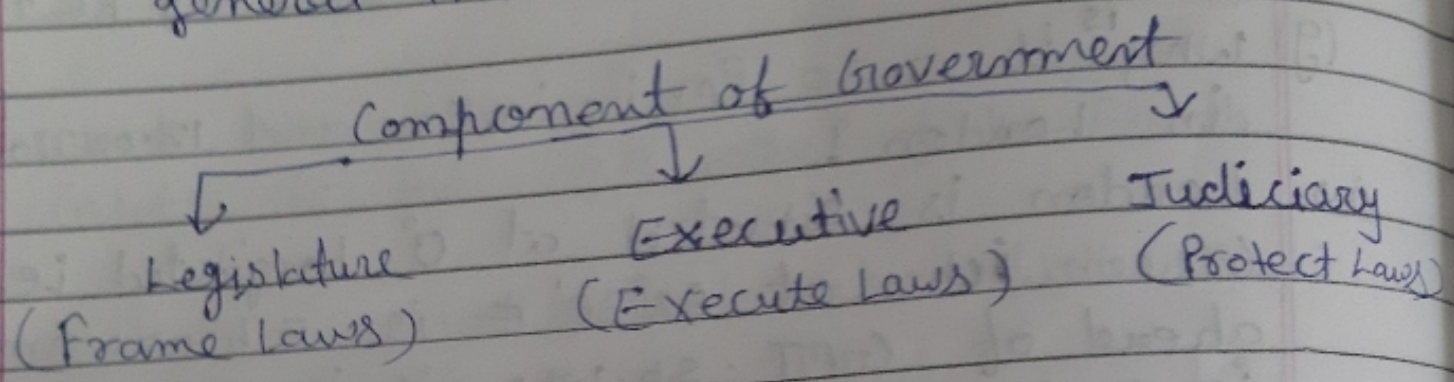


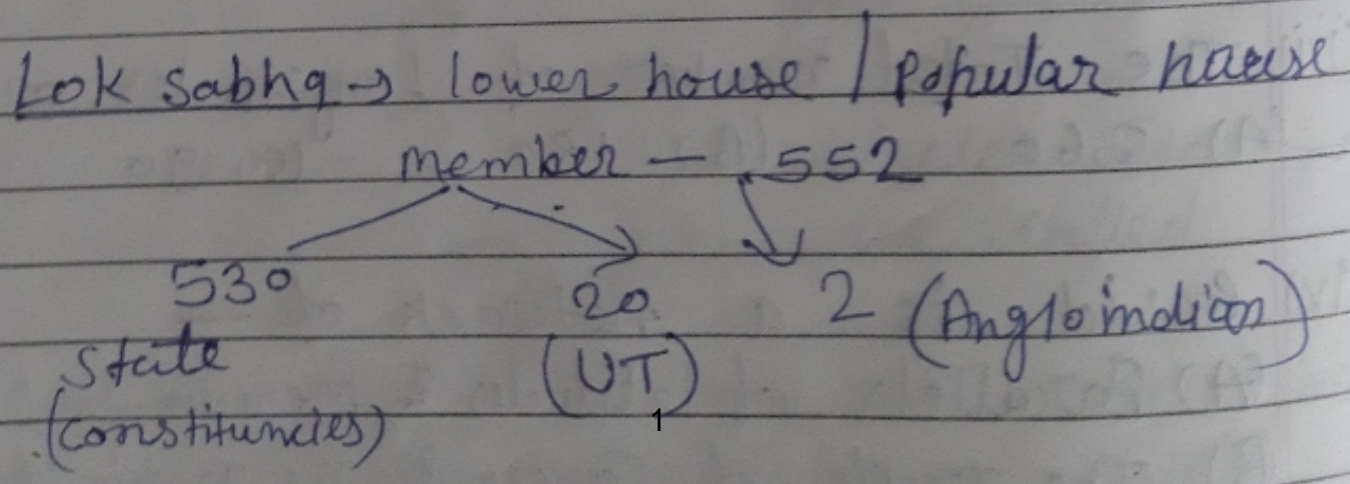
①

Class X  
Government

Central Govt.  
Govt. is that agency or machine by which state policies are determined general cases are regularised and general interest is upgraded.



