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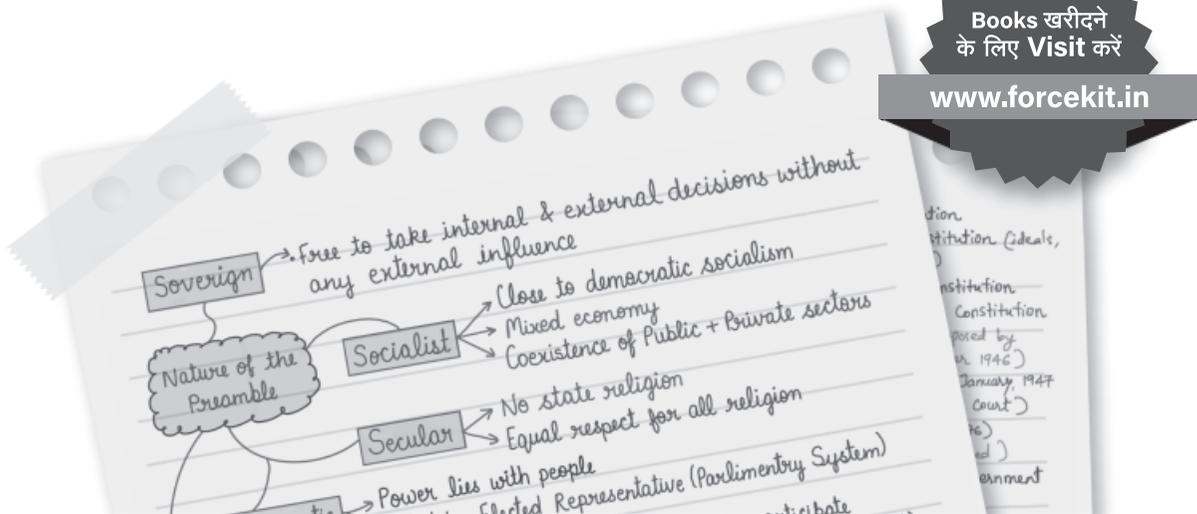
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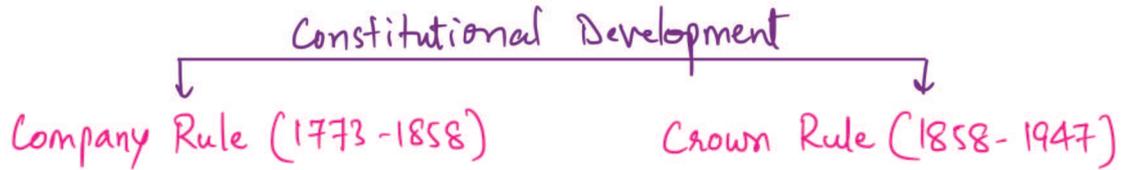


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01

Constitutional Development of India



Company Rule (1773-1858)

Regulating Act, 1773

- Governor of Bengal
 - ↓
 - Governor General of Bengal (Mumbai, Madras under him)
 - ↓
 - Lord Warren Hastings
- Beginning of Central Administration
- Establishment of Supreme Court (1774)
 - ↳ 1st Chief Justice - Sir Elijah Impey
 - ↳ Other Judges -
 1. Robert Chambers
 2. Stephen Caesar Le Maistre
 3. John Hyde



Pitt's India Act, 1784

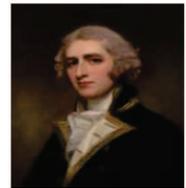
- Dual Government System
 - Commercial (Court of Directors)
 - Political (Board of Control)
- Council of Governor General reduced from 4 to 3.
- Company's territory 'British-Possession in India'

Charter Act, 1813

- End of Trade Monopoly (except Tea & Trade with China)
- ₹1 Lakh annually for Education
- Christian missionaries were allowed to enter British India.

Charter Act, 1833

- Governor General of Bengal
 - ↓
 - Governor General of India (1st: Lord William Bentinck)
- Law Commission formed in 1834 (Chairman: Lord Macaulay)
- Monopoly of Company in Tea & Trade with China abolished.



