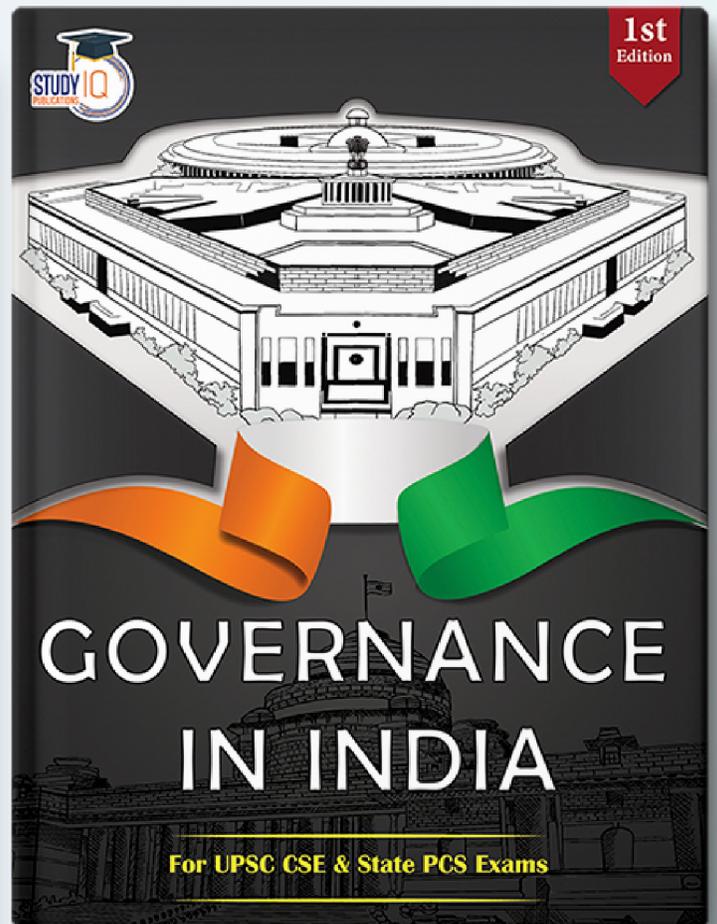
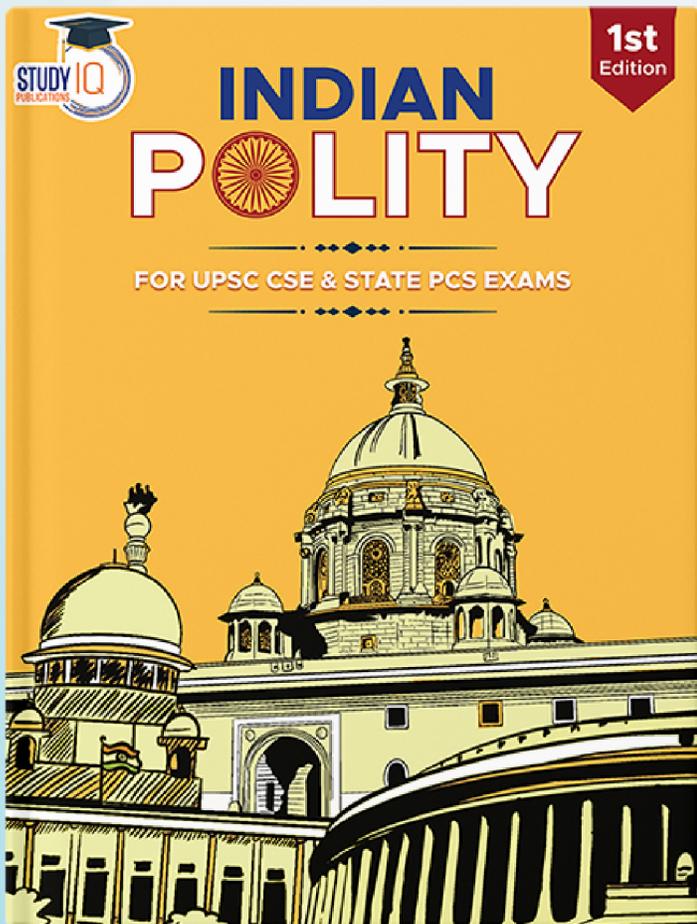