Artical 79 :- Indian union will have one Parliament which will be formed by the President and the two houses Lok Sabha and Rajya Sabha.



- Election - Direct election
- on the basis of universal Adult franchise

Eligibility → Citizen of India

- should be 25 years of age or above
- should not hold any office of Profit.
- should not be bankrupt.

Term of Lok Sabha - 5 year

- can be dissolved prematurely by President, it happened 9 Time so far.

Session → Session of Lok Sabha & Rajya Sabha can be called by the President.

- There should not be the difference of 6 month in the two meetings of Lok Sabha.

Office Bearers of Lok Sabha →

Art. 93 → A speaker and a Deputy speaker elected from its members.

Power and function of speaker →

① All the meeting of Lok Sabha are presided over by the speaker.

② It is the duty of speaker to maintain peace and discipline in house.

③ All the work and programmes of Lok Sabha are decided by the speaker.

④ speaker is the ex-officio Chairman of some committees of the house.

⑤ speaker decided whether the bill is a money bill or not.

3

Power & functions of Lok Sabha

- (1) Legislative Power → Lok Sabha can make laws on subject included union list and concurrent list.
- (2) Financial Power → According to the article 109 money bill can be introduced only in Lok Sabha not in Rajya Sabha.  
L.S → R.S (14 days Return)  
• Rajya Sabha can suggest but it depends on Lok Sabha to accept or not.
- (3) Power to control executive → According to the constitution all the council of ministers are responsible to Lok Sabha only. Executives stays in office till they receive confidence of Lok Sabha.

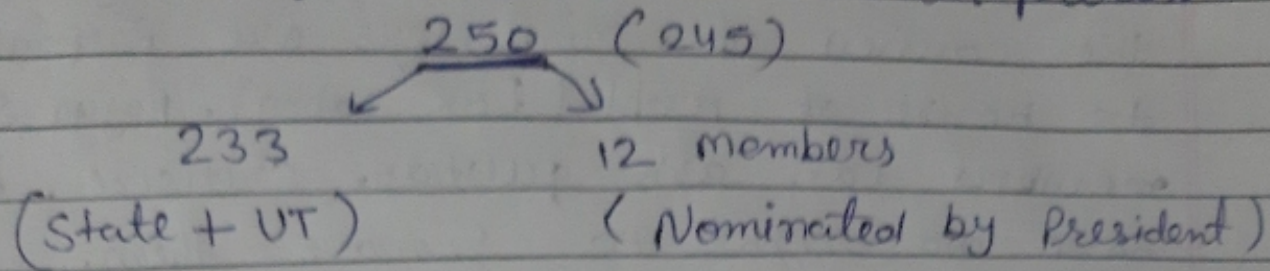
(4) Constitutional amendment Power → According to article 368 of the constitution Lok Sabha has the power to make amendment in the constitution.

(5) Role of an electoral college → According to Article 54 elected members of Lok Sabha Rajya Sabha & state legislative elects the President.

RAJYA SABHA (Council of State)

- (1) Upper house
- (2) Permanent house

→ Number of members & Election process -



- Indirect election
- Single Transferrable Vote System (STV) (President)

⇒ Qualification →

- (1) 30 year age and above
- (2) citizen of india
- (3) should not hold any office of Profit.
- (4) should not be bankrupt.

⇒ Term -

- The term of its members is 6 years
- $\frac{1}{3}$  of members retire in every Two years.

• office bearers -

→ Chairman / vice-chairman

Vice President of India

→ chairman Term - 5 years

• Power and functions of Rajya Sabha

(i) Legislative Power → Rajya Sabha also has power of law making or equal Powers with Lok Sabha in context to non-financial bills.