Charter Act, 1853

- Legislative and Administrative functions separated
- Directors reduced from 24 to 18.
- Indians permitted to join Civil Services.
- Local Representation permitted in Central Legislative Council.

Crown Rule (1858-1947)

Government of India Act, 1858

- Rule under British Crown
- Governor General of India changed into → Viceroy of India (1st: Lord Canning)
- Creation of Post of Secretary of State for India
- Abolition of Court of Directors and Board of Control.

Indian Councils Act, 1861

- Legislative Council of Punjab, Bengal and North Western Province
- Inclusion of Indian Representatives in law-making
- Legislative Powers returned to Bombay & Madras
- Portfolio system initiated.
- Ordinance power to Viceroy.

Indian Councils Act, 1892

- Central & Provincial legislative Councils - Increase in Non-Official members
- Introduction of indirect elections
- Right to ask questions and debate on budget.

Indian Councils Act, 1909 (Morley-Minto Reforms)

- Separate Electorate for Muslims
- Expansion of Central and Provincial legislative councils
- Indian in Executive Council of Viceroy (Satyendra Prasad Sinha)

Government of India Act, 1919 (Montagu-Chelmsford Reforms)

- Introduction of Dyarchy (System of Dual Government) at provincial level
- Bicameral system at central level.
- Direct elections (limited franchise) and expansion of separate electorate.

Government of India Act, 1935

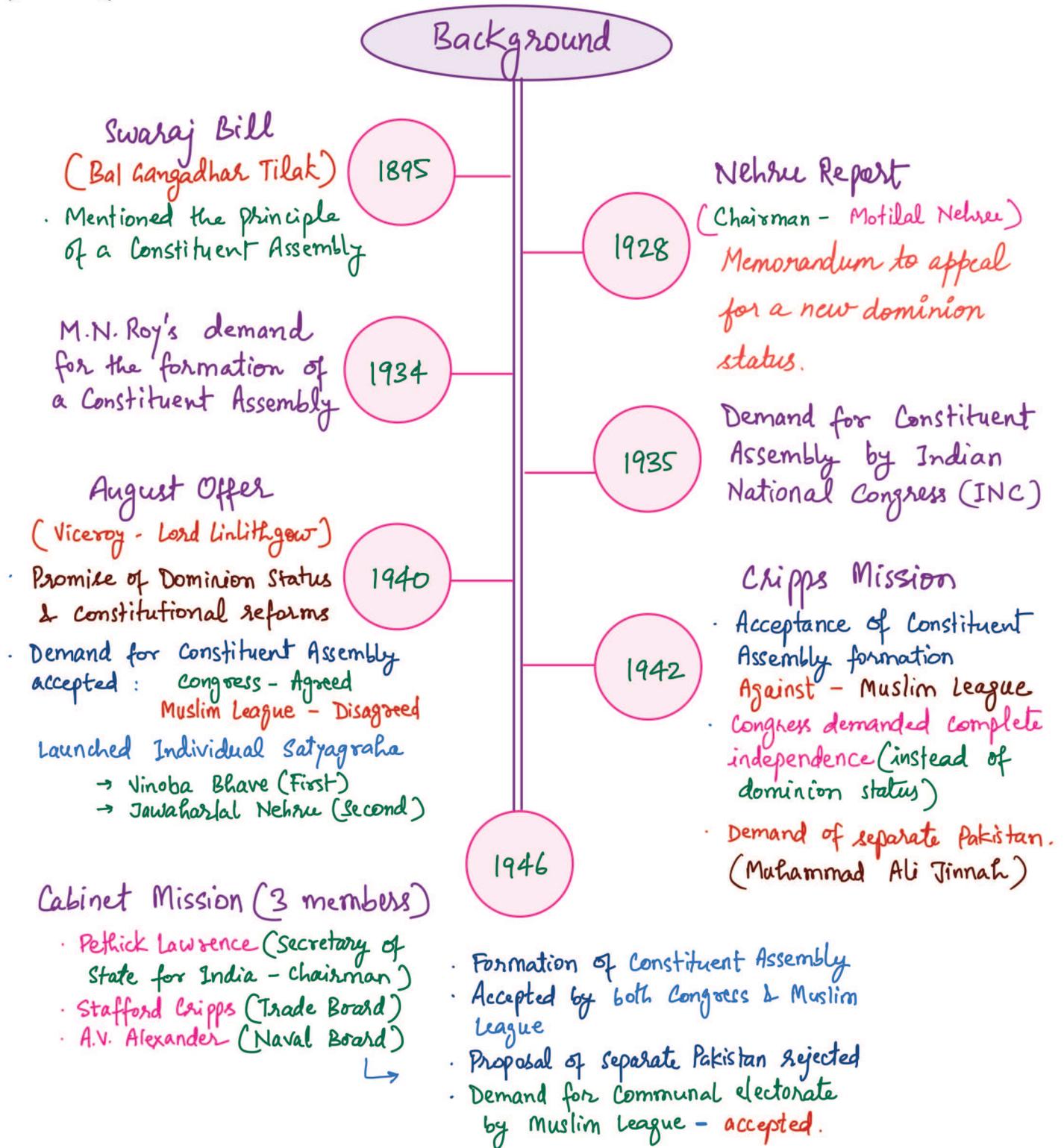
- Provisions for formation of All India Federation.
- Federal, Provincial & Concurrent Lists
- Establishment of Federal Judiciary and Reserve Bank of India.
- Bicameral system at Provincial level.
- Expansion of separate electorates.