Set of 2 Books

Indian Polity & Governance in India





1st
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INDIAN POLITY

FOR UPSC CSE & STATE PCS EXAMS



From the Founder's Desk

Dear Aspirants,

We would like to humbly thank you for the great response we had to our geography and economy book, 'Fundamentals of Geography', 'Principles of Indian Geography' and 'Indian Economy'. Our books have been on the best sellers list for Amazon and Flipkart in the UPSC segment since their launch.

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This book is an honest attempt to tackle these problems and improve students' knowledge base, saving their precious time during their preparation and eliminating many academic misunderstandings that they encounter.

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- We have incorporated the relevant previous year's questions at the end of each chapter so that the students can test their knowledge while understanding the trend of the question.

With all sincerity and humility, the Study IQ team wishes you the best in your preparation, and we are hopeful that this book will help you in your journey.

Mohit Jindal, IIT-Bombay
Co-Founder, Study IQ Education
Mentoring UPSC CSE Aspirants for past 7 years

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SAMPLE PAGES

SECTION 01

Foundation of the Constitution

Chapter 1

Evolution of Constitution

Chapter 2

Making of the Constitution

Chapter 3

Salient Features of the Constitution

Chapter 4

Preamble

Chapter 5

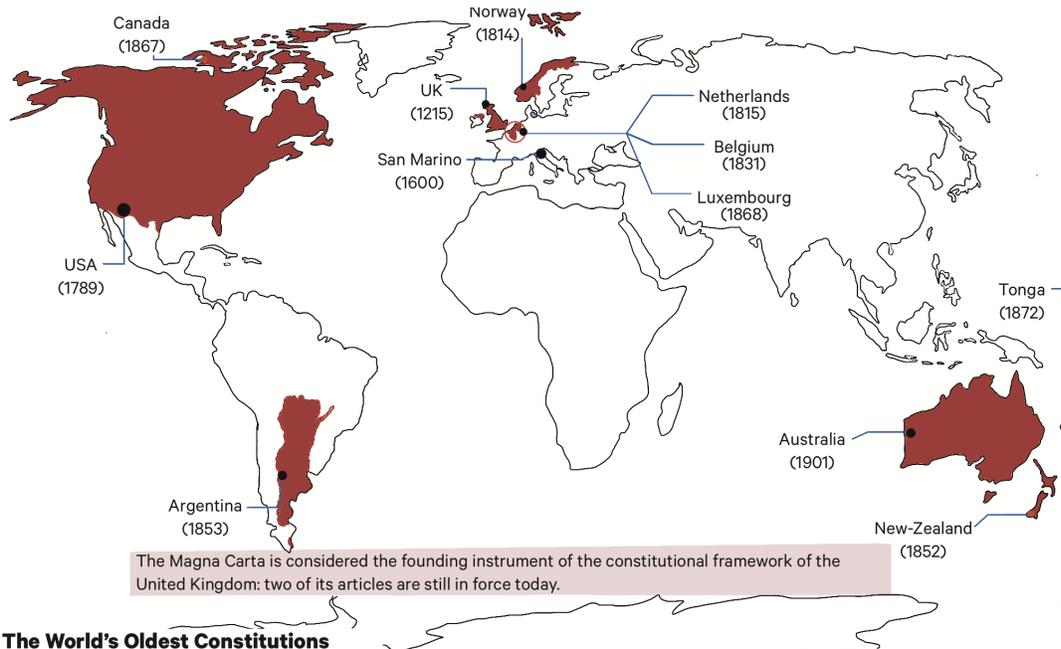
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IDEA PAGES

WHAT IS THE CONSTITUTION?

A constitution is the rule book for a state. It sets out the fundamental principles by which the state is governed. It describes the various institutions of

the state and defines the relationship between them (for example, between the executive, legislature and judiciary). It also sets the limits of the power of these institutions and sets out the rights and duties of its citizens.



