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Indian Polity – Part 3

SUPREME COURT

Supreme Court of India came into existence on 26th January, 1950 and is located on Tilak Marg, New Delhi. The Supreme Court of India functioned from the Parliament House till it moved to the present building. It has a 27.6 metre high dome and a spacious colonnaded verandah. For a peek inside, you'll have to obtain a visitor's pass from the front office.

On the 28th of January, 1950, two days after India became a Sovereign Democratic Republic, the Supreme Court came into being. The inauguration took place in the Chamber of Princes in the Parliament building which also housed India's Parliament, consisting of the Council of States and the House of the People. It was here, in this Chamber of Princes, that the Federal Court of India had sat for 12 years between 1937 and 1950. This was to be the home of the Supreme Court for years that were to follow until the Supreme Court acquired its own present premises.

The inaugural proceedings were simple but impressive. They began at 9.45 a.m. when the Judges of the Federal Court – Chief Justice Harilal J.Kania and Justices Saiyid Fazl Ali, M. Patanjali Sastri, Mehr Chand Mahajan, Bijan Kumar Mukherjea and S.R.Das – took their seats. In attendance were the Chief Justices of the High Courts of Allahabad, Bombay, Madras, Orissa, Assam, Nagpur, Punjab, Saurashtra, Patiala and the East Punjab States Union, Mysore, Hyderabad, Madhya Bharat and Travancore-Cochin. Along with the Attorney General for India, M.C. Setalvad were present the Advocate Generals of Bombay, Madras, Uttar Pradesh, Bihar, East Punjab, Orissa, Mysore, Hyderabad and Madhya Bharat. Present too, were Prime Minister, other Ministers, Ambassadors and diplomatic representatives of foreign States, a large number of Senior and other Advocates of the Court and other distinguished visitors.

Taking care to ensure that the Rules of the Supreme Court were published and the names of all the Advocates and agents of the Federal Court were brought on the rolls of the Supreme Court, the inaugural proceedings were over and put under part of the record of the Supreme Court.

After its inauguration on January 28, 1950, the Supreme Court commenced its sittings in a part of the Parliament House. The Court moved into the present building in 1958. The building is shaped to project the image of scales of justice. The Central Wing of the building is the Centre Beam of the Scales. In 1979, two New Wings - the East Wing and the West Wing - were added to the complex. In all there are 15 Court Rooms in the various wings of the building. The Chief Justice's Court is the largest of the Courts located in the Centre of the Central Wing.

The original Constitution of 1950 envisaged a Supreme Court with a Chief Justice and 7 puisne Judges - leaving it to Parliament to increase this number. In the early years, all the Judges of the Supreme Court sat together to hear the cases presented before them. As the work of the Court increased and arrears of cases began to cumulate, Parliament increased the number of Judges from 8 in 1950 to 11 in 1956, 14 in 1960, 18 in 1978 and 26 in 1986. As the number of the Judges has increased, they sit in smaller Benches of two and three - coming together in larger Benches of 5 and more only when required to do so or to settle a difference of opinion or controversy.

The Supreme Court of India comprises the Chief Justice and 30 other Judges appointed by the President of India. Supreme Court Judges retire upon attaining the age of 65 years. In order to be appointed as a Judge of the Supreme Court, a person must be a citizen of India and must have been, for atleast five years, a Judge of a High Court or of two or more such Courts in succession, or an Advocate of a High Court or of two or more such Courts in succession for at least 10 years or he must be, in the opinion of the President, a distinguished jurist. Provisions exist for the appointment of a Judge of a High Court as an Ad-hoc Judge of the Supreme Court and for retired Judges of the Supreme Court or

High Courts to sit and act as Judges of that Court.

The Constitution seeks to ensure the independence of Supreme Court Judges in various ways. A Judge of the Supreme Court cannot be removed from office except by an order of the President passed after an address in each House of Parliament supported by a majority of the total membership of that House and by a majority of not less than two-thirds of members present and voting, and presented to the President in the same Session for such removal on the ground of proved misbehaviour or incapacity. A person who has been a

Judge of the Supreme Court is debarred from practising in any court of law or before any other authority in India.

The proceedings of the Supreme Court are conducted in English only. Supreme Court Rules, 1966 are framed under Article 145 of the Constitution to regulate the practice and procedure of the Supreme Court.

Constitution

LAW, COURTS AND THE CONSTITUTION

India has one of the oldest legal systems in the world. Its law and jurisprudence stretches back into the centuries, forming a living tradition which has grown and evolved with the lives of its diverse people. India's commitment to law is created in the Constitution which constituted India into a Sovereign Democratic Republic, containing a federal system with Parliamentary form of Government in the Union and the States, an independent judiciary, guaranteed Fundamental Rights and Directive Principles of State Policy containing objectives which though not enforceable in law are fundamental to the governance of the nation.

SOURCES OF LAW

The fountain source of law in India is the Constitution which, in turn, gives due recognition to statutes, case law and customary law consistent with its dispensations. Statutes are enacted by Parliament, State Legislatures and Union Territory Legislatures. There is also a vast body of laws known as subordinate legislation in the form of rules, regulations as well as by-laws made by Central and State Governments and local authorities like Municipal Corporations, Municipalities, Gram Panchayats and other local bodies. This subordinate legislation is made under the authority conferred or delegated either by Parliament or State or Union Territory Legislature concerned. The decisions of the Supreme Court are binding on all Courts within the territory of India. As India is a land of diversities, local customs and conventions which are not against statute, morality, etc. are to a limited extent also recognised and taken into account by Courts while administering justice in certain spheres.

ENACTMENT OF LAWS

The Indian Parliament is competent to make laws on matters enumerated in the Union List. State Legislatures are competent to make laws on matters enumerated in the State List. While both the Union and the States have power to legislate on matters enumerated in the Concurrent List, only Parliament has power to make laws on matters not included in the State List or the Concurrent List. In the event of repugnancy, laws made by Parliament shall prevail over law made by State Legislatures, to the extent of the repugnancy. The State law

shall be void unless it has received the assent of the President, and in such case, shall prevail in that State.

APPLICABILITY OF LAWS

Laws made by Parliament may extend throughout or in any part of the territory of India and those made by State Legislatures may generally apply only within the territory of the State concerned. Hence, variations are likely to exist from State to State in provisions of law relating to matters falling in the State and Concurrent Lists.

JUDICIARY

One of the unique features of the Indian Constitution is that, notwithstanding the adoption of a federal system and existence of Central Acts and State Acts in their respective spheres, it has generally provided for a single integrated system of Courts to administer both Union and State laws. At the apex of the entire judicial system, exists the Supreme Court of India below which are the High Courts in each State or group of States. Below the High Courts lies a hierarchy of Subordinate Courts. Panchayat Courts also function in some States under various names like Nyaya Panchayat, Panchayat Adalat, Gram Kachheri, etc. to decide civil and criminal disputes of petty and local nature. Different State laws provide for different kinds of jurisdiction of courts. Each State is divided into judicial districts presided over by a District and Sessions Judge, which is the principal civil court of original jurisdiction and can try all offences including those punishable with death. The Sessions Judge is the highest judicial authority in a district. Below him, there are Courts of civil jurisdiction, known in different States as Munsifs, Sub-Judges, Civil Judges and the like. Similarly, the criminal judiciary comprises the Chief Judicial Magistrates and Judicial Magistrates of First and Second Class.

CONSTITUTION OF SUPREME COURT

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SUPREME COURT REGISTRY

The Registry of the Supreme Court is headed by the *Secretary General* who is assisted in his work by seven Registrars, and twenty one Additional Registrars etc. Article 146 of the Constitution deals with the appointments of officers and servants of the Supreme Court Registry.