India Independence Act, 1947.

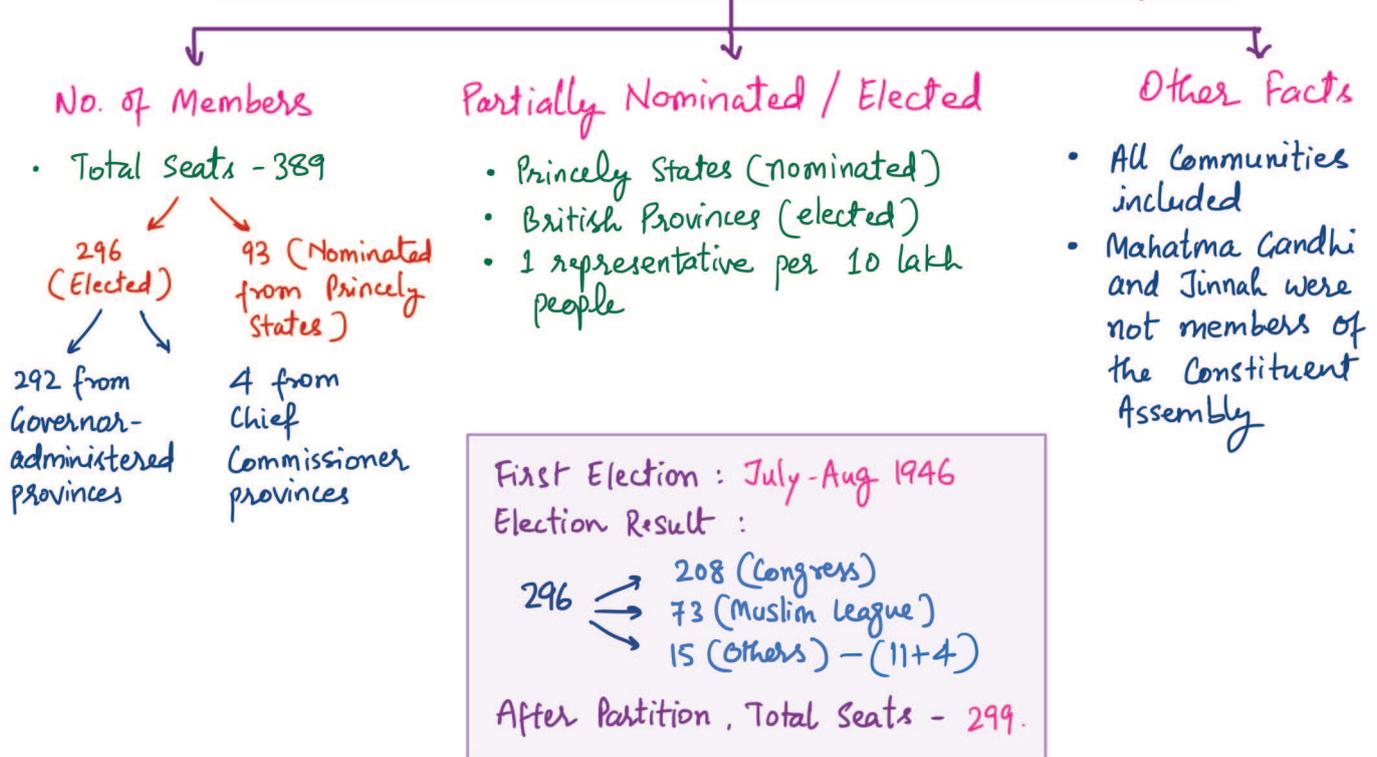
- End of British Rule
- Abolition of Viceroy & Secretary of State
- Princely states given the option to join India or Pakistan or to remain Independent
- Constituent Assembly given the power to frame and adopt the Constitution.