PURPOSE AND FUNCTIONS OF A CONSTITUTION

- **Basic Rules:** A constitution provides a set of basic rules that allow for minimal coordination amongst members of a society
- **Constitution of Government:** It specifies who has the power to make decisions in a society. It decides how the government will be constituted.
- **Limitations on the power of Government:** It sets some limits on what a government can impose on its citizens. These limits are fundamental in the sense that government may never trespass them. Aspirations: It enables the government to

fulfil the aspirations of a society and create conditions for a just society.

- **Fundamental Identity:** A constitution expresses the fundamental identity of a people. This means the people as a collective entity come into being only through the basic constitution

CHARACTERISTICS OF A CONSTITUTION

- **Adaptability:** One of the most important characteristics of a good constitution is its ability to adapt to a changing society. A good constitution must be flexible to some extent. It must always adapt to the social, political, economic, technological and other changes that are inevitable in the prosperity of a country.

expenditure of the country and the governments are made through these funds. Some of these funds require sanctions of the Parliament while others do not.

FUNDS

Consolidated Fund of India

Provision for this fund is provided under **Article 266 (1)** of the Constitution. The same Article provides for Consolidated Funds for states too. What all is deposited in this fund?

- All revenues received by the Government of India;
- All loans raised by the government by the issue of treasury bills, loans or ways and means of advances;
- All the money received by the government in repayment of loans

All the legally sanctioned payments by the Government of India are made out of this fund. No money can be withdrawn from this fund except through a parliamentary law [**Article 266 (3)**].

Ways and Means of Advances:

- To finance its deficits the government used to avail loans from RBI on the basis of Ad Hoc Treasury Bills.
 - ◆ This resulted in excess money in the economy resulting in high inflation rates.
- This practice was put to an end in **1997**.
- Under **Ways and Means of Advances**, a temporary loan is availed by the government from RBI for a period of three months.
- An upper limit of this facility is fixed by the Parliament each year during the budget.

Public Account of India

Provision for this fund is provided under **Article 266 (2)** of the Constitution. The same Article provides for Public Account for states too. Every other public money, other than ones which are deposited in Consolidated Fund, is deposited in the Public Account of India. This includes:

- Provident Funds deposits
- Judicial deposits
- Savings bank deposits
- Departmental deposits
- Remittances, etc.

This account is under the control of the government. No Parliamentary approval is required to withdraw money from this account. Most payments from this account are for banking transactions.

Contingency Fund of India

Provision for this fund is provided under **Article 267 (1)** of the Constitution. The same Article provides for Public Account for states too [**Article 267 (2)**].

- It authorises the Parliament to enact a law to create a Contingency Fund for the country.
 - ◆ Thus, The Contingency Fund of India Act, 1950 was enacted by the Parliament.
- How much money needs to be deposited in this fund is decided by the Parliament through a law of the Parliament.
- This fund is always at the disposal of the President.
- The President, on the advice of the Council of Ministers, uses this fund to pay for any unforeseen expenditure that is pending in the Parliament for its authorisations.

This fund is held by the Finance Secretary on behalf of the President. Like the Public Account of India, this is also at the disposal of the government.

GRANTS

Under extraordinary or special circumstances, various grants are made by the Parliament. This is in addition to the money sanctioned in the Budget. There is no law or provision for such grants. This is a parliamentary invention specifically Lok Sabha.

Supplementary Grant

If money authorised by the Parliament in Appropriation Act for a particular year for a

AMENDMENT TO THE CONSTITUTION

The Indian Constitution permits revision to adapt to changing circumstances and requirements. However, the method for amending it is neither as simple as in the United Kingdom nor as challenging as in the United States. In other words, **the Indian Constitution is neither flexible nor rigid but a combination of the two.**

Article 368 of Part XX of the Constitution deals with the power of Parliament to amend the constitution and its procedure. In exercising the constituent power, **Article 368** provides that the Parliament may amend the Constitution by **addition, modification, or repeal** of any provision of the constitution in accordance with the procedure prescribed.