ATTORNEY GENERAL

The Attorney General for India is appointed by the President of India under Article 76 of the Constitution and holds office during the pleasure of the President. He must be a person qualified to be appointed as a Judge of the Supreme Court. It is the duty of the Attorney General for India to give advice to the Government of India upon such legal matters and to perform such other duties of legal character as may be referred or assigned to him by the President. In the performance of his duties, he has the right of audience in all Courts in India as well as the right to take part in the proceedings of Parliament without the right to vote. In discharge of his functions, the Attorney General is assisted by a Solicitor General and four Additional Solicitors General.

SUPREME COURT ADVOCATES

There are three categories of Advocates who are entitled to practise law before the Supreme Court of India:-

(i) SENIOR ADVOCATES

These are Advocates who are designated as Senior Advocates by the Supreme Court of India or by any High Court. The Court can designate any Advocate, with his consent, as Senior Advocate if in its opinion by virtue of his ability, standing at the Bar or special knowledge or experience in law the said Advocate is deserving of such distinction. A Senior Advocate is not entitled to appear without an Advocate-on-Record in the Supreme Court or without a junior in any other court or tribunal in India. He is also not entitled to accept instructions to draw pleadings or affidavits, advise on evidence or do any drafting work of an analogous kind in any court or tribunal in India or undertake conveyancing work of any kind whatsoever but this prohibition shall not extend to settling any such matter as aforesaid in consultation with a junior.

(ii) ADVOCATES-ON-RECORD

Only these Advocates are entitled to file any matter or document before the Supreme Court. They can also file an appearance or act for a party in the Supreme Court.

(iii) OTHER ADVOCATES

These are Advocates whose names are entered on the roll of any State Bar Council maintained under the Advocates Act, 1961 and they can appear and argue any matter on behalf of a party in the Supreme Court but they are not entitled to file any document or matter before the Court

CHIEF JUSTICE OF INDIA

The **Chief Justice of India (CJI)** is the highest-ranking judge in the Supreme Court of India, and thus holds the highest judicial position in India. As well as presiding in the Supreme Court, the Chief Justice also heads its administrative functions.

As the chief judge, the Chief Justice is responsible for the allocation of cases and appointment of constitutional benches which deal with important matters of law. In accordance with Article 145 of the Constitution of India and the Supreme Court Rules of Procedure of 1966, the Chief Justice allocates all work to the other judges who are bound to refer the matter back to him or her (for re-allocation) in any case where they require it to be looked into by a larger bench of more judges.

The present Chief justice of India is T.S.Thakur. He has started acting from 3 December 2015. Before him H.L.Dattu was the Chief Justice of India. He was last acting on 2/12/2015.

- Maintenance of the roster;
- Appointment of court officials;
- General and miscellaneous matters relating to the supervision and functioning of the Supreme Court.

The present Chief Justice is the 43rd since January 1950, the year the Constitution came into effect and the Supreme Court came into being

Appointment

Article 124 of the Constitution of India provides for the manner of appointing judges to the Supreme Court. Though no specific provision exists in the Constitution for appointing the Chief Justice, who, as a result, is appointed like the other judges conventionally, the outgoing CJI recommends the name of the senior-most judge (i.e. by date of appointment to the Supreme Court) for appointment by the President, as his successor.

However, this convention has been breached on a number of occasions, most notably during the premiership of Indira Gandhi, who appointed A.N. Ray superseding three judges senior to him allegedly because he supported Gandhi's government, during the Emergency, a time when her government was becoming increasingly mired in a political and constitutional crisis.

Removal

Article 124(4) of Constitution of India lays down the procedure for removal of a Judge of Supreme Court which is applicable to Chief Justice as well. Once appointed, the Chief Justice remains in office until the age of 65 years whichever is earlier. He can be removed only through a process of impeachment by Parliament as follows:

A Judge of the Supreme Court shall not be removed from his office except by an order of the President passed after an address by each House of Parliament supported by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting has been presented to the President in the same session for such removal on the ground of proved misbehaviour or incapacity.

Acting President

The President (Discharge of Functions) Act, 1969 of India provides that the Chief Justice of India (CJI) shall act as the President of India in the event of the offices of both the President and the Vice President being vacant. When President Zakir Hussain died in office, the Vice President V. V. Giri, acted as the President. Later, Mr. Giri resigned as the Vice President. The CJI, Justice Mohammad Hidayatullah then became the acting President of India. The senior-most judge of the Supreme Court became the acting CJI. When the newly elected President took office a month later, Justice Hidayatullah reverted as the Chief Justice of India.

Remuneration

The Constitution of India gives the power of deciding remuneration as well as other conditions of service of the Chief Justice to the Parliament of India. Accordingly, such provisions have been laid down in *The Supreme Court Judges (Salaries and Conditions of Service) Act, 1958*

The sixth central pay commission recommended revision in the salaries and other allowances and pensionary benefits of the central government employees, including the high court and supreme court judges and all India services. The government has accepted the majority of recommendations of the commission and issued orders.

Salary of Chief Justice of India	
Date	Salary
1 January 1996	₹33000 (US\$490)
1 January 2006	₹100000 (US\$1,500)

Since the birth of the Republic of India on 26 January 1950, 43 people have served as the Chief Justice of India (CJI).^[1] While H. J. Kania is the inaugural CJI, the current incumbent is T. S. Thakur who was appointed as Chief Justice of India on 03.12.2015. Justice Y. V. Chandrachud is the longest serving Chief Justice (February 1978 – July 1985).

Number	Name	Period of office
1	H. J. Kania	26 January 1950 – 6 November 1951 ^{††}
2	M. Patanjali Sastri	7 November 1951 – 3 January 1954

3	Mehr Chand Mahajan	4 January 1954	22 December 1954
4	Bijan Kumar Mukherjea	23 December 1954	31 January 1956 [‡]
5	Sudhi Ranjan Das	1 February 1956	30 September 1959
6	Bhuvaneshwar Prasad Sinha	1 October 1959	31 January 1964
7	P. B. Gajendragadkar	1 February 1964	15 March 1966
8	Amal Kumar Sarkar	16 March 1966	29 June 1966
9	Koka Subba Rao	30 June 1966	11 April 1967 [‡]
10	Kailas Nath Wanchoo	12 April 1967	24 February 1968
11	Mohammad Hidayatullah ^[2]	25 February 1968	16 December 1970
12	Jayantilal Chhotalal Shah	17 December 1970	21 January 1971
13	Sarv Mittra Sikri	22 Jan 1971	25 April 1973
14	Ajit Nath Ray	26 April 1973	27 January 1977
15	Mirza Hameedullah Beg	28 January 1977	21 February 1978
16	Yeshwant Vishnu Chandrachud	22 February 1978	11 July 1985
17	Prafullachandra Natwarlal Bhagwati	12 July 1985	20 December 1986
18	Raghunandan Swarup Pathak	21 December 1986	18 June 1989 [‡]
19	Engalaguppe Seetharamiah Venkataramiah	19 June 1989	17 December 1989
20	Sabyasachi Mukharji	18 December 1989	25 September 1990 ^{‡‡}
21	Ranganath Misra	26 September 1990	24 November 1991
22	Kamal Narain Singh	25 November 1991	12 December 1991
23	Madhukar Hiralal Kania	13 December 1991	17 November 1992
24	Lalit Mohan Sharma	18 November 1992	11 February 1993
25	Manepalli Narayana Rao Venkatachaliah	12 February 1993	24 October 1994
26	Aziz Mushabber Ahmadi	25 October 1994	24 March 1997
27	Jagdish Sharan Verma	25 March 1997	17 January 1998
28	Madan Mohan Punchhi	18 January 1998	9 October 1998

29	Adarsh Sein Anand	10 October 1998	11 January 2001
30	Sam Piroj Bharucha	11 January 2001	6 May 2002
31	Bhupinder Nath Kirpal	6 May 2002	8 November 2002
32	Gopal Ballav Pattanaik	8 November 2002	19 December 2002
33	V. N. Khare	19 Dec 2002	2 May 2004
34	S. Rajendra Babu	2 May 2004	1 June 2004
35	Ramesh Chandra Lahoti	1 June 2004	1 November 2005
36	Yogesh Kumar Sabharwal	1 November 2005	13 January 2007
37	K. G. Balakrishnan	13 January 2007	11 May 2010
38	S. H. Kapadia	12 May 2010	28 Sep 2012
39	Altamas Kabir	29 September 2012	18 July 2013
40	P. Sathasivam	19 July 2013	26 April 2014
41	Rajendra Mal Lodha	27 April 2014	27 September 2014
42	H. L. Dattu	28 September 2014	2 December 2015
43	T. S. Thakur	3 December 2015	

HIGH COURTS

There are 24 High Courts at the state and union territory level of India which, together with the Supreme Court of India at the national level, comprise the country's judicial system. Each High Court has jurisdiction over a state, a union territory or a group of states and union territories. Below the High Courts is a hierarchy of subordinate courts such as the civil courts, family courts, criminal courts and various other district courts. High Courts are instituted as constitutional courts under Part VI, Chapter V, Article 214 of the Indian Constitution.