02

Making of Constitution



Structure of the Constituent Assembly



Meeting of Constituent Assembly	Sessions of Constituent Assembly
<ul style="list-style-type: none"> First Parliament : Constituent Assembly First Meeting : 9th December 1946 (211 members present) Temporary President : Dr. Sachchidanand Sinha Permanent President : Dr. Rajendra Prasad Vice-President : H.C. Mukherjee Constitutional Advisor : B.N. Rau Main Task : Drafting the Constitution 	<ul style="list-style-type: none"> Total Sessions : 11 Working Days : 165 First Session : 9th - 23rd December 1946 Last Session (11th) : 14th - 26th November 1949 Public and Press were allowed to attend Duration in framing Constitution : 2 years 11 months 18 days Total Expense : ₹ 64 lakhs approx.

Women Members : Total : 15 members

- Sucheta Kriplani (1st Woman CM - UP)
- Sarojini Naidu (1st Woman Governor - UP)
- Amrit Kaur (1st Health Minister of India)

Major Committees & Presidents

Total : 8 Major Committees
13 Minor Committees

1. Drafting Committee - Dr. B.R. Ambedkar
2. Steering C. - Dr. Rajendra Prasad
3. Union Powers C. - Jawaharlal Nehru
4. Provincial C. - Sardar Vallabh Bhai Patel
5. Flag C. - Dr. Rajendra Prasad
6. Minorities C. - H.C. Mukherjee
7. House C. - Pattabhi Sitaramayya
8. Rules of Procedure C. - Dr. Rajendra Prasad

Drafting Committee (7 members)

1. Dr. B.R. Ambedkar (Chairman)
(Father of Indian Constitution)
2. Krishnaswamy Iyer
3. N. Gopalaswami Ayyangar
4. Saadullah Khan
5. B.L. Mitter (replaced by N. Madhav Rao)
6. D.P. Khaitan (passed away) (later replaced by T.T. Krishnamachari)
7. K.M. Munshi

Important Works of Constituent Assembly

- o National Flag adopted - 22nd July, 1947
Designer - Pingali Venkayya
- o National Anthem & Song adopted - 24th January, 1950
- o Rajendra Prasad became First President
- o Constitution signed by 284 members
- o Membership of Commonwealth ratified - May 1949
- o Final Draft Presented : 4th Nov. 1948 (by Dr. B.R. Ambedkar)
- o Adopted : 26th Nov. 1949 (Constitution Day)
- o Enforced : 26th January 1950
- o Lahore Session (1929) - Declaration of Purna Swaraj
- 26th Jan., 1930 (observed as Independence Day)
- o Symbol of Constituent Assembly - Elephant

Other Contributions :