While this is a frightening concept, it is not far off the mark. The government has attempted to build a state in which the legislative branch is paramount through several amendments such as the **39th Amendment** and the second clause of the **25th Amendment**. Hence, the judiciary formed the Indian Constitution's **Basic Structure Doctrine**.

AMENDMENT PROCEDURE

INTRODUCTION OF A BILL

- An amendment to the Constitution can only be initiated by the introduction of a bill in either House of the Parliament, not in state legislatures.
- It can be introduced by either a minister or a private member, and does not require the President's previous approval.

LEGISLATIVE PROCEDURE IN PARLIAMENT

- The bill must be passed by a special majority in each House, which is a majority of the entire membership of the House plus a majority of two-thirds of the members present and voting.
- The bill must be passed by each House separately. In case of disagreement, there is no provision for calling a joint sitting of the two Houses for the purpose of consideration and passage of the bill.

RATIFICATION BY STATE LEGISLATURES

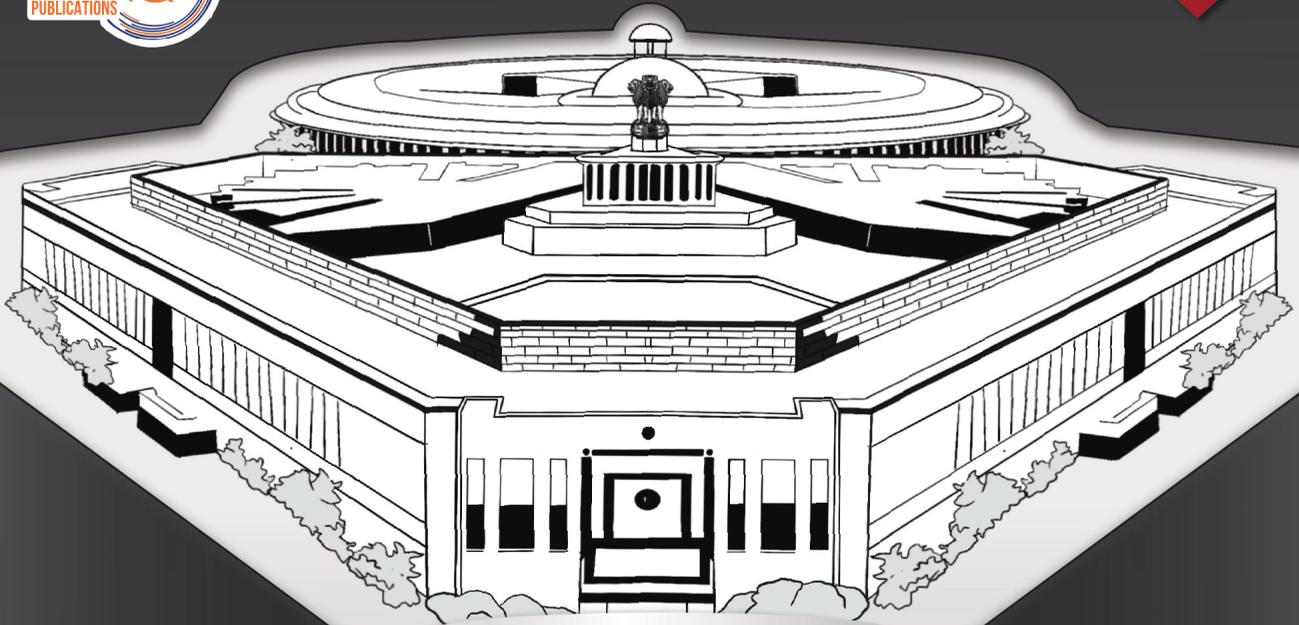
- If the bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority.