(ii) Power to Amend constitution → Amendment Related Rajya Sabha has the same Powers as the Lok Sabha. (Art. 368)

(iii) financial power → In regards to the financial power Rajya Sabha has weak position as compared to the Lok Sabha.

(4) Executive Power → In Parliamentary, Regime the council of ministers are responsible to house of people (Lok Sabha). Rajya Sabha members can ask question, criticize, but they have no right to remove them.

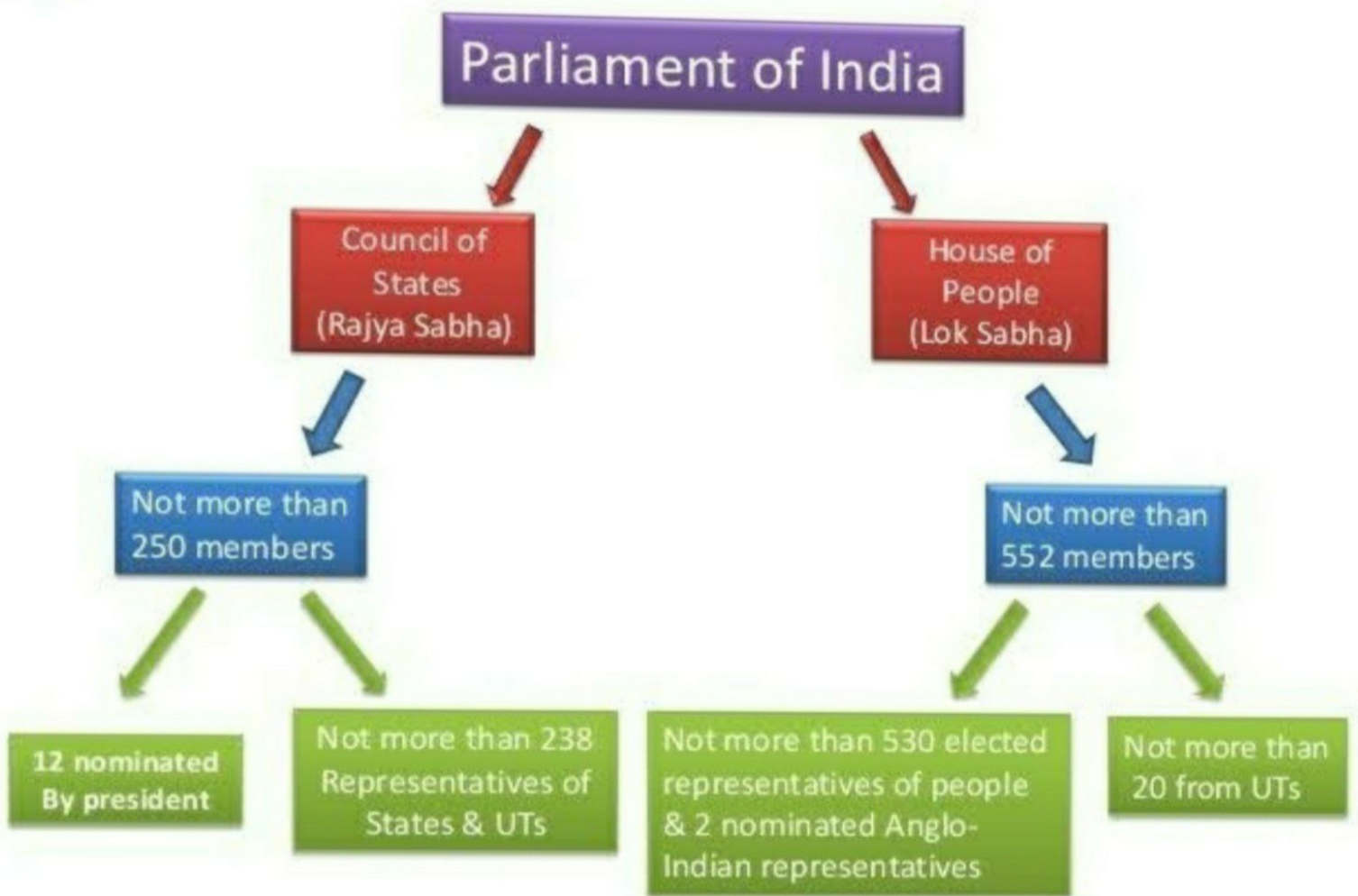
→ Miscellaneous Powers →

- (1) Elected members of Rajya Sabha participate in the election of President, Vice President.
- (2) Rajya Sabha with Lok Sabha can impeach President, Supreme Court Judge and some officials.
- (3) Rajya Sabha can also pass a resolution for the removal of ~~the~~ Vice President and it is only in Rajya Sabha.

Special Power -

- (1) Article 249 → Rajya Sabha get right to make laws on the subject of state list by the special majority.
- (2) Article 312 → Rajya Sabha can pass the proposed with special majority to install new all India services. (IAS, IPS, IFS etc.)

**PRESIDENT**



## DISTINGUISH BETWEEN- LOK SABHA & RAJYA SABHA

<b>Lok Sabha</b>	<b>Rajya Sabha</b>
<ul style="list-style-type: none"><li>• Members of Lok Sabha are directly elected by the eligible voters.</li></ul>	<ul style="list-style-type: none"><li>• Members of Rajya Sabha are elected by the elected members of state legislative assembly.</li></ul>