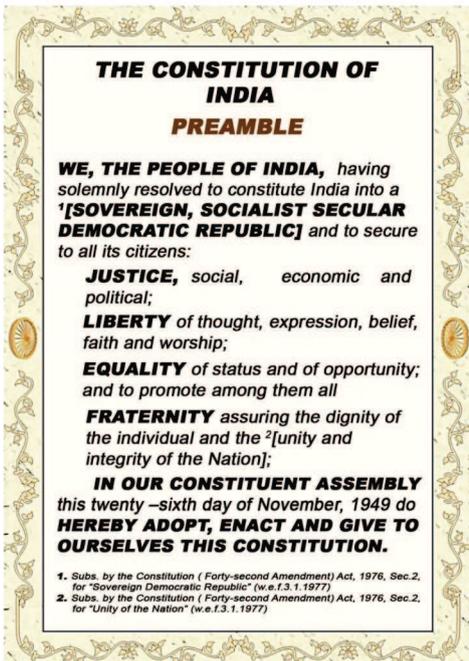
- ✓ Calligrapher (Original Constitution) : Prem Behari Narayan Raizada (English) & Vasant Krishna Vaidya (Hindi)
- ✓ Illustrator : Nandalal Bose and Beohar Rammanohar Sinha

First Interim Cabinet (1946)

- o Jawaharlal Nehru - Vice President of Executive Council, External Affairs
- o Sardar Vallabhbhai Patel - Home, Information & Broadcasting
- o Baldev Singh - Defence
- o Jaggivan Ram - Labour
- o Liaquat Ali Khan - Finance
- o Ghaznafar Ali - Health
- o C. Rajagopalachari - Education
- o Rajendra Prasad - Food & Agriculture
- o Jogendra Nath Mandal - Law
- o Abdur Rab Nishtar - Communication
- o Asaf Ali - Railways & Transport
- o T.T. Chundrigar - Commerce
- o John Mathai - Industries & Supplies

PREAMBLE :

(Source : American Constitution)



Elements of the Preamble :

→ Source - We, the people of India

→ Objectives - Justice : Social, Economic & Political (inspired by 1917 Russian Revolution)

Liberty : Thought, Expression, Belief, Faith, Worship (inspired by the French Revolution)

Equality : No special privileges, Everyone equal before the Law

Fraternity : Brotherhood

- Introduction / Preface of Constitution
- Mentions the main elements of Constitution (ideals, objectives, structure, source, date)
- Also mentions the essence of the Constitution
- Language : Adopted from Australian Constitution
- Inspiration : Objective Resolution (proposed by J.L. Nehru on 13th December 1946)
- Adopted by Constituent Assembly : 26th November 1949
- Non-Justiciable (cannot be enforced in court)
- Amended only Once : 42nd Amendment (1976) (socialist, secular & integrity words added)
- Preamble neither provides power to Government nor acts as a hurdle to it.