PRESIDENTIAL ASSENT

- The bill is brought to the President for assent once it has been duly passed by both Houses of Parliament and ratified by state legislatures, wherever necessary.
- The bill must be signed by the President. He/She can not withhold his/her assent to the bill or return it to Parliament for reconsideration. (24th constitutional amendment made it obligatory on President to give his/her assent to constitutional amendment bills)
- The bill becomes an Act (i.e., a Constitutional Amendment Act) after the President's assent, and the Constitution is amended in accordance with the provisions of the Act.



**1st
Edition**



GOVERNANCE IN INDIA

For UPSC CSE & State PCS Exams

From the Editor's Desk

Dear Aspirants,

We are incredibly grateful for the wonderful response we received for our Polity, History, Economy, and Geography books. Inspired by this positive feedback, we are thrilled to announce the release of the first edition of our book titled 'Governance in India'.

Governance holds significant weightage in the UPSC examination, specifically in the Mains stage. Despite this, there is a dearth of consolidated and updated material on the same subject. Students have to rely on multiple sources making their preparation more difficult.

This book was created taking into account the concern and challenges which the students face during preparing for the subject. The book aims to tackle all these problems, and along with this, it improves students' knowledge base thus saving their precious time and eliminating many academic misunderstandings that they encounter.

Special Features of this Book

This book aims to make your preparation focused and relevant based on UPSC's current trend and pattern, it is revision-friendly, and up-to-date.

- The requirements of the UPSC Civil Services Examination are the exclusive focus of this book.
- We have taken great care to ensure that the content is written in a simple and lucid manner to ensure that students can easily learn and recall the concepts to their advantage.
- We have also included important current affairs topics of the last 2 years, along with case studies, and best practices.
- We have incorporated the relevant previous year's questions at the end of the book so that the students can test their knowledge and understand the pattern of the examination.

With all sincerity and humility, the Study IQ team wishes you the best in your preparation, and we hope this book will help you in your journey.

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SAMPLE PAGES

The institution of Lokpal has been a landmark move in the history of Indian polity, The Lokpal and Lokayukta act 2013 has offered a productive solution to combat the never ending menace of corruption and ensure accountability of higher functionaries in the government including the Prime Minister.

Other institutions such as the Central Bureau of Investigation also have powers to prosecute cases of corruption against ministers. But the CBI's role in ensuring accountability of the political executive is often questioned as it operates under the control of the political executive itself and lacks independence. In this the Supreme court even called the CBI as a "caged parrot" who acts as per directions of the centre and lacks the required autonomy.

LIMITATIONS OF INSTITUTIONAL MECHANISMS

Limitations of parliament and its committees

- **Body of layman:** Parliamentarians are not experts when it comes to the functioning of the government and its agencies. Due to lack of expertise and secretarial assistance, issues raised by the parliamentarians in the parliament are often general in nature which limits their ability to make the government accountable for its actions.
- **Increased criminalisation:** The report of Association for Democratic Reforms (ADR) mentions that 43 percent of members of the seventeenth Lok Sabha have criminal antecedents. The trend of criminalisation has been increasing both at the union and state levels in recent times. The criminalisation of politics and politicisation of criminals not only threatens the democratic fabric of the country but also goes against the principles of good governance. If law breakers become law makers, it becomes very difficult to expect them to make the government accountable for its actions.
- **Executive dominance:** The executive branch of government has a great deal of power and influence over the parliament. This can limit the ability of parliament to hold the government accountable, as the executive may be able to resist or block efforts to scrutinize its actions. The ruling parties often command a healthy majority in the parliament and it leads to ineffectiveness of the parliament in making the government answerable. As parliamentarians belonging to the ruling party strictly follow political directions given to them by the party whip. This has been one of the primary reasons for decline of quality of debates and discussions in the parliament. Debates, discussions and deliberations on important national issues often get embroiled in personal attacks emanating from petty politics. In such an environment the effectiveness of parliamentarians to exact accountability of the executive is seriously questioned.
- **Political polarization:** Political polarization can limit the ability of parliament to effectively hold the government accountable. When political parties are deeply divided, it can be difficult for parliament to reach a consensus on important issues and hold the government accountable.
- **Limited powers of inquiry:** In some cases, parliament may not have the legal powers to conduct inquiries into the actions of the government. The government under the garb of national security often withholds or purposefully delays sharing important information to the parliament. This can limit the ability of the parliament to hold the government accountable and uncover information about its actions.
- **Limited time for discussions:** The Parliament only sits for a limited number of days in a year and its members are busy with other responsibilities. This makes it difficult for them to keep a constant watch on the government's actions. The Parliament has limited time for discussions and debates. Average

areas or the lack of access to basic amenities such as clean water and sanitation can raise awareness and lead to government action.