<ul style="list-style-type: none"><li>• The period of Lok Sabha is five years.</li></ul>	<ul style="list-style-type: none"><li>• It is a permanent body, one third of its member retire every two years.</li></ul>
<ul style="list-style-type: none"><li>• The maximum strength 552 members.</li></ul>	<ul style="list-style-type: none"><li>• It has not more than 250 members.</li></ul>
<ul style="list-style-type: none"><li>• Money bills can only be introduced in the Lok Sabha. It grants the money for running the administration of the country.</li></ul>	<ul style="list-style-type: none"><li>• The Rajya Sabha does not exercise much power over money bills.</li></ul>
<ul style="list-style-type: none"><li>• More powerful than Rajya Sabha.</li></ul>	<ul style="list-style-type: none"><li>• Less powerful than the Lok Sabha.</li></ul>

## PRESIDENT

Article - 52 - According to this article indian constitution provides that india should have one president.

Article 53 → The executive power of union will be vested in president and he can use these power as per the constitution.



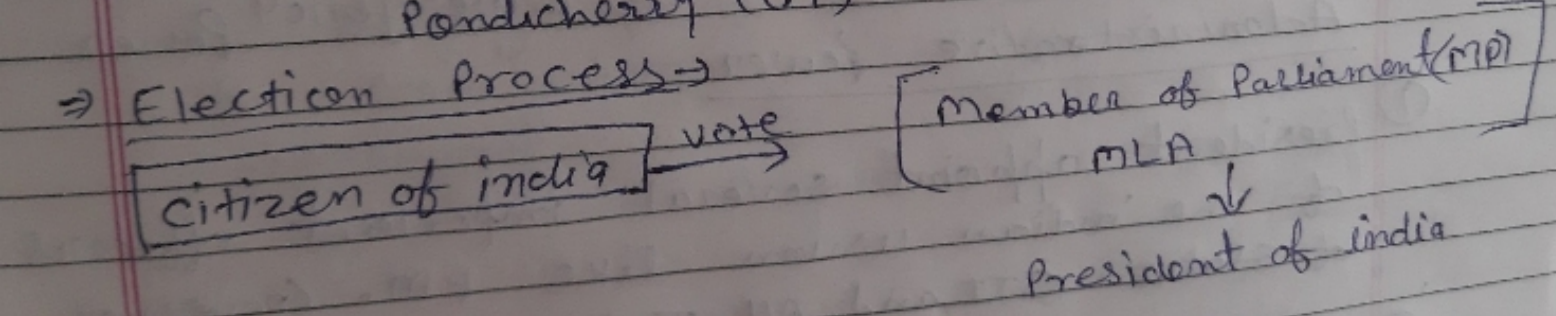
- Qualification →
- (1) Citizen of India
  - (2) 35 year age or above
  - (3) Should be eligible to be elected as the member of Lok Sabha.
  - (4) Should not hold any office of profit.
  - ~~(5) Should not be bankrupt.~~