The High Courts are the principal civil courts of original jurisdiction in each state and union territory. However, a High Court exercises its original civil and criminal jurisdiction only if the subordinate courts are not authorized by law to try such matters for lack of pecuniary, territorial jurisdiction. High courts may also enjoy original jurisdiction in certain matters if so designated specifically in a state or federal law.

However, the work of most High Courts primarily consists of appeals from lower courts and writ petitions in terms of Article 226 of the constitution. Writ jurisdiction is also original

jurisdiction of High Court. The precise territorial jurisdiction of each High Court varies. The appeal order is the following: tehsil-kotwali-criminal/civil courts - district - high court - supreme court.

Each state is divided into judicial districts presided over by a District and Sessions Judge. He is known as a District Judge when he presides over a civil case, and a Sessions Judge when he presides over a criminal case. He is the highest judicial authority below a High Court judge. Below him, there are courts of civil jurisdiction, known by different names in different states. Under Article 141 of the Constitution, all courts in India (which includes High Courts) are bound by the judgments and orders of the Supreme Court of India by precedence.

Judges in a High Court are appointed by the President of India in consultation with the Chief Justice of India and the governor of the state. High Courts are headed by a Chief Justice. The Chief Justices are ranked fourteenth (in their state) and seventeenth (outside their state) in the Indian order of precedence. The number of judges in a court is decided by dividing the average institution of main cases during the last five years by the national average, or the average rate of disposal of main cases per judge per year in that High Court, whichever is higher.

The Calcutta High Court is the oldest High Court in the country, established on 2 July 1862. High Courts that handle a large number of cases of a particular region have permanent benches established there. Benches are also present in states which come under the jurisdiction of a court outside its territorial limits. Smaller states with few cases may have circuit benches established. Circuit benches (known as circuit courts in some parts of the world) are temporary courts which hold proceedings for a few selected months in a year. Thus cases built up during this interim period are judged when the circuit court is in session. According to a study conducted by Bengaluru-based NGO Daksh on 21 high courts in collaboration with Ministry of Law and Justice (India) in March 2016, it was found that average pendency of a case in High courts in India is 3 years.

The following are the 24 High Courts of India sorted by name, year established, Act by which it was established, jurisdiction, headquarters, benches, the maximum number of judges sanctioned and the presiding Chief Justice of the High Court.

Court name	Established	Jurisdiction	Seat	Benches
Allahabad High Court	11 June 1866	Uttar Pradesh	Allahabad	Lucknow
Bombay High Court	14 August 1862	Maharashtra, Goa, Dadra and Nagar Haveli, Daman and Diu	Mumbai	Aurangabad, Nagpur, Panaji
Calcutta High Court	2 July 1862	West Bengal, Andaman and Nicobar Islands	Kolkata	Port Blair
Chhattisgarh High Court	1 November 2000	Chhattisgarh	Bilaspur	
Delhi High Court	31 October 1966	National Capital Territory of Delhi	New Delhi	
Gauhati High Court	1 March 1948	Arunachal Pradesh, Assam, Nagaland, Mizoram	Guwahati	Aizwal, Itanagar, Kohima
Gujarat High Court	1 May 1960	Gujarat	Ahmedabad	
High Court of Judicature at Hyderabad	5 July 1954	Andhra Pradesh, Telangana	Hyderabad	
Himachal Pradesh High Court	1971	Himachal Pradesh	Shimla	
Jammu and Kashmir High Court	28 August 1943	Jammu and Kashmir	Srinagar/Jammu	
Jharkhand High Court	15 November 2000	Jharkhand	Ranchi	
Karnataka High Court	1884	Karnataka	Bengaluru	Dharwad, Gulbarga
Kerala High Court	1956	Kerala, Lakshadweep	Kochi	
Madhya Pradesh High Court	2 January 1936	Madhya Pradesh	Jabalpur	Gwalior, Indore

Madras High Court	15 August 1862	Tamil Nadu, Puducherry	Chennai	Madurai
Manipur High Court	25 March 2013	Manipur,	Imphal	
Meghalaya High Court	25 March 2013	Meghalaya,	Shillong	
Odisha High Court	3 April 1948	Odisha	Cuttack	
Patna High Court	2 September 1916	Bihar	Patna	
Punjab and Haryana High Court	21 March 1919	Punjab, Haryana, Chandigarh	Chandigarh	
Rajasthan High Court	21 June 1949	Rajasthan	Jodhpur	Jaipur
Sikkim High Court	16 May 1975	Sikkim	Gangtok	
Tripura High Court	26 March 2013	Tripura	Agartala	
Uttarakhand High Court	9 November 2000	Uttarakhand	Nainital	

UNION PUBLIC SERVICE COMMISSION

The **Union Public Service Commission** is India's central agency authorised to conduct the Civil Services Examination, Indian Forest Service examination, Engineering Services Examination, Combined Defence Services Examination, National Defence Academy Examination, Naval Academy Examination, Combined Medical Services Examination, Special Class Railway Apprentice, Indian Economic Service/Indian Statistical Service Examination, Combined Geoscientist and Geologist Examination, and Central Armed Police Forces (Assistant Commandant) Examination.

The agency's charter is granted by the Constitution of India. Articles 315 to 323 of Part XIV of the constitution, titled as *Services Under the Union and the States*, provide for a Public Service Commission for the Union and for each state. The examination is one of the toughest examinations in India with success rate of 0.1%–0.3%

History

The Royal Commission on the Superior Civil Services in India under the Chairmanship of Lord Lee, which submitted its Report in 1924, recommended the setting up of the Public Service Commission. This led to the establishment of the first Public Service Commission on 1 October 1926 under the Chairmanship of Sir Ross Barker. The limited advisory function accorded to the Public Service Commission and the continued stress on this aspect by the leaders of our freedom movement resulted in the setting up of a Federal Public Service Commission under the Government of India Act, 1935. The Federal Public Service Commission became the Union Public Service Commission after Independence and it was given a Constitutional status with promulgation of constitution of india on 26 January 1950.

Administration and control

The Commission consists of a chairman and ten members. The terms and conditions of service of chairman and members of the Commission are governed by the Union Public Service Commission (Members) Regulations, 1969. The Chairman and other members of the UPSC (Union Public Service Commission) are appointed by the President of India. At least half of the members of the Commission are Civil Servants (working or retired) with minimum ten years of experience either in Central or State service.

The Commission is serviced by a Secretariat headed by a Secretary with two Additional Secretaries, a number of Joint Secretaries, Deputy Secretaries and other supporting staff.

Every member holds office for a term of six years or until he attains the age of sixty-five years, whichever is earlier.

He can submit his resignation at any time to the President of India. He may be removed from his office by the President of India on the ground of misbehaviour (only if an inquiry of such misbehaviour is made and upheld by Supreme Court) or if he is adjudged insolvent, or engages during his term of office in any paid employment outside the duties of his office, or in the opinion of the President unfit to continue in office by reason of infirmity of mind or body.