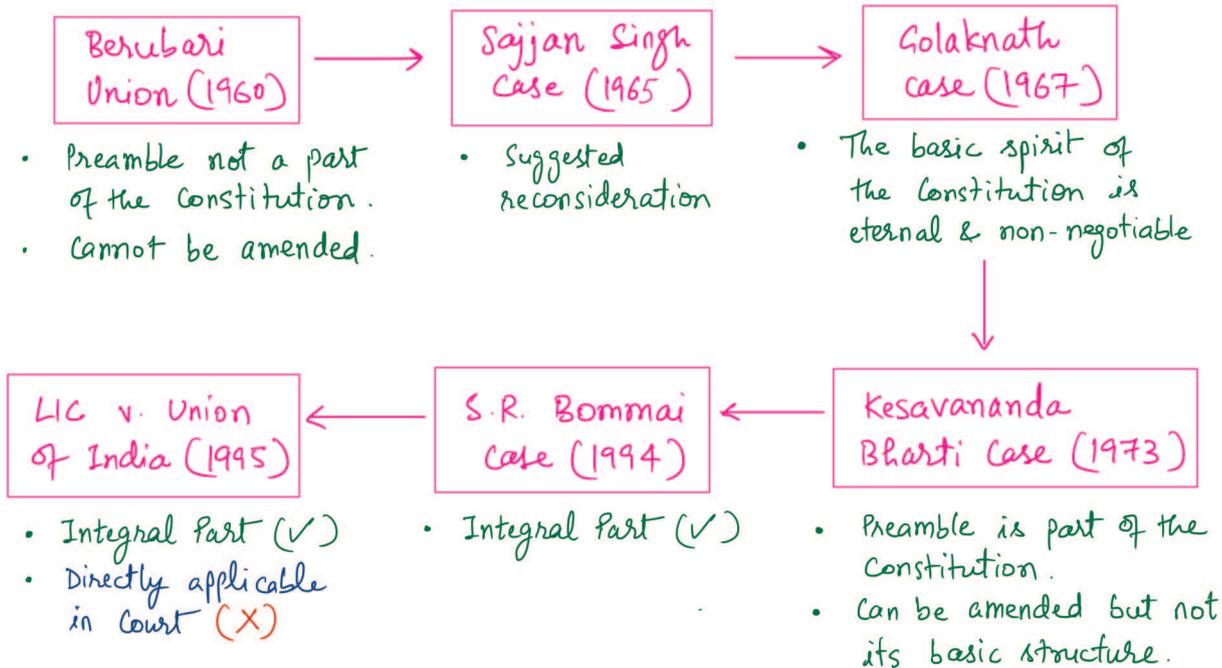
Interpretation by Experts

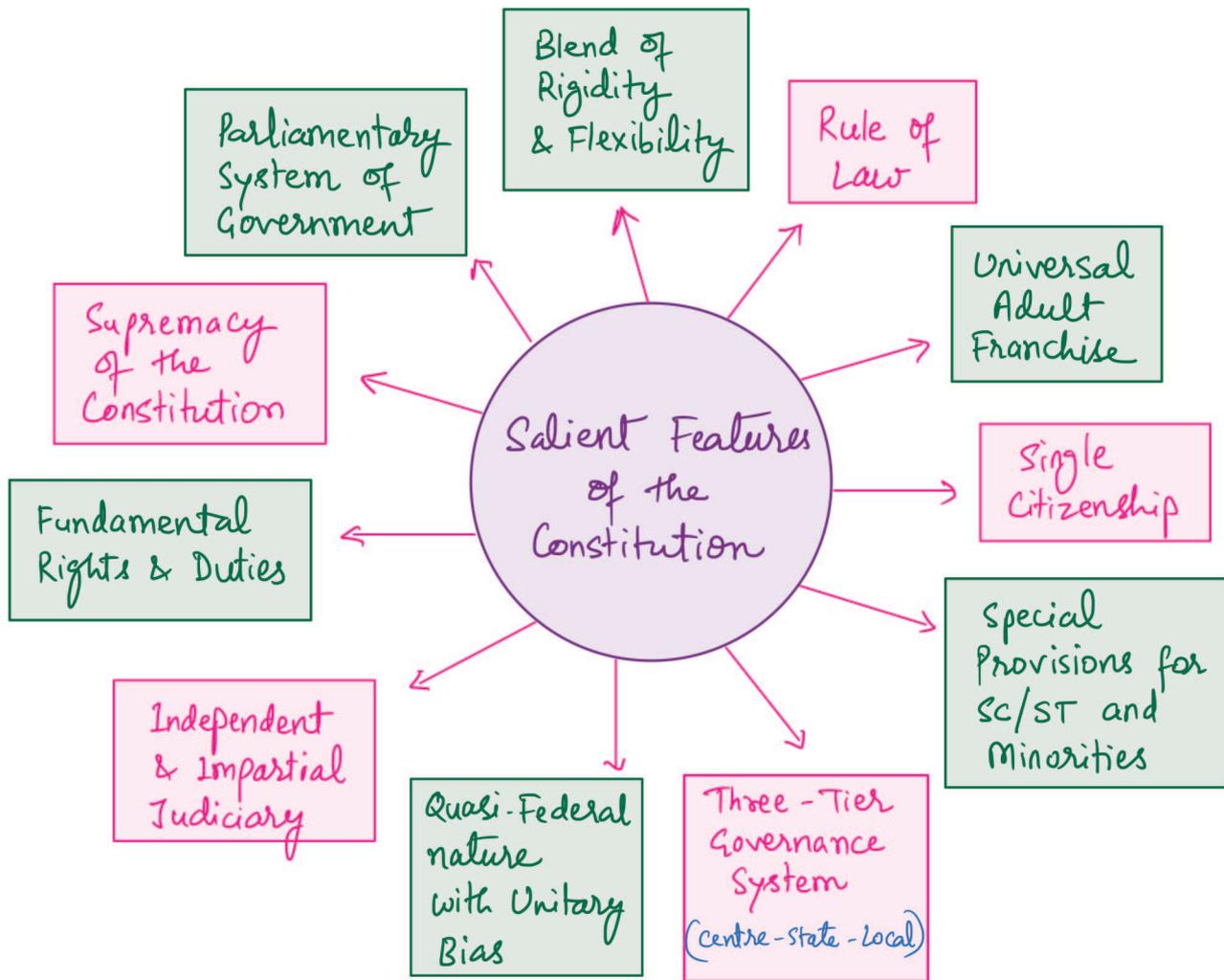
- Ernest Baker : Key to the Constitution
- Krishnaswami Ayyar : Long-Term Dreams
- N.A. Palkhivala : Identity card of the Constitution
- K.M. Munshi : Horoscope of the Republic
- Thakur Bhargava Das : Soul of the Constitution