⇒ Election →

- (1) Indirect election
- (2) Single Transferrable vote system (Article - 55(3))

⇒ Electoral College →

- (1) Elected member of Lok Sabha and Rajya Sabha
- (2) Elected member of State and Delhi & Pondicherry (UT)



Indirect method

minimum quota  $\rightarrow \frac{\text{Valid votes Polled}}{\text{No. of candidates to be elected}} \div 1000$

Impeachment  $\rightarrow$  Article 61  $\rightarrow$  President can impeach from his post - violation of constitution. It can be initiated by either house of L.S or R.S. and signed by  $\frac{1}{4}$  member of house and 14 days notice should be given to President. It passed by majority of  $\frac{2}{3}$  of total membership of that house and same in other Powers and functions of President

(1) General Power (2) Emergency Power

Administrative power

- ① President appoint several important officers of the Indian Union like PM, Governor of States, CJI and All Judges, CAG, UPSC etc.
- ② President can call Joint sitting of both house.
- ③ President appoints foreign ambassadors.
- ④ Foreign argument and treaties are made on the name of President.
- ⑤ The President is the chief of all the forces of India.

## 2 Legislative Power →

① President can convene and terminate the session of Parliament.

② dissolve the Lok Sabha on the Recommendation of PM.

③ give speech on the first meeting of General assembly.

4. Nomination - 12 member in R.S

2 members in L.S.

⇒ President has right to issue Ordinance at the time when the session is not being held. These ordinance will be applicable till 6 week from the commencement of the session of Parliament  
Article 123

## 3 Judicial Power

① Appoint the Judges.

② Pardon (mercy) Article. 72

## II Emergency Power

Article 352 → Emergency due to external attack and internal conflict.  
1962, 1971, 1975 - 3 TIME

356 → Due to failure of Constitutional machinery

360 → Financial emergency

## Veto Power

## Vice President (Article - 63)

- ⇒ Qualification → (i) Indian,  
(2) Age - 35 year or above  
(3) ~~Qualifi~~ eligible of Rajya Sabha members
- ⇒ Election of V.P. → (i) V.P. is elected in Joint sitting of both the houses of the Parliament.  
(ii) STV system.
- ⇒ Deposition → (i) 5 year term  
(ii) Can resign  
(iii) can remove from his post by the Proposal Passed from Rajya Sabha, which is accepted by Lok Sabha. (Same to President)

## Powers and functions of Vice President

- (i) Ex officio chairman of Rajya Sabha → He is not a member of Rajya Sabha, so he is not entitled for voting. he holds the right of 'casting vote' for special subject.
- (ii) Taking charge of the President in following condition—  
(i) After the death of the President  
(ii) After the resignation of the President  
(iii) Deposition of the President due to impeachment.  
(iv) any Reason like disease or a Foreign Tour.

~~Prime~~

## PRIME Minister (Article 74)

Appointment of the PM → According to fundamental Principles of the Parliamentary system, the President is obliged to appoint the leader of the majority party in the Lok Sabha for the post of Prime Minister.

### → Powers and Functions of PM

- ① Formation of Council of Ministers.
- ② Distribution and Changes of Portfolios from amongst the ministers.
- ③ Administration of the Cabinet
- ④ Coordination amongst various department of governance.
- ⑤ Leader of Lok Sabha
- ⑥ Link between the President and the Cabinet
- ⑦ Bestowing various posts

### Council of Ministers

Article 74 → There shall be Council of Ministers with the PM at the head. To the help and Advice of the President.