UPSC is amongst the few institutions which function with both autonomy and freedom along with the country's higher judiciary and lately the Election Commission.

As of 12 May 2015, the Commission consists of a chairman and 10 members. The names of the members are:

Chairman

1. Deepak Gupta a retired IAS officer of Jharkhand cadre and younger brother of former Home Secretary Madhukar Gupta is the Current chairman of the commission.

Members

1. Smt Alka Sirohi (IAS–Madhya Pradesh Cadre)
2. Prof David R Syiemlieh (Academician, Former VC of R G University)
3. Shri Manbir Singh (ex–IFS)
4. Vice Admiral D K Dewan (Retd) AVSM, PVSM
5. Shri Vinay Mittal (Former Railway Board Chairman)
6. Dr (Smt) P Kilemsungla (Indian educationist)
7. Shri Chhatar Singh (Former Prin Sec to Haryana CM)
8. Prof. Hem Chandra Gupta (Former Professor, IIT Delhi)
9. Shri. Arvind Saxena (Former Director and Ex-officio Special Secretary, Aviation Research Centre (ARC))
10. Prof(Dr)Pradeep Kumar Joshi (Former Chairman of Chhattisgarh & Madhya Pradesh Public Service Commission)

The government has enhanced the status of chairman and members of the Commission by Chairman has been placed in Article 9A with Chief Election Commissioner and Members have been placed as Equivalents in Article 11 along with Election Commissioners, in the Warrant of Precedence.

Recruitment rules

In accordance with the provisions contained in Article 320 of the Constitution read with the provisions of Union Public Service Commission (Exemption from Consultation) Regulations 1958, Recruitment Rules of all Group ‘A’ and Group ‘B’ posts in various Ministries/Departments of Government of India are required to be framed in Consultation with the Commission. Consultation with the Commission is also necessary for framing/amending Recruitment Rules for certain categories of posts under the Employees State Insurance Corporation, The Delhi Municipal Corporation, The New Delhi Municipal Coil, Employees Provid. Various examinations are conducted by UPSC every year on an all India basis. These include.– Examinations for recruitment to services/posts in various fields, such as Civil Services, Engineering, Medical and Forest Service, etc. Recruitment is made by

one of the following three methods: 1) Direct Recruitment; 2) Promotion; and 3) Transfer. Currently Union Public Service Commission of India has 42 regular examination centers, where each year they conduct Several Indian Civil Services Examination.

COMPTROLLER AND AUDITOR-GENERAL OF INDIA.

The **Comptroller and Auditor General (CAG) of India** is an authority, established by the Constitution under Constitution of India/Part V Chapter V/Sub-part 7B/Article 148, who audits all receipts and expenditure of the Government of India and the state governments, including those of bodies and authorities substantially financed by the government. The CAG is also the external auditor of Government-owned corporations and conducts supplementary audit of government companies, i.e., any non-banking/ non-insurance company in which Union Government has an equity share of at least 51 per cent or subsidiary companies of existing government companies. The reports of the CAG are taken into consideration by the Public Accounts Committees (PACs) and Committees on Public Undertakings (COPUs), which are special committees in the Parliament of India and the state legislatures. The CAG is also the head of the Indian Audit and Accounts Department, the affairs of which are managed by officers of Indian Audit and Accounts Service, and has over 58,000 employees across the country.

The CAG is mentioned in the Constitution of India under Article 148 – 151.

The CAG is ranked 9th and enjoys the same status as a judge of Supreme Court of India in Indian order of precedence. The current CAG of India is Shashi Kant Sharma, who was appointed on 23 May 2013. He is the 12th CAG of India.

Appointment

The Comptroller and Auditor-General of India is appointed by the President of India^[4] following a recommendation by the Prime Minister. On appointment, he/she has to make an oath or affirmation before the President of India.

Compensation

The salary and other conditions of service of the CAG are determined by the Parliament of India through "The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971". As per the act, his salary is the same as salary of a Judge of Supreme Court of India. Neither his salary nor rights in respect of leave of absence, pension or age of retirement can be varied to his disadvantage *after* his appointment. The CAG is not eligible

for further office either under the Government of India or under the Government of any State after he has ceased to hold his office.

These provisions are in order to ensure the *independence* of CAG

Salary of CAG

Date	Salary
1 January 2006	₹90,000 (US\$1,300)

Removal

The CAG can be removed only on an address from both house of parliament on the ground of proved misbehaviour or incapacity. The CAG vacates the office on attaining the age of 65 years age even without completing the 6 years term.

(1) There shall be a Comptroller and Auditor-General of India who shall be appointed by the President by warrant under his hand and seal and shall only be removed from office in like manner and on the like grounds as a Judge of the Supreme Court.

(2) Every person appointed to be the Comptroller and Auditor-General of India shall, before he enters upon his office, make and subscribe before the President, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Third Schedule.

(3) The salary and other conditions of service of the Comptroller and Auditor-General shall be such as may be determined by Parliament by law and, until they are so determined, shall be as specified in the Second Schedule.

Provided that neither the salary of a Comptroller and Auditor-General nor his rights in respect of leave of absence, pension or age of retirement shall be varied to his disadvantage after his appointment.

(4) The Comptroller and Auditor-General shall not be eligible for further office either under the Government of India or under the Government of any State after he has ceased to hold his office.

(5) Subject to the provisions of this Constitution and of any law made by Parliament, the conditions of service of persons serving in the Indian Audit and Accounts Department and the administrative powers of the Comptroller and Auditor-General shall be such as may be

prescribed by rules made by the President after consultation with the Comptroller and Auditor-General.

(6) The administrative expenses of the office of the Comptroller and Auditor-General, including all salaries, allowances and pensions payable to or in respect of persons serving in that office, shall be charged upon the Consolidated Fund of India.

List of Comptroller and Auditors General of India

No.	Comptroller and Auditor General of India	Year tenure began	Year tenure ended
1	V. Narahari Rao	1949	1954
2	A. K. Chanda	1954	1960
3	A. K. Roy	1960	1966
4	S. Ranganathan	1966	1972
5	A. Bakshi	1972	1978
6	Gian Prakash	1978	1984
7	T. N. Chaturvedi	1984	1990
8	C. G. Somiah	1990	1996
9	V. K. Shunglu	1996	2002
10	VN Kaul	2002	2008
11	Vinod Rai	2008	2013
12	Shashi Kant Sharma	2013	Incumbent (6 years tenure or 65 years of age, whichever is earlier)

UNION LIST

The **Union List** or **List-I** is a list of 100 items (the last item is numbered 97) given in Seventh Schedule in the Constitution of India on which Parliament has exclusive power to legislate. The legislative section is divided into three lists: Union List, State List and Concurrent List. Unlike the federal governments of the United States, Switzerland or Australia, residual powers remain with the Union Government, as with the Canadian federal government

Items on the list

There are 100 items on the list, of which one is no longer in force. These are:^{[2][3][4]}

01. Defence of India and every part thereof including preparation for defence and all such acts as may be conducive in times of war to its prosecution and after its termination to effective demobilisation.
02. Naval, military and air forces; any other armed forces of the Union.
- 2A. Deployment of any armed forces of the Union or any other force subject to the control of the Union or any contingent or unit thereof in any State in aid of the civil power; powers, jurisdiction, privileges and liabilities of the members of such forces while on such deployment.
03. Delimitation of [cantonment] areas, local self-government in such areas, the constitution and powers within such areas of cantonment authorities and the regulation of house accommodation (including the control of rents) in such areas.
04. Naval, military and air force works.
05. Arms, firearms, ammunition and explosives.
06. Atomic energy and mineral resources necessary for its production.
07. Industries declared by Parliament by law to be necessary for the purpose of defence or for the prosecution of war.
08. Central Bureau of Intelligence and Investigation.
09. Preventive detention for reasons connected with Defence, Foreign Affairs, or the security of India; persons subjected to such detention.
10. Foreign affairs; all matters which bring the Union into relation with any foreign country.
11. Diplomatic, consular and trade representation.
12. United Nations Organisation.
13. Participation in international conferences, associations and other bodies and implementing of decisions made thereat.
14. Entering into treaties and agreements with foreign countries and implementing of treaties, agreements and conventions with foreign Countries.
15. War and peace.
16. Foreign jurisdiction.
17. Citizenship, naturalisation and aliens.
18. Extradition.
19. Admission into, and emigration and expulsion from, India; passports and visas.
20. Pilgrimages to places outside India.