- **Public Discourse:** The media provides a platform for public discourse and debate on important issues, including government policies and actions. This helps in holding the government accountable by exposing its flaws and shortcomings to the public.
- **Exposing Corruption:** The media often exposes cases of corruption within the government and helps in bringing these issues to the forefront. This helps in creating pressure on the government to take action and ensure accountability.

Media plays a crucial role in bringing transparency in public life by wide coverage of cases involving corruption, informing the public of government's activities, and generating awareness among citizens. However, the role of press and media in ensuring accountability of the government is not without limitations. The issues of fake news, paid news, race for television rating points (TRP), among others, plague the ability of the press and media to make the government accountable for its actions.

Public Protests and demonstrations

Peaceful protests and demonstrations against the actions or inactions of the government have proved as an effective tool of making the government accountable. The role of collective action of the public in ensuring accountability of the government can be seen from following two cases-

Anna Hazare led Anti-corruption movement 2011

One notable example of the role of public protests and demonstrations in ensuring accountability of the government in India is the Anti-Corruption Movement led by Anna Hazare in 2011. The movement was sparked by widespread public anger over corruption in the government, particularly in relation to the allocation of government contracts and licenses.

Anna Hazare, a social activist, launched a hunger strike in Delhi, calling for the government to implement a stronger anti-corruption law, known as the Jan Lokpal Bill. The hunger strike quickly attracted widespread public support, with tens of thousands of people participating in protests and demonstrations across the country.

The public demonstrations and protests put significant pressure on the government to take action on corruption. As a result of the public pressure, the government was forced to negotiate with Anna Hazare and his supporters, and eventually agreed to implement the Jan Lokpal Bill.

This example demonstrates the power of public protests and demonstrations in holding the government accountable in India. By coming together and raising their voices, the citizens were able to bring attention to the issue of corruption and put pressure on the government to take action. The Anti-Corruption Movement is a testament to the power of collective action and the importance of citizens speaking out to ensure accountability and transparency in government.

Farm protests 2020-21

The protest was in response to the Indian government's passage of three controversial agricultural reforms that were seen as harmful to the interests of farmers.

The farmers, who form a significant portion of India's population, organized large-scale protests and demonstrations, including marches, sit-ins, and road blockades. The protests were covered extensively by the media, bringing the issue to the attention of the wider public and putting pressure on the government to address the concerns of the farmers.

As a result of the protests, the government was forced to engage in discussions with the protesters and listen to their demands. The protests also sparked public debate and discussion, with many people expressing support for the farmers and calling for the government to address their concerns.