### ⇒ Formation of the Council of Ministers

- ① According to article 75, the PM will be appointed by the President and the other

ministers will be appointed by President in consultation with PM.

② In order to become a member of Council of Ministers, it is mandatory for a person to be a member of Parliament (L.S, R.S). If a person is not a member of Parliament while becoming a minister, it is mandatory to become a member of Parliament within 6 months.

③ Tenure → 5 years (Maximum)  
• C.O.M. remains in office till it receives the confidence of Parliament.

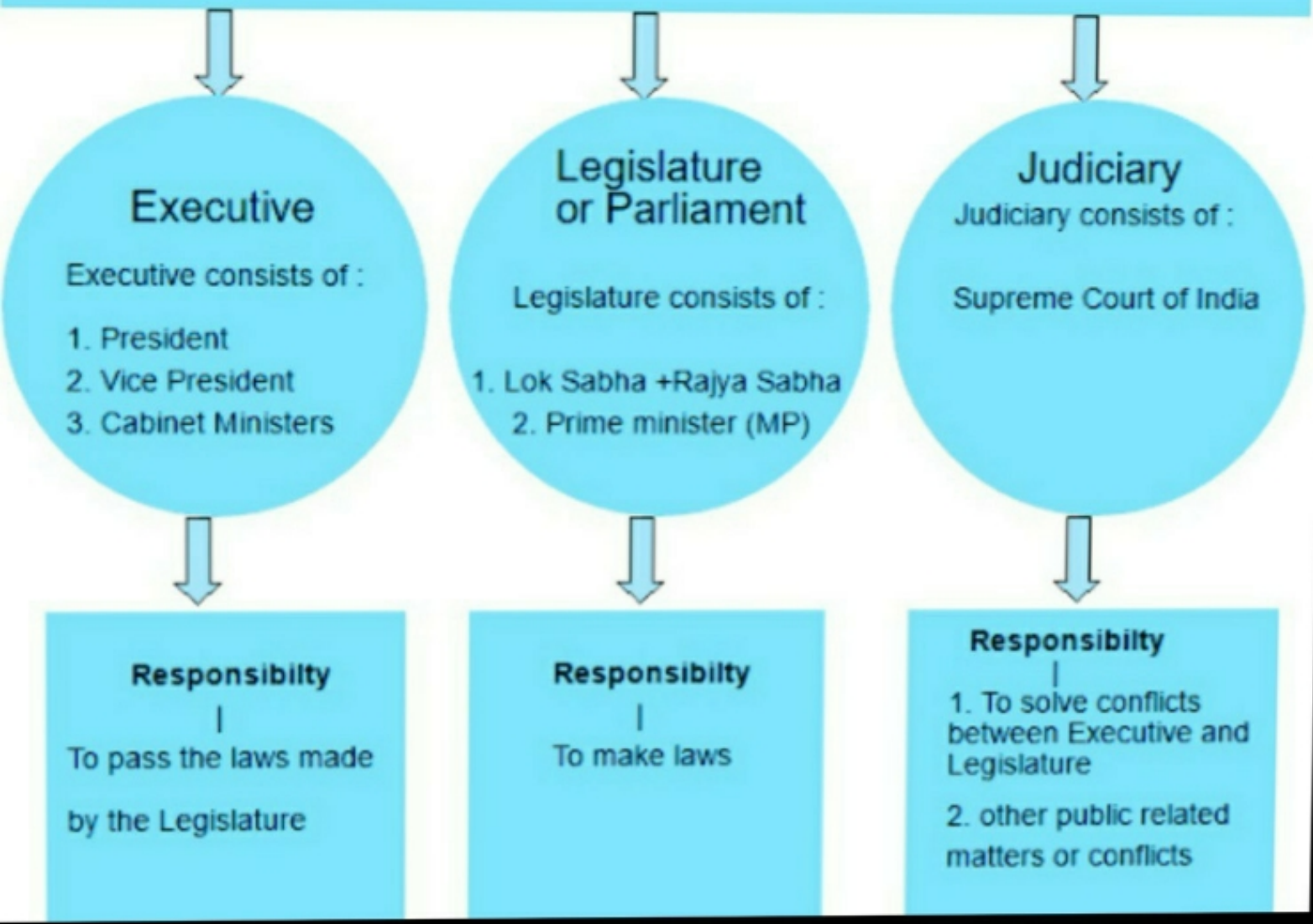
### ⇒ Categories of ministers

① cabinet ministers → • Highest unit of Administration.  
• Head of one or more departments.

② state ministers → • Related to Special Department  
• Sometimes work as independent head of Department

③ Deputy ministers → They assist upper rank ministers

# Government of India (Central/Union Government)



⇒ Power and function of Cabinet (Art. 74)

- ① Determining the national policy
- ② control over law making
- ③ Supreme control over National Executive
4. Financial Affairs
5. Control of foreign affairs
6. Power of Appointment

## Indian Judiciary

### # Formation of Supreme Court

- Initially a Chief Justice and 7 other Judges were arranged for the SC.
- In 2008 number of Judges was increased upto 31 including CJI (30+1)
- President of India appoint the Judges of SC.
- Presently the Judges in the SC and HC are appointed from the Collegium System.  
(CJI + 4 senior judge)

### # Qualification →

- ① should be citizen of India
- ② worked as a Judge for at least 5 year in High Court ~~or~~ Two or More court.
- ③ Practised as an advocate for 10 years
- ④ He/she should have high knowledge of Law in the eyes of President.

# Tenure → till 65 years of age.



Salary → CJI - 2.80 Lac Per Month  
Judge - 2.50 Lac Per Month