21. Piracies and crimes committed on the high seas or in the air; offences against the law of nations committed on land or the high seas or in the air.
22. Railways.
23. Highways declared by or under law made by Parliament to be national highways.
24. Shipping and navigation on inland waterways, declared by Parliament by law to be national waterways, as regards mechanically propelled vessels; the rule of the road on such waterways
25. Maritime shipping and navigation, including shipping and navigation on tidal waters; provision of education and training for the mercantile marine and regulation of such education and training provided by States and other agencies.
26. Lighthouses, including lightships, beacons and other provision for the safety of shipping and aircraft.
27. Ports declared by or under law made by Parliament or existing law to be major ports, including their delimitation, and the constitution and powers of port authorities therein.
28. Port quarantine, including hospitals connected therewith; seamen's and marine hospitals.
29. Airways aircraft and air navigation; provision of aerodromes; regulation and organisation of air traffic, and of aerodromes; provision for aeronautical education and training and regulation of such education and training provided by States and other agencies.
30. Carriage of passengers and goods by railway, sea or air, or by national waterways in mechanically propelled vessels.
31. Posts and telegraphs, telephones, wireless, broadcasting and other like forms of communication.
32. Property of the Union and the revenue therefrom, but as regards property situated in a State subject to legislation by the State, save in so far as Parliament by law otherwise provides.
33. ~~Acquisition or requisitioning of property for the purposes of the Union~~
34. Courts of wards for the estates of Rulers of Indian States.
35. Public debt of the Union.
36. Currency, coinage and legal tender; foreign exchange.
37. Foreign loans.
38. Reserve Bank of India.
39. Post Office Savings Bank.
40. Lotteries organised by the Government of India or the Government of a State.

41. Trade and commerce with foreign countries import and export across customs frontiers definition of customs frontiers.
42. Inter-State trade and commerce.
43. Incorporation, regulation and winding up of trading Corporations, including banking, insurance and financial corporations but not including Co-operative Societies.
44. Incorporation, regulation and winding up of corporations, whether trading or not, with objects not confined to one State, but not including universities.
45. Banking.
46. Bills of exchange, cheques, promissory notes and other like instruments.
47. Insurance.
48. Stock exchanges and futures markets.
49. Patents, inventions and designs; copyright; trade-marks and merchandise marks.
50. Establishment of standards of weight and measure.
51. Establishment of standards of quality for goods to be exported out of India or transported from one State to another.
52. Industries, the control of which by the Union is declared by Parliament by law to be expedient in the public interest.
53. Regulation and development of oilfields and mineral oil resources; petroleum and petroleum products; other liquids and substances declared by Parliament by law to be dangerously inflammable.
54. Regulation of mines and mineral development to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest.
55. Regulation of labour and safety in mines and oil-fields.
56. Regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest.
57. Fishing and fisheries beyond territorial waters.
58. Manufacture, supply and distribution of salt by Union agencies; regulations and control of manufacture, supply and distribution of salt by other agencies.
59. Cultivation, manufacture, and sale for export, of opium.
60. Sanctioning of cinematograph films for exhibition.
61. Industrial disputes concerning Union employees.
62. The institutions known at the commencement of this Constitution as the National Library, the Indian Museum, the Imperial War Museum, the Victoria Memorial and the Indian War Memorial, and any other like institution financed by the Government of India

wholly or in part and declared by Parliament by law to be an institution of national importance.

63. The institutions known at the commencement of this Constitution as the Benares Hindu University, the Aligarh Muslim University and the Delhi University; the University established in pursuance of Article 371-E; any other institution declared by Parliament by law to be an institution of national importance.

64. Institutions for scientific or technical education financed by the Government of India wholly or in part and declared by Parliament by law to be institutions of national importance.

65. Union agencies and institutions for –

(a) professional, vocational or technical training, including the training of police officers; or

(b) the promotion of special studies or research; or

(c) scientific or technical assistance in the investigation or detection of crime.

66. Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions.

67. Ancient and historical monuments and records, and archaeological sites and remains, declared by or under law made by Parliament to be of national importance.

68. The Survey of India, the Geological, Botanical, Zoological and Anthropological Surveys of India; Meteorological organisations.

69. Census.

70. Union public services; all-India services; Union Public Service Commission.

71. Union Pensions, that is to say, pensions payable by the Government of India or out of the Consolidated Fund of India.

72. Elections to Parliament, to the Legislatures of States and to the offices of President and Vice-President; the Election Commission.

73. Salaries and allowances of members of Parliament, the Chairman and Deputy chairman of the Council of States and the Speaker and Deputy Speaker of the House of the People.

74. Powers, privileges and Immunities of each House of Parliament and of the members and the Committees of each House enforcement of attendance of persons for giving evidence or producing documents before committees of Parliament or commissions appointed by Parliament.

75. Emoluments, allowances, privileges, and rights in respect of leave of absence, of the President and Governors salaries and allowances of the Ministers for the Union; the

Salaries, allowances, and rights in respect of leave of absence and other conditions of service of the Comptroller and Auditor-General.

76. Audit of the accounts of the Union and of the States.

77. Constitution, organisation, jurisdiction and powers of the Supreme Court (including contempt of such Court), and the fees taken therein persons entitled to practice before the Supreme Court.

78. Constitution and organisation (including vacations) of the High Courts except provisions as to officers and servants of High Courts; persons entitled to practice before the High Courts.

79. Extensions of the jurisdiction of a High Court to, and exclusion of the jurisdiction of a High Court from any Union territory.

80. Extension of the powers and jurisdiction of members of a police force belonging to any State to any area outside that State, but not so as to enable the police of one State to exercise powers and jurisdiction in any area outside that State without the consent of the Government of the State in which such area is situated; extension of the powers and jurisdiction of members of a police force belonging to any State to railway areas outside that State.

81. Inter-state migration; inter-State quarantine.

82. Taxes on income other than agricultural income.

83. Duties of customs including export duties.

84. Duties of excise on tobacco and other goods manufactured or produced in India except -

(a) alcoholic liquors for human consumption

(b) opium, Indian hemp and other narcotic drugs and narcotics;

but including medicinal and toilet preparations containing alcohol or any substance included in sub-paragraph (b) of this entry.

85. Corporation tax.

86. Taxes on the capital value of the assets, exclusive of agricultural land, of individuals and companies; taxes on the capital of companies.

87. Estate duty in respect of property other than agricultural land.

88. Duties in respect of succession to property other than agricultural land.

89. Terminal taxes on goods or passengers, carried by railway, sea or air; taxes on railway fares and freights.

90. Taxes other than stamp duties on transactions in stock exchanges and futures markets.

91. Rates of stamp duty in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, transfer of shares, debentures, proxies and receipts.
92. Taxes on the sale or purchase of newspapers and on advertisements published therein.
- 92A. Taxes on the sale or purchase of goods other than newspapers, where such sale or purchase takes place in the course of inter-State trade or commerce.
- 92B. Taxes on the consignment of goods (whether the consignment is to the person making it or to any other person), where such consignment takes place in the course of inter-State trade or commerce.
- 92C. Taxes on services.
93. Offences against laws with respect to any of the matters in this List.
94. Inquiries, surveys and statistics for the purpose of any of the matters in this List.
95. Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this List admiralty jurisdiction.
96. Fees in respect of any of the matters in this List, but not including fees taken in any court.
97. Any other matter not enumerated in List II or List III including any tax not mentioned in either of those Lists.