Key Terms Explained :

- **Sovereign** : Free to take internal & external decisions without any external influence.
- **Socialist** : Close to democratic socialism ; mixed economy
(Co-existence of public + private sectors)
- **Secular** : No state religion ; Equal respect for all religions
- **Justice** : Social , Political , Economic
- **Democratic** : Power lies with the people .
Ruled by Elected Representatives (Parliamentary System)
 - ↳ Direct Democracy - People directly participate. (e.g. Switzerland)
 - ↳ Indirect Democracy - People elect representatives. (e.g. India)
- **Republic** : Head of the State is elected. Not hereditary.
(President of India) → (Rules with the aid and advice of the Council of Ministers)

Major Landmark cases related to the Preamble of the Constitution :





Federal & Unitary Features of Constitution :

Federal Features	Unitary Features
<ul style="list-style-type: none"> ◦ Division of Powers between centre & States ◦ Written Constitution ◦ Bicameral legislature ◦ Rajya Sabha (Upper House) ◦ Separate Governments at Centre and State Levels ◦ Complex Procedure of Constitutional Amendment 	<ul style="list-style-type: none"> ◦ Strong Centre ◦ President's Rule (Art. 356) ◦ Single Citizenship ◦ All-India Services ◦ Appointment of Governor of States by the President ◦ Centre becomes more powerful during emergencies

04

Major Sources, Parts, Articles and Schedules of the Constitution

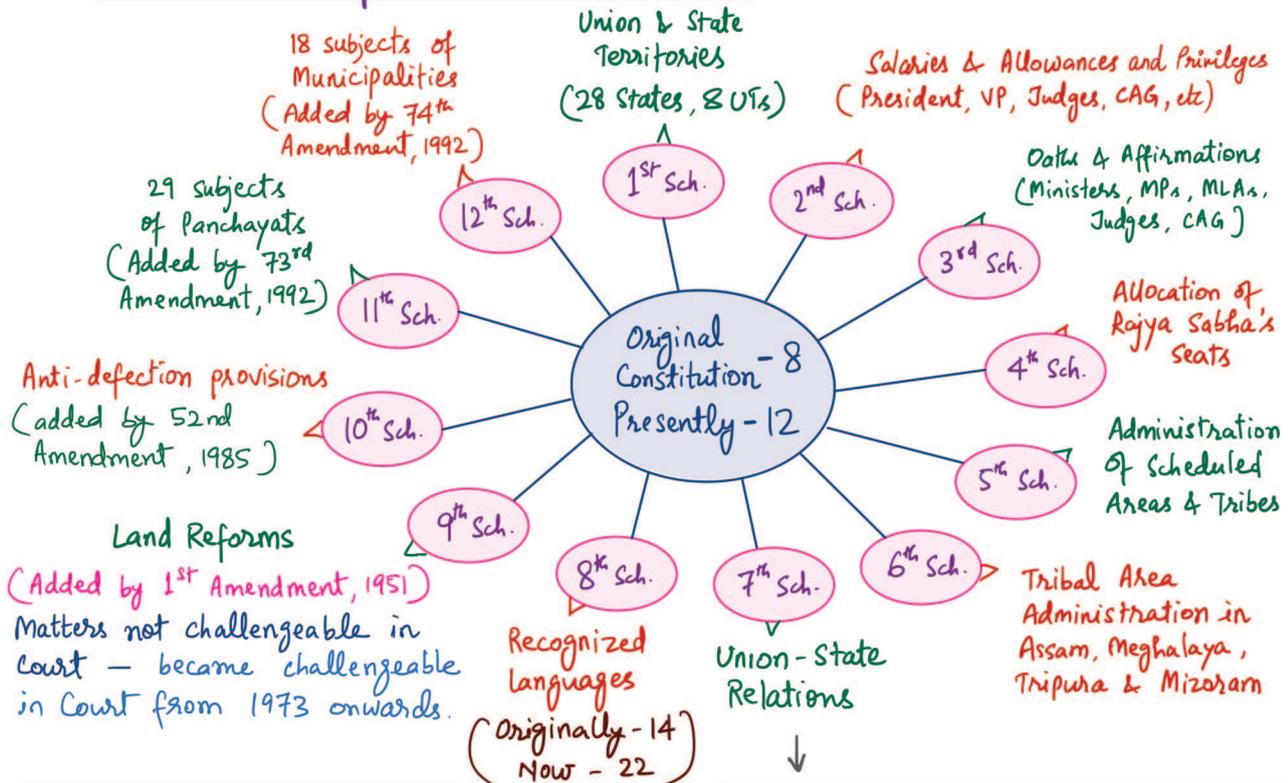
Major Sources :



Major Parts & Articles of Constitution :

PART	ARTICLES	SUBJECT
1	1-4	Union & its Territory
2	5-11	Citizenship
3	12-35	Fundamental Rights
4	36-51	Directive Principles of State Policy
4A	51A	Fundamental Duties
5	52-151	The Union
6	152-237	The States
7	238	(Repealed)
8	239-242	Union Territories
9	243-243(O)	Panchayats
9A	243(P)-243(ZG)	Municipalities
9B	243(ZH)-243(ZT)	Cooperative Societies
10	244-244(A)	Scheduled & Tribal Areas
11	245-263	Centre-State Relations
12	264-300(A)	Finance, Property, Contracts & Suits
13	301-307	Trade & Commerce
14	308-323	Services under Union & States
14A	323A-323B	Tribunals
15	324-329(A)	Elections
16	330-342(A)	Special Provisions for Certain Classes
17	343-351	Official Language
18	352-360	Emergency Provisions
19	361-367	Miscellaneous
20	368	Amendment of the Constitution
21	369-392	Temporary, Transitional & special Provisions
22	393-395	Short Title, Commencement, Authoritative Text in Hindi & Repeals

Schedules of the Constitution :



21st Amendment, 1967 - Sindhi
71st Amendment, 1992 - Konkani, Manipuri, Nepali
92nd Amendment, 2003 - Bodo, Dogri, Maithili, Santhali

Union List	State List	Concurrent List
→ Banking	→ Health	→ Forests
→ Defence	→ Agriculture	→ Education
→ Foreign Affairs	→ Police	→ Marriage
→ Communication	→ Trade	→ Succession
→ Railways		→ Population Control
→ Inter State Trade		

TEARS OF OLD PM

(Trick to learn Schedules.)

1 st	T
2 nd	E
3 rd	A
4 th	R
5 th	S
6 th	O
7 th	F
8 th	O
9 th	L
10 th	D
11 th	P
12 th	M

Territories (Union & States)
Emoluments (Salaries)
Affirmation & Oath
Rajya Sabha Seats
Scheduled Areas & Tribes
Other Tribal Areas
Federal List (Lists of Powers)
Official Languages
Land Reforms
Defection
Panchayats
Municipalities