Functional Area	Role of District Collector/ Deputy Commissioner (DC)	Variations across Select States
Food and Civil Supplies	In most States, the Collector has a direct role to play in the functioning of the Food and Civil Supplies Department at the district level. He oversees the implementation of the Public Distribution System and has powers to enforce provisions of the Essential Commodities Act and related Rules and Orders.	Similar across different States
Welfare	The Collector plays a very critical role in the execution of welfare programmes such as those relating to disability, old age pension etc. either through direct superintendence or through oversight.	Varies from State to State depending on the role envisaged in this regard for local bodies. In Maharashtra, Zila Parishad (ZP) has a stronger role in welfare activities unlike in Andhra Pradesh or Rajasthan.
Census	The Collector is the principal Census Officer.	Similar across different States
Coordination	One of the most important roles of the Collector is to coordinate activities of other agencies/departments at the district level	Similar across different States
Economic Development (Agriculture, Irrigation, Industry, etc.)	Though many activities/functions of these sectors are transferred to PRIs and local bodies, the Collector still has some role in many of these programmes. He chairs meetings of various Committees of Agriculture, Animal Husbandry, Veterinary, Sericulture, Handlooms, Textiles, Irrigation and Industries departments. Also reviews their activities in monthly/bimonthly meetings and coordinates among the departments.	Varies from State to State depending on the role envisaged in this regard for local bodies. In Maharashtra and Himachal Pradesh, the ZP has a stronger role in primary economic development activities unlike that in Andhra Pradesh or Rajasthan.
Human Resource Development	Though a major part of this subject (primary education) stands transferred to the PRIs, the District Collector/Deputy Commissioner has been retained as Chairman/Co-Chairman in some of the district level committees.	Varies from State to State depending on the role envisaged in this regard for local bodies. In Maharashtra and Himachal Pradesh, powers have been given to PRIs in matters relating to health & primary education.
Rural Development	Though major activities of this department are transferred to the PRIs/ULBs, in some States, the Collector still continues to be the nodal authority for some programmes. Under the National Rural Employment Guarantee Act, the Collector has been designated as the District Programme Coordinator in some of the States.	In Andhra Pradesh, the DC is the Executive Director of District Rural Development Agency. In Maharashtra and Himachal Pradesh, DRDA is under the ZP. In Himachal Pradesh, the ZPs have been empowered to appoint Assistant Engineers in DRDA.

PREVIOUS YEAR QUESTIONS

Salient features of the Representation of People's Act

- Q. "There is a need for simplification of procedure for disqualification of persons found guilty of corrupt practices under the Representation of people's Act" Comment (2020) (10 marks)
- Q. On what grounds a people's representative can be disqualified under the Representation of People Act, 1951? Also mention the remedies available to such person against his disqualification. (2019) (15 marks)
- Q. 'Simultaneous election to the Lok Sabha and the State Assemblies will limit the amount of time and money spent in electioneering but it will reduce the government's accountability to the people' Discuss. (2017) (10 marks)
- Q. To enhance the quality of democracy in India the Election Commission of India has proposed electoral reforms in 2016. What are the suggested reforms and how far are they significant to make democracy successful? (2017) (15 marks)

Governance and Policy Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

- Q. "Besides being a moral imperative of Welfare State, primary health structure is a necessary precondition for sustainable development." Analyze. (2021) (10 marks)
- Q. 'In the context of neo-liberal paradigm of development planning, multi-level planning is expected to make operations cost effective and remove many implementation blockages.'- Discuss. (2019) (15 marks)
- Q. "Policy Contradictions among various competing sectors and stakeholders have resulted in inadequate 'protection and prevention of degradation' to environment." Comment with relevant illustrations. (2018) (10 marks).
- Q. Has the Indian governmental system responded adequately to the demands of Liberalization, Privatization and Globalization started in 1991? What can the government do to be responsive to this important change? (2016) (12.5 marks).
- Q. "For achieving the desired objectives, it is necessary to ensure that the regulatory institutions remain independent and autonomous." Discuss in the light of experiences in recent past. (2015) (12.5 marks).
- Q. Two parallel run schemes of the Government, viz. the Aadhaar Card and NPR, one as voluntary and the other as compulsory, have led to debates at national levels and also litigations. On merits, discuss whether or not both schemes need run concurrently. Analyse the potential of the schemes to achieve developmental benefits and equitable growth. (2014) (12.5 marks)
- Q. Though 100 percent FDI is already allowed in non-news media like a trade publication and general entertainment channel, the Government is mulling over the proposal for increased FDI in news media for quite some time. What difference would an increase in FDI make? Critically evaluate the pros and cons. (2014) (12.5 marks).
- Q. The setting up of a Rail Tariff Authority to regulate fares will subject the cash strapped Indian Railways to demand subsidy for obligation to operate non-profitable routes and services. Taking into account the experience in the power sector, discuss if the proposed reform is expected to benefit the consumers, the Indian Railways or the private container operators. (2014) (12.5 marks).