STATE LIST

The State List or List-II is a list of 61 items (Initially there were 66 items in the list) in Seventh Schedule to the Constitution of India. The legislative section is divided into three lists: Union List, State List and Concurrent List. Unlike the federal governments of the United States, Switzerland or Australia, residual powers remain with the Union Government, as with the Canadian federal government.

If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament is competent to enact, or to any provision of an existing law with respect to one of the matters enumerated in the Concurrent List, then, the law made by Parliament, whether passed before or after the law made by the Legislature of such State, or, as the case may be, the existing law, shall prevail and the law made by the Legislature of the State shall, to the extent of the repugnancy, be void. There is an exception to this in cases "where a law made by the Legislature of a State with respect to one of the matters enumerated in the Concurrent List contains any provision repugnant to the provisions of an earlier law made by Parliament or an existing law with respect to that matter, then, the law so made by the Legislature of such State shall, if it has been reserved

for the consideration of the President and has received his assent, prevail in that State. Provided that nothing in this clause shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislature of the State

Items on the list

The 61 items currently on the list are

1. Public order (but not including the use of any naval, military or air force or any other armed force of the Union or of any other force subject to the control of the Union or of any contingent or unit thereof in aid of the civil power).
2. Police (including railway and village police) subject to the provisions of Entry 2-A of List-I.
3. Officers and servants of the High Court; procedure in rent and revenue courts; fees taken in all courts except the Supreme Court.
4. Prisons, reformatories, Borstal institutions and other institutions of a like nature and persons detained therein; arrangements with other States for the use of prisons and other institutions.
5. Local government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration.
6. Public health and sanitation; hospitals and dispensaries.
7. Pilgrimages, other than pilgrimages to places outside India.
8. Intoxicating liquors, that is to say, the production, manufacture, transport, purchase and sale of intoxicating liquors.
9. Relief for the disabled and unemployable.
10. Burials and burial grounds; cremations and cremation grounds.
11. ~~Education including universities, subject to the provisions of entries 63, 64, 65 and 66 of List I and entry 25 of List III.~~
12. Libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those declared by or under law made by Parliament to be of national importance.
13. Communications, that is to say, roads, bridges, ferries, and other means of communication not specified in List I; municipal tramways, ropeways, inland waterways and traffic thereon subject to the provisions of List I and List III with regard to such water-ways; vehicles other than mechanically propelled vehicles.

14. Agriculture, including agricultural education and research; protection against pests and prevention of plant diseases.
15. Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice.
16. Ponds and the prevention of cattle trespass.
17. Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of Entry 56 of List I.
18. Land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans; colonization.
19. ~~Forests.~~
20. ~~Protection of wild animals and birds.~~
21. Fisheries.
22. Courts of wards; subject to the provisions of Entry 34 of List I; encumbered and attached estates.
23. Regulation of mines and mineral development subject to the provisions of List I with respect to regulation and development under the control of the Union.
24. Industries subject to the provisions of Entries 7 and 52 of List I.
25. Gas and gas-works.
26. Trade and commerce within the State subject to the provisions of Entry 33 of List III.
27. Production, supply and distribution of goods subject to the provisions of Entry 33 of List III.
28. Markets and fairs.
29. ~~Weights and measures except establishment of standards.~~
30. Money-lending and money-lenders; relief of agricultural indebtedness.
31. Inns and inn-keepers.
32. Incorporation, regulation and winding up of corporations, other than those specified in List I, and universities; unincorporated trading, literary, scientific, religious and other societies and associations; co-operative societies.
33. Theatres and dramatic performances; cinemas subject to the provisions of Entry 60 of List I; sports, entertainments and amusements.
34. Betting and gambling.
35. Works, lands and buildings vested in or in the possession of the State.
36. ~~Acquisition or requisitioning of property, except for the purposes of the Union, subject to the provisions of entry 42 of List III.~~

37. Elections to the Legislature of the State subject to the provisions of any law made by Parliament.
38. Salaries and allowances of members of the legislature of the State, of the Speaker and Deputy Speaker of the Legislative Assembly and, if there is a Legislative Council, of the Chairman and Deputy Chairman thereof.
39. Powers, privileges and immunities of the Legislative Assembly and of the members and the committees thereof and, if there is a Legislative Council, of that Council and of the members and the committees thereof; enforcement of attendance of persons for giving evidence or producing documents before committees of the Legislature of the State.
40. Salaries and allowances of Ministers for the State.
41. State public services; State Public Service Commission.
42. State pensions, that is to say, pensions payable by the State or out of the Consolidated Fund of the State.
43. Public debt of the State.
44. Treasure trove.
45. Land revenue, including the assessment and collection of revenue, the maintenance of land records, survey for revenue purposes and records of rights, and alienation of revenues.
46. Taxes on agricultural income.
47. Duties in respect of succession to agricultural land.
48. Estate duty in respect of agricultural land.
49. Taxes on lands and buildings.
50. Taxes on mineral rights subject to any limitations imposed by Parliament by law relating to mineral development.
51. Duties of excise on the following goods manufactured or produced in the State and countervailing duties at the same or lower rates on similar goods manufactured or produced elsewhere in India—
 - (a) alcoholic liquors for human consumption
 - (b) opium, Indian hemp and other narcotic drugs and narcoticsbut not including medicinal and toilet preparations containing alcohol or any substance included in sub-paragraph (b) of this entry.
52. Taxes on the entry of goods into a local area for consumption, use or sale therein.
53. Taxes on the consumption or sale of electricity.

54. Taxes on the sale or purchase of goods other than newspapers, subject to the provisions of Entry 92–A of List I.
55. Taxes on advertisements other than advertisements published in the newspapers and advertisements broadcast by radio or television.
56. Taxes on goods and passengers carried by road or on inland waterways.
57. Taxes on vehicles, whether mechanically propelled or not, suitable for use on roads, including tram–cars subject to the provisions of Entry 35 of List III [Concurrent list].
58. Taxes on animals and boats.
59. Tolls.
60. Taxes on professions, trades, callings and employments.
61. Capitation taxes.
62. Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling.
63. Rates of stamp duty in respect of documents other than those specified in the provisions of List I with regard to rates of stamp duty.
64. Offences against laws with respect to any of the matters in this list.
65. Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this list.
66. Fees in respect of any of the matters in this list, but not including fees taken in any court

CONCURRENT LIST

The **Concurrent List** or **List–III** (Seventh Schedule) is a list of 52 items (though the last item is numbered 47) given in the Seventh Schedule to the Constitution of India. The legislative section is divided into three lists: Union List, State List and Concurrent List. Unlike the federal governments of the United States, Switzerland or Australia, residual powers remain with the Union Government, as with the Canadian federal government.

Uniformity is desirable but not essential on items in the concurrent list. If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament is competent to enact, or to any provision of an existing law with respect to one of the matters enumerated in the Concurrent List, then, the law made by Parliament, whether passed before or after the law made by the Legislature of such State, or, as the case may be, the existing law, shall prevail and the law made by the Legislature of the State shall, to the extent of the repugnancy, be void. There is an exception

to this in cases "where a law made by the Legislature of a State with respect to one of the matters enumerated in the Concurrent List contains any provision repugnant to the provisions of an earlier law made by Parliament or an existing law with respect to that matter, then, the law so made by the Legislature of such State shall, if it has been reserved for the consideration of the President and has received his assent, prevail in that State. Provided that nothing in this clause shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislature of the State

Items on the list

The 52 items currently on the list are

1. Criminal law, including all matters included in the Indian Penal Code at the commencement of this Constitution but excluding offences against laws with respect to any of the matters specified in List I or List II and excluding the use of naval, military or air forces or any other armed forces of the Union in aid of the civil power.
2. Criminal procedure, including all matters included in the Code of Criminal Procedure at the commencement of this Constitution.
3. Preventive detention for reasons connected with the security of a State, the maintenance of public order, or the maintenance of supplies and services essential to the community; persons subjected to such detention.
4. Removal from one State to another State of prisoners, accused persons and persons subjected to preventive detention for reasons specified in Entry 3 of this list.
5. Marriage and divorce; infants and minors; adoption; wills, intestacy and succession; joint family and partition; all matters in respect of which parties in judicial proceedings were immediately before the commencement of this Constitution subject to their personal law.
6. Transfer of property other than agricultural land; registration of deeds and documents.
7. Contracts including partnership, agency, contracts of carriage, and other special forms of contracts, but not including contracts relating to agricultural land.
8. Actionable wrongs.
9. Bankruptcy and insolvency.
10. Trust and Trustees.
11. Administrators – general and official trustees.