## # Impeachment →

A motion of impeachment addressed to the President is to be signed by at least 100 members of Lok Sabha or 50 members of Rajya Sabha and then delivered to the speaker of Lok Sabha or chairman of Rajya Sabha.

- The motion is to be investigated by a committee of 3 Judges of Supreme Court and a distinguished Jurist.
- If the committee find the Judge guilty, the motion along with the report of committee is taken up for consideration in the house where motion was moved.
- Judge is then removed by special majority.

## # Immunities → Judges are freed from criticism for all their actions & ~~and~~ Decisions:

## ## Power & function of SC

① Original Jurisdiction → This Jurisdiction consists those disputes which can be heard only in SC.

- Controversy between government of India and one or more States.
- Conflict between Two States.
- Dispute arising out of constitutional matters.
- Issues Related to fundamental Rights (Art. 32)

2. Appellate Jurisdiction → Under this Jurisdiction SC has right to hear an appeal against the decision of the high court of all the states. Appellate Jurisdiction can be divided in 4 categories —

- |                          |   |          |          |
|--------------------------|---|----------|----------|
| 1) Constitutional        | → | Art. 132 | S.C      |
| 2) Civil case            | → | Art. 133 | ↑        |
| 3) Criminal              | → | Art. 134 | H.C<br>↑ |
| 4) special<br>(Military) | → | Art. 135 | L.C      |

3. Court of record → Decision of Supreme court will be accepted as evidence everywhere → for contempt of court any kind of Penalties can be given by this court.  
(Art. 129)

4. Protector of fundamental Rights → in order to implement FR the court can issue writs in the Nature of —

- (1) habeas corpus
- (2) mandamus
- (3) quo-warranto
- (4) Prohibition
- (5) certiorari.

5. Power of Judicial Review → Article 131, 132 gives SC the Power to investigate the legality of Law. if the Law passed by Parliament or State legislature violate the Constitution then it can be declared illegal by Supreme court.

