

APPOLO



STUDY CENTRE

Political Science
TEST - 3

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CIVICS
6th term - 1
Unit 1. Under Standing Diversity

1. Understanding diversity

Take a look around your class. Do you see any of your classmates who look similar? Look at the table.

	Student 1	Student 2	Student 3
Mother tongue	Tamil	Malayalam	Hindi
Food	Rice	Puttu	Chappathi
Festival	Pongal	Onam	Holi

From the below table, we understand that the three students are different from one another. This shows that people speak different languages, eat different kinds of food, celebrate their own festivals and practice a culture different from one another. Similarly, people who live in different parts of our country differ in their ways of life. These differences make us unique as Indians. We come from different backgrounds, belong to different cultures, and worship in different ways, yet we live together. This is known as diversity.

2. Diversity in India

India is a home to a civilisation that is 5,000 years old. Different groups of people from different parts of the world were attracted towards India over the years because of its wealth. Some came for trade with the local people and others were keen on invading its territory. So diverse races of people migrated into India by land and sea routes over time. Thus the Dravidians, Negroids, Aryans, Alpines and Mongoloids became part of the modern Indian race. Then, the people who migrated to India also moved to other parts of the country. This movement and migration of people is the reason for India's rich diversity.

We will now study the diversity in India under the following broad headings: land forms and lifestyles diversity, social diversity, religious diversity, linguistic diversity and cultural diversity.

Land Forms and Lifestyle Diversity

A continent is a very large area of land with various physical features such as mountains, plateaus, plains, rivers and seas and various types of weather patterns. India has all of them. India is known as a sub-continent. These features have an underlying influence upon the people who live in different landforms of the country.

Physical and climatic features determine the economic activities of a region. People living in the plains thrive on agriculture, while people in the coastal areas take to fishing for their livelihood. In mountainous regions, rearing of animals is undertaken. Hilly landscapes are supported by favourable climatic conditions for the cultivation of coffee and tea.

Diversity in landforms also impacts the flora and fauna of a region. The plant and animal wealth of a place depends upon the natural habitat and the climate that prevails in that region. Food, clothing, occupation and livelihood of the people is closely connected with the region's natural surroundings and climate.

Social Diversity

Interdependence and Co-existence

A community is a place where people live together with a common interest or heritage. Our community is made up of peasants, labourers, artisans, parents, teachers, students and many others. For a comfortable livelihood, communities depend on each other.

Family and Society

Families constitute the fundamental unit of a society. There are two types of families: joint families and nuclear families. Families live in a harmonious neighbourhood. Hundreds of neighbourhoods collectively form a village and thousands of them group together in a city. The needs of people and the interdependence of communities for

amenities such as water, food, electricity, education, and housing and so on bring us together to live in harmony. Though we are diverse in our cultural practices, we are united and interdependent socially.

Religious Diversity

Our Constitution declares India to be a secular nation in which all religions are treated equally. The freedom of religion is our fundamental right. India is the birthplace of many religions and has become the home of many others. Hinduism, Islam, Christianity, Sikhism, Buddhism, Jainism and Zoroastrianism flourish in India.

India is a land of festivals, where people from different religions engage in many colourful celebrations in different parts of the country and co-exist harmoniously. The wide variety of festivals celebrated in India is a true manifestation of its rich culture and traditions. Festivals like Pongal, Deepavali, Holi, Vijayadhasami, AyudhaPuja, Navaratri, Durga Puja, Dussehra, Ganesh Chaturthi, Bihu, Kumbamela, Onam, MiladiNabi, Ramzan, Christmas, Buddha Pournima, MahavirJayanthi, Guru Nanak Jayanthi and Rakshabandhan are some of the festivals that denote the cultural diversity of India.

Linguistic Diversity

According to census of India 2001, India has 122 major languages and 1599 other languages. Four major Indian language families are Indo-Aryan, Dravidian, Austroasiatic and Sino Tibetan. Tamil is the oldest Dravidian language.

Historically, the Portuguese, the Dutch, the British, the Danish and the French came to India for trade and their occupation of India or some parts of it has left behind a certain impact upon the culture and language of the people. Because the Britishruled over the entire country for over three hundred years before independence in 1947, the English language gained prominence in India. In due course, English has emerged as an important language and a medium of instruction in schools and colleges. It is widely used in official communication daily life.

The Constitution of India recognises twenty-two languages as official languages. The Government of India has declared Tamil as the first classical language in 2004. Apart from Tamil, five other Indian languages have been declared as the classical languages, by the Government of India.