- 11-A. Administration of justice; constitution and Organisation of all courts, except the Supreme Court and the High Courts.
12. Evidence and oaths; recognition of laws, public acts and records, and judicial proceedings.
13. Civil procedure, including all matters included in the Code of Civil Procedure at the commencement of this Constitution, limitation and arbitration.
14. Contempt of court, but not including contempt of the Supreme Court.
15. Vagrancy; nomadic and migratory tribes.
16. Lunacy and mental deficiency, including places for the reception or treatment of lunatics and mental deficient.
17. Prevention of cruelty to animals.
- 17-A. Forests.
- 17-B. Protection of wild animals and birds.
18. Adulteration of foodstuffs and other goods.
19. Drugs and poisons, subject to the provisions of Entry 59 of List I with respect to opium.
20. Economic and social planning.
- 20-A. Population control and family planning.
21. Commercial and industrial monopolies, combines and trusts.
22. Trade unions; industrial and labour disputes.
23. Social security and social insurance; employment and unemployment.
24. Welfare of labour including conditions of work, provident funds, employers' liability, workmen's compensation, invalidity and old age pensions and maternity benefits.
25. Education, including technical education, medical education and universities, subject to the provisions of Entries 63, 64, 65 and 66 of List I; vocational and technical training of labour.
26. Legal, medical and other professions.
27. Relief and rehabilitation of persons displaced from their original place of residence by reason of the setting up of the Dominions of India and Pakistan.
28. Charities and charitable institutions, charitable and religious endowments and religious institutions.
29. Prevention of the extension from one State to another of infectious or contagious diseases or pests affecting men, animals or plants.
30. Vital statistics including registration of births and deaths.

31. Ports other than those declared by or under law made by Parliament or existing law to be major ports.
32. Shipping and navigation on inland waterways as regards mechanically propelled vessels, and the rule of the road on such waterways, and the carriage of passengers and goods on inland waterways subject to the provisions of List I with respect to national waterways.
33. Trade and commerce in, and the production, supply and distribution of,-
- (a) the products of any industry where the control of such industry by the Union is declared by Parliament by law to be expedient in the public interest, and imported goods of the same kind as such products
 - (b) foodstuffs, including edible oilseeds and oils
 - (c) cattle fodder, including oilcakes and other concentrates
 - (d) raw cotton, whether ginned or unginned, and cotton seed; and
 - (e) raw jute.
- 33-A. Weights and measures except establishment of standards.
34. Price control.
35. Mechanically propelled vehicles including the principles on which taxes on such vehicles are to be levied.
36. Factories.
37. Boilers.
38. Electricity.
39. Newspapers, books and printing presses.
40. Archaeological sites and remains other than those declared by or under law made by Parliament to be of national importance.
41. Custody, management and disposal of property (including agricultural land) declared by law to be evacuee property.
42. Acquisition and requisitioning of property.
43. Recovery in a State of claims in respect of taxes and other public demands, including arrears of land-revenue and sums recoverable as such arrears, arising outside that State.
44. Stamp duties other than duties or fees collected by means of judicial stamps, but not including rates of stamp duty.
45. Inquiries and statistics for the purposes of any of the matters specified in List II or List III.
46. Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this List.

47. Fees in respect of any of the matters in this List, but not including fees taken in any court.

UNION TERRITORIES

A **union territory** is a type of administrative division in the Republic of India. Unlike the states, which have their own elected governments, union territories are ruled directly by the Union Government (Central Government), hence the name "union territory". Union territories in India qualify as federal territories, by definition.

The Parliament of India can pass a law to amend the Constitution and provide a Legislature with elected Members and a Chief Minister for a Union Territory, as it has done for Delhi and Puducherry. In general, The President of India appoints an administrator or lieutenant-governor for each UT.^[1] There are seven union territories, including Delhi, the capital of India, and Chandigarh, the joint capital of Punjab and Haryana.

Delhi and Puducherry (Pondicherry) operate somewhat differently from the other five. Delhi and Puducherry were given partial statehood and Delhi was redefined as the National Capital Territory of Delhi (NCT). Delhi and Puducherry have their own elected legislative assemblies and the executive councils of ministers with partially state-like function.

The seven current union territories are.^{[2][3]}

- Andaman and Nicobar Islands
- Chandigarh
- Dadra and Nagar Haveli
- Daman and Diu
- Delhi (National Capital Territory of Delhi)
- Lakshadweep
- Puducherry

Union territories of India have special rights and status due to their constitutional formation and development. The status of "Union Territory" may be assigned to an Indian sub-jurisdiction for reasons such as safeguarding the rights of indigenous cultures, averting political turmoil related to matters of governance, and so on. These union territories could be changed to states in the future for more efficient administrative control

History of Indian Parliament Elections (Lok Sabha)

The Indian parliament follows a bicameral system. It has two houses, namely the Rajya Sabha (Upper House) & the Lok Sabha (Lower House). The party(or a coalition) that gets a majority in the Lok Sabha gets to form the central government. The term of office is for a maximum period of 5 years or until such time the party(or a coalition) enjoys a majority in the Lok Sabha, whichever is earlier. Here is a look at the history of Indian Elections (Lok Sabha) since independence. The data is sourced from the statistical reports of the Election Commission of India.

The Constituent Assembly (1946-49).

The Constituent Assembly, consisted of indirectly elected representatives and was set up for the purpose of drafting a constitution for India. It remained in being for almost three years, acting as the first parliament of India after independence in 1947. The Assembly was not elected on the basis of universal adult suffrage; also Muslims and Sikhs were given special representation as minorities. The Constituent Assembly took almost three years (two years, eleven months and seventeen days to be precise) to complete its historic task of drafting the Constitution for Independent India

The First Lok Sabha (1952-57).

It was the first ever election in the Indian Republic. Elections were held for 489 seats. The total number of eligible voters were about 17.3 crore. The Indian National Congress (INC) won 364. Only two other parties won double digit seats. The CPI with 16 seats and the Socialist Party with 12 seats. The Congress polled closed to 45% of the total vote. The Bharatiya Jan Sangh (BJS), the previous avatar of the BJP won only 3 seats. Independents won the second highest number of seats after Congress. Jawaharlal Nehru was elected the Prime Minister.

The Second Lok Sabha (1957-62).

Out of 494 seats, the Indian National Congress (INC) won 371. Only two other parties won double digit seats. The CPI with 27 seats and the Praja Socialist Party (PSP) with 19 seats. The Congress polled closed to 48% of the total vote. The BJS won only 4 seats. Once again, the Independents won the second highest number of seats after Congress. Jawaharlal Nehru was again elected the Prime Minister. There was no official Leader of Opposition during the second Lok Sabha (LoP).

The Third Loksabha (1962-67).

Out of 494 seats, the Indian National Congress (INC) won 361. In these elections, four other parties won double digit seats (CPI, Jan Sangh, Swatantra Party & PSP). The Congress vote share was reduced to about 45% from 48% in the previous election. Jawaharlal Nehru was elected the Prime Minister. But after he passed away in 1964, Gulzari lal Nanda was made the interim PM who was succeeded by Lal Bahadur Shastri who held the post for about 19 months before his death. Indira Gandhi then took over in 1966.

The Fourth Loksabha (1967-70).