6 Advisory Jurisdiction → Art. 143  
President Takes Advice from SC.

7 Authority to grant special order for appeal -  
Article - 136 SC itself has the authority  
that it can hear the appeal against any  
court or Tribunal of state except the  
military Jurisdiction.

X. 1st CJI - H. J. Kania  
47<sup>th</sup> CJI → Sharad Arvind Bobde (Present)

### Important Points

- The union Parliament has been named as Sansad in the Indian constitution. It has been divided into three parts.
- (1) The President who is the head of the Executive also has role in law making.
- (2) Lok Sabha is also called the first house, lower house or a popular house.
- (3) Rajya Sabha is also called as second house or upper house.
- The maximum number of Lok Sabha can be 552 members.
- The system of reservations for SC and ST in Lok Sabha and Rajya Sabha has been maintained since the enactment of the Constitution.
- The term of Lok Sabha is 5 years but it can be dissolved before its term on the advice of Prime Minister.
- The two office bearers of Lok Sabha- Speaker and the Deputy speaker are elected by Lok Sabha itself.
- Rajya Sabha - The number of Rajya Sabha members can be 250 and out of which 12 members are nominated by The President.
- Term of office-Rajya Sabha is a permanent house which is never dissolved, the term of office for the members of Rajya Sabha is 6 years, and one third of the members retire from Rajya Sabha after every second year.
- There are two main office bearers in Rajya Sabha : Chairman and the Deputy Chairman. The Vice President of India is the ex officio Chairman of Rajya Sabha.
- Works and powers of the Parliament- Legislative powers, Power of amendment in the Constitution, Financial powers, Administrative powers, Electoral powers and miscellaneous powers.
- The President, Vice President, Prime Minister with cabinet and the Attorney General of India are included in the Union Executive.
- The President is the Constitutional head of the Executive of Indian Union.
- The President is elected indirectly by the process of Single Transferable vote system of proportional representation.
- Term of office for The President is 5 years.
- The rights and powers of the President : (1) Peace time powers and (2) Powers in emergency.
- Vice President- Vice President is elected in the joint sitting of both Houses by The Single Transferable Vote of proportional representation method and secret voting system. His tenure is 5 years.
- The powers and functions of Vice President- Ex officio Chairman of Rajya Sabha, takes charge of the post of The President in his absence.
- Union Cabinet-The entire power of the Executive is practically vested in the cabinet in the Parliamentary system of governance.
- Formation or making of the cabinet- Appointment of the Prime Minister by the President, selection of the ministers by the Prime Minister, distribution of portfolios amongst the ministers.
- Categories of ministers: Three categories; Members of the cabinet, Minister of state and the Deputy ministers.
- The cabinet is the internal and most important committee of the Council of Minister.
- The powers and functions of the Cabinet.: The co-ordination work of national policy determination on all important subjects, financial work, operating foreign affairs, appointment related work and other functions.
- Prime Minister-Appointed by the President.
- Need and importance of the Supreme Court- Chief Justice and 30 other judges, nowadays the appointment of judges would be made on the advice of the Collegium of Supreme Court, the judge can remain in office till the age of 65 years.
- Jurisdiction or powers and functions of the Supreme Court.

1. Original jurisdiction-
  - (a) Original unique jurisdiction.
  - (b) Original concurrent jurisdiction.
2. Appellate jurisdiction Constitutional, civil, criminal, special.
3. Power of giving special order for the appeal.
4. Court of records.
5. Protector of Fundamental Rights.
6. Saviour of the Constitution and the power of judicial review.
5. How the value of the vote of every member of Parliament and the members of state and Federal assemblies is determined in the election of the President?
6. Describe the Appellate Jurisdiction of the Supreme Court.
7. When can Civil and Criminal cases be referred to an appeal in Supreme Court?
8. Why is the Supreme Court called as Court of Record?
9. Who can refer cases to the Supreme Court?