Cultural Diversity

The term 'culture' refers to customs and practices of people, their language, their dress code, cuisine, religion, social habits, music, art and architecture. The culture of a group of people is reflected in their social behaviour and interactions. The group identity fostered by social patterns is unique to a group.

Art and architecture are an integral part of every community. It develops as a part of culture and tradition of a community. Each of the 29 states and 7 Union territories of India has rich traditions and unique ways of artistic expression.

About 60 percent of the total epigraphical inscriptions found by the Archaeological Survey of India (ASI) are from Tamil Nadu, and most of these are in the Tamil script.

Popular Dances of India

In ancient times, dance was considered as a way to celebrate, worship and also as a gesture of thanks giving and joy. Dances of India reflect its cultural richness.

Music and dance go hand in hand. There are several styles of music practiced in India. The Hindustani music, Karnatic music, Classical Tamil Music, Folk Music, Lavani, Ghazals are some of them. There are songs from various languages composed by blending these different forms of music.

3. Unity in Diversity

Though diversity is visible in every aspect of life in India, we are united by the spirit of patriotism. Symbols such as the National Flag and National Anthem remind us of our great nation and the need to stay united. Celebration of landmark events such as Independence Day, Republic Day and Gandhi Jayanthi every year brings us together and keeps the spirit of one nation alive within us.

India is known for 'unity in diversity'. This phrase was coined by Jawaharlal Nehru, the first Prime Minister of independent India, in his book *Discovery of India*.

India has a multi-cultural society. India evolved as a single nation through common beliefs, customs and cultural practices. The freedom struggle and the drafting of our Constitution stands as ample evidence to the spirit of unity of India.

V.A. Smith called India as an 'Ethnological museum', as a great variety of racial types exist.

6th term I
Unit 2 - Achieving Equality

- The society that we live in comprises people from various social groups who are different in many ways. Since we believe in 'Unity in Diversity', we should have been living peacefully with one another irrespective of those differences. Often, we see that diversity is not accepted, and people harbour attitudes of hostility towards those who are 'different' from them. They form opinions about the other groups and this often leads to tension in the society. Such 'opinions' are often 'prejudiced'.

1. Prejudice

- Prejudice means to judge other people in a negative or inferior manner, without knowing much about them. It happens when people have false belief and ideas.

Prejudice -----► Pre + Judge

- The word 'prejudice' refers to prejudgement. Prejudices can be based on many things like people's religious beliefs, the region they come from, the colour of their skin, their accent or the clothes they wear. The types of prejudice are gender prejudice, racial prejudice, class prejudice, disability prejudice and so on.
- For example, urban people are more civilised than rural people in attitudes and behaviour, is one such prejudice.

Causes for Prejudice

Some common social factors that contributes to the rise of prejudice are

1. Socialization
2. Conforming behaviours
3. Economic benefits
4. Authoritarian personality
5. Ethno-centrism
6. Group closure
7. Conflicts

2. Stereotypes

- When prejudice gets stronger, it develops into a stereotype. Stereotype is a false view or idea about something. For example, girls are not good at sports. Stereotype is learned at a very early age, and children grow to have very strong ideas or opinions about things, groups or ideologies. As children grow up, the lines of like and hate for other things, people, cultures, beliefs, languages become sharper.

Example

- Ragu was hit in his eye with a soft ball and to everyone's surprise, he started to cry. The others started to laugh at him; Mani felt sad for him but started laughing along with others. Now we understand that when we fix people in our image, we create a stereotype. In the above example, we have a general opinion that girls cry and boys don't cry. When Ragu cried out of pain, others laughed at him.
- Gender-based stereotypes are often portrayed in films, advertisements and TV serials. Almost all the advertisements related to detergents, washing machines, dishwashers and others show a woman as the main lead or user of that product. On the other hand, all the stunts shown in a bike advertisement is performed by ferocious looking men.

3. Inequality and Discrimination

- Inequality means difference in treatment. The different forms of inequalities such as caste inequality, religious inequality, race inequality or gender inequality give rise to discrimination.
- Discrimination can be defined as negative actions towards people. Discrimination can happen on the basis of colour, class, religion, gender etc. Treating dark-skinned people differently from fair-skinned people, giving more importance to people of higher than to those of lower caste and thinking boys are smarter than girls are all thoughts of discrimination.
- Article 15(1) of the Constitution states that the State shall not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

End of Apartheid

After 27 years in prison, former South African President, Nelson Mandela, was freed in 1990 and successfully achieved the end of apartheid in South Africa, bringing peace to a racially divided country and leading the fight for human rights around the world.

Dr. Bhimrao Ramji Ambedkar

- He is popularly known as Baba Saheb.
- He was an Indian jurist, economist, politician and social reformer.
- He earned his M.A. in 1915 and then obtained a D.Sc at the London School of Economics before being awarded Ph.D by Columbia University in 1927.

He served as the chairman of drafting committee of the constituent assembly and hence regarded as the father of Indian Constitution.

He was independent India's first Law Minister.

He was posthumously awarded the Bharat Ratna in 1990.

Caste Discrimination

- Caste system is the most dominant reason for inequality and discrimination in India. In the beginning, the society was divided into different groups on the basis of occupation, known as Varnas.
- Many people in India have fought against caste oppression. The most prominent among them was Dr. B.R. Ambedkar. He belonged to a such depressed family and suffered discrimination throughout his childhood. He fought actively for equality among the citizens of India.

Gender Discrimination

- Gender discrimination refers to health, education, economic and political inequalities between men and women in India. For example, A girl is not allowed to go to college after finishing her schooling. Similarly, most of the girls are not allowed to select a career of their choice rather they are forced into marriage. In some families, girls are not allowed to wear modern dresses while boys in such families often wear modern dresses.

Religious Discrimination

- Religious discrimination is unequal treatment of an individual or group based on their beliefs. Religious discrimination has been around for a long time. There have been problems between people of different religions for thousands of years. Some people are not allowed to enter in public places; especially the places of worship because they belong to another religion. Some religious people often end up in conflict with each other because of their rituals and way of life.

Socio-Economic Inequality

- In the socio-economic field, the benefits of growth have not been spread evenly. However, the income inequality is much higher than the inequality in human development. The low-income districts are associated with low industrial development, low agricultural productivity

Literacy rate - 2011 Census

High			Low		
s.no	District Name	Percentage	S.No	District Name	Percentage
1.	Kanyakumari	91.75%	1.	Dharmapuri	68.54%
2.	Chennai	90.18%	2.	Ariyalur	71.34%
3.	Thoothukkudi	86.16%	3.	Krishnagiri	71.46%
4.	The Nilgiris	85.20%	4.	Villupuram	71.88%

Sex Ratio - 2011 Census Number of females per 1,000 males

High			Low		
S.no	District Name	Percentage	S.No	District Name	Percentage
1.	The Nilgiris	1041	1.	Dharmapuri	946
2.	Thanjavur	1031	2.	Salem	954
3.	Nagapattinam	86.16%	3.	Krishnagiri	956
4.	Thoothukkudi	85.20%	4.	Ramanathapuram	977

and low human development. Similarly, the Districts with literacy rate are found to be with lower sex ratio..

Remedial Measures for Abolishing Inequality and Discrimination

- The remedial measures for abolishing inequality and discrimination in Indian society are as follows.
 1. Wider access to quality basic services like healthcare and education for all.
 2. Be aware of current gender bias.
 3. Make women more visible in public life and institution to eradicate gender disparity.
 4. Be open to learning about other religions.
 5. Promoting community dining in the classroom may help the students to sit together without any bias of caste, religion or gender.
 6. Socialise with people of all types outside home.
 7. Effective implementation of laws.

Constitution of India and Equality

- A Constitution is a set of rules and regulations guiding the administration of a country. Article 14 of the constitution of India provides equality before the law or equal protection within the territory of India and prohibits the unreasonable discrimination between persons.
- Our Constitution says ours is a land of diversity; therefore, equality has to be ensured for all. Two significant parameters to ensure equality in society are respecting diversity and ensuring freedom. The different kinds of freedom are freedom to follow their religion, speak their language, celebrate their festivals and express their views freely.
- The Constitution is a legal framework of rules and regulations by which a nation would function. Equality is where untouchability is seen as a crime. In India, as per the Article 17 of the Indian Constitution, untouchability is totally abolished and its any form is forbidden. Even today, different types of discrimination are reported across the country. Women, peasants, tribes and people from lower social classes are still striving for equality in India.

UNIT 1 - NATIONAL SYMBOLS

Other Symbols of our Country

National flag

The tricolour flag is our National flag. The three colours are of the same width and are arranged horizontally. The saffron at the top represents valour and sacrifice. The green at the bottom represents fertility and prosperity. The white band in between represents honesty peace and purity. The Ashoka chakra or the wheel in navy blue represents truth and peace. Our National Flag's length and width proportion is 3:2 respectively and the Ashoka's chakra has 24 spokes in it.

National Emblem

The four lions on top of the Ashoka Pillar at Sarnath was chosen to be our National emblem. The national emblem was accepted on 26th January 1950, 'Satyameva Jayate' has been inscribed at its bottom. It means 'Truth alone triumphs'. The National emblem consists of two parts-the upper and the lower parts.

The upper part has four lions facing the North, South, East and West. This is on a circular pedestal. One can only see three lions at a time.

The lower part has an elephant, a horse, a bull and a lion. The 'Wheel of righteousness' is placed between them. This emblem is found at the top of the government communication, Indian currency and passport.

National Anthem

'Jana Gana Mana' is our National anthem. It symbolises the sovereignty and integrity of our nation. This anthem was written by Rabindranath Tagore in Bengali. This was transcribed in Hindi and was accepted by the Constituent Assembly on 24th January 1950.

The rules to be observed while singing the Anthem

- This anthem has to be sung at a duration of 52 seconds.
- Everyone should stand erect while singing the national anthem.
- One should understand the meaning while singing.

National song

The song Vande Mataram, composed by Bankim Chandra Chatterjee, was a source of inspiration to the people of India in their struggle for freedom. It has an equal status with Jana Gana Mana. On January 24, 1950, the then President, Dr. Rajendra Prasad came up with a statement in the Constituent Assembly, "the song Vande Mataram, which has played a historic part in the struggle for Indian freedom, shall be honoured equally with Jana Gana Mana and shall have equal status with it."

The song was a part of Bankim Chandra's most famous novel 'Anand Math'.

National pledge

“India is my country. All Indians are my brothers and sisters” is our national pledge. The pledge was written by P. Venkatasubba Rao in Telugu.

National Micro organism

The curd which we consume every day is curdled from milk by a micro organism called *Lactobacillus delbrueckii*. This was accepted as our national micro organism in the year 2012. This micro organism makes the milk undergo a chemical reaction and changes the protein content of the milk. Curd is known for its digestive quality and cooling capacity.

Currency of India- (INR) `

The Indian currency is the Indian Rupees. The currency released by Sher Shah Sur in the sixteenth century was ‘Rupiya’. This ‘rupiya’ has been transformed, into ‘Rupees’. The symbol of rupees is ` . This was designed by D. Udayakumar from Tamil Nadu in the year 2010.

National Calendar

During the reign of Emperor Kanishka he began following a new calendar in the year 78 CE/AD. The year begins from the spring equinox which falls on March 22nd. During a leap year, it begins on March 21st. Our country follows this calendar. The famous astronomer Meghnad Saha headed the March 1957. It was then accepted by the committee as our national calendar. The National symbols help in uniting the diversified sections of India and to instill patriotism.

National Holidays

Independence Day

Every year, August 15 is celebrated as the Independence Day to commemorate India’s freedom from British rule. This auspicious day is also marked as a birth of the world’s biggest democracy, India.

On the day India gained independence, Mahakavi Bharathiyar’s poem “Aaduvome Pallu Paduvome” and it was sung over the AIR (All India Radio) by T.K. Pattammal, a famous singer of Carnatic Music. The celebration of Independence Day continues every year. The Prime Minister unfurls the National Flag on the Independence Day at the Red Fort, New Delhi.

Republic Day

On January 29, the third day of the Republic day, the celebrations are brought to an end with the “Beating Retreat” ceremony. This is performed by the bands of Indian Army, Navy and Airforce. The President of India is the chief guest of this day. Rashtrapati Bhavan will be illuminated at 6pm as a part of the celebration.

On 26th January 1950, India was declared as a democratic state. Every year this day is commemorated as the ‘Republic Day’. The constitution commenced on 26th January 1950. From August 1947 to 26th January 1950, the Queen of Britain was the honorary head of India. The day India was declared as a democratic state, the President became the first

citizen of India. On Republic Day, the President of India hoists the National flag at the Red Fort New Delhi.

Gandhi Jayanthi

The birthday of Mahatma Gandhi, the Father of our Nation, was declared one of the National festivals. It falls on 2nd October. In 2007, the United Nations declared October 2nd as the 'International Day of Non-violence'.



6th term -II

Unit -2 -THE CONSTITUTION OF INDIA

Pathway

The Lesson speaks about the formation of the constitution of India. It gives guidelines to govern the country, while ensuring the fundamental rights and duties of the citizens and how it protects them.

- Yazhinian and Sudaroli are brothers. Yazh is student of standard six and Sudar is in standard four. Yazh was preparing for his class