The size of electorate in this election was about 25 crore. The Congress party under Indira Gandhi's leadership won a 4th successive term to office by winning 283 out of 520 seats. But the vote share of Congress went down to about 41%. In these elections, six other parties won double digit seats with C Rajagopala Chari's Swatantra Party winning 44 seats and emerging as the single largest opposition party. Indira Gandhi became the Prime Minister for the second time.

The Fifth Loksabha (1971-77).

This was the first election after Indira Gandhi broke away from the Congress. Her party won a whopping 352 seats out of 518 with the other faction of Congress under Morarji Desai winning only 16 seats. Indira Gandhi became the Prime Minister for the third time. It was during this time in 1975, that the emergency was imposed in the country that had a huge impact on the politics of India thereafter.

The Sixth Loksabha (1977-79).

These were the first elections after the emergency. Bharatiya Lok Dal (or the Janata party) emerged victorious in these elections defeating the congress for the first time. The BLD was formed at the end of 1974 through the fusion of seven parties opposed to the autocratic rule of Indira Gandhi, including the Swatantra Party, the Utkal Congress, the Bharatiya Kranti Dal, and the Socialist Party. In 1977, the BLD combined with the Jan Sangh and the Indian National Congress (Organization) to form the Janata Party. The newly formed Janata Party contested the 1977 elections on the BLD symbol and formed independent India's first government not ruled by the Indian National Congress. The BLD won 295 of the 542 seats while congress could win only 154. Morarji Desai became the Prime Minister, but had to

step down in 1979 after couple of parties in the Janata alliance pulled out. He was succeeded by Charan Singh.

The Seventh Loksabha (1980-84).

After the failure of the Janata experiment, Congress(I) under the leadership of Indira Gandhi bounced back to power winning a handsome 353 of the 529 seats on offer. The parties of the earlier Janata coalition could not repeat their performance in the previous election. There was no Leader of Opposition (LoP).

The Eighth Loksabha (1984-89).

After Indira Gandhi was assassinated, the anti-Sikh riots broke out in 1984. They were a series of pogroms directed against Sikhs in India, by anti-Sikh mobs, in response to the assassination of Indira Gandhi by her Sikh bodyguards. Riding on the wave of sympathy, the Congress party under Rajiv Gandhi's leadership (son of Indira Gandhi) came to power in a landslide victory. The Congress won 404 of the 514 seats. The Bharatiya Janata Party (BJP) made its electoral debut winning 2 seats, one in Gujarat and another in Andhra Pradesh (Now Telangana). Rajiv Gandhi became the Prime Minister

The Ninth Loksabha (1989-91).

The Bofors scandal, LTTE and other issues worked against the Congress. There was a hung house for the first time with no party getting a majority. The Congress won 197, The Janata Dal 143 and the BJP 85 out of 529 seats. The BJP made impressive gains. The Janata Dal formed the National Front government with outside support from BJP and the left parties. Vishwanath Pratap Singh (VP Singh) became the Prime Minister. His rival in the Janata Dal, Chandra Shekhar broke away in 1990 and formed the Samajwadi Janata Party. As a result, VP Singh had to step down. Chandra Shekhar then became the Prime Minister in 1990 with the external support of Congress. Even this experiment lasted only for a short while forcing general elections in just 2 years.

The Tenth Loksabha (1991-96).

Rajiv Gandhi was assassinated in the run upto the 1991 general elections by the LTTE. These elections were also termed as the 'Mandal-Mandir' elections after the two most important poll issues; the Mandal Commission fallout and the Ram Janmabhoomi-Babri Masjid

issue. While the Mandal Commission report implemented by the VP Singh government gave 27 per cent reservation to the Other Backward Castes (OBCs) in government jobs, the Mandir issue referred to the debate over the disputed Babri Masjid structure at Ayodhya, which the Bharatiya Janata Party was using as its major electoral issue. The Mandir issue led to numerous riots in many parts of the country and the electorate was polarized on caste and religious lines. No party could get a majority. Congress emerged as the single largest party with 232 seats while the BJP won 120 seats out of 521 seats. P V Narasimha Rao headed a minority government and was the first person from South India to occupy the Prime Minister's chair. He is credited with ushering in economic reforms and also identifying Manmohan Singh who went onto become the Prime Minister.

The Eleventh Loksabha (1996-98).

The Indian National Congress came into the election on the back of several government scandals and accusations of mishandling. There were various factions within the congress. The BJP grew from strength to strength and emerged as the single largest party in a hung house. The BJP won 161 seats, Congress 140 and the Janata Dal 46. The rise of regional parties started with this election. The regional parties won 129 seats. Prominent among them were TDP, Shivsena & the DMK. As per the prevailing custom, the President invited BJP to form the government. The BJP attempted to build a coalition, but could not go far and Atal Bihari Vajpayee had to resign as the PM in 13 days. His resignation address in the Loksabha is well known. The Congress Party declined to form the government but chose to extend outside support to Janata Dal and other smaller parties that formed into the 'United Front'. Out of nowhere, H D Devegowda became the Prime Minister and he lasted for 18 months before he had to step down and make way for I K Gujral. He also could not last long following differences within the Janata Dal.

The Twelfth Loksabha (1998-99).

The BJP emerged as the single largest party with 182 seats out of 543. Congress won 101 and the other regional parties won 101 seats. The BJP formed the National Democratic Alliance (NDA) with other regional parties. Atal Bihari Vajpayee was sworn in as the Prime Minister for the second time. His government could not last long and he had to resign after 13 months in office after the AIADMK withdrew support. The NDA lost by just one vote when Dr. Giridhar Gamang, the then Chief Minister of Odisha and also a MP, voted against the NDA. The nuclear tests at Pokhran, The Kargil war were some of the important incidents in this term.

The Thirteenth Loksabha (1999–2004).

These elections were held in the backdrop of the Kargil war. The BJP again emerged as the single largest party with 182 seats while the congress could win only 114. This time the regional parties won 158 seats. The BJP was able to form a more stable NDA this time around and this was the first time that a non congress alliance lasted a full five year term. Atal Bihari Vajpayee was sworn in as the Prime Minister for the third time.

The Fourteenth Loksabha (2004–09).

The BJP went in for early elections alongside launching an ‘India Shining’ campaign. Though it could win the middle class vote, the poorer sections voted for the Congress and other regional parties resulting in the defeat of the NDA. The BJP could win only 138 seats while the Congress improved its tally to 145. The regional parties again ruled the roost with 159 seats. The BJP conceded defeat and the Congress then formed the United Progressive Alliance (UPA) with support from other parties and outside support from the left parties. Sonia Gandhi refused to become the Prime Minister amidst the controversy about her foreign origin. Manmohan Singh was chosen as the Prime Minister.

The Fifteenth Loksabha (2009–14).

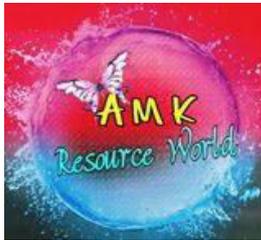
The Congress led UPA implemented a lot of its promises including the enactment of Right to Information (RTI) & the National Rural Employment Guarantee Scheme (NREGS). It also waived off farm loans in 2008. Against this background, it went into the polls in 2009. The NDA on the other hand was led by L K Advani. The Congress won 206 seats, a huge improvement from 2004. The BJP could win only 116. The regional parties won 146 seats. The UPA came to power for the second term in a row. Dr. Manmohan Singh was sworn in as the Prime Minister for the second time.

The Sixteenth Loksabha (2014–19).

The second term of the UPA proved to be a disaster with numerous allegations of corruption & scams. 2G, Coal Block, Adarsh, Commonwealth Games to name a few. The silence of the Prime Minister and the perception that he had no real power made matters worse. The BJP was successfully able to project Narendra Modi as the man of the hour and also as its Prime Ministerial candidate. Rahul Gandhi could not match Narendra Modi. The BJP won majority

on its own with 282 seats while the Congress recorded its worst ever performance with just 44 seats. This was the first time since 1984 that a party won a majority on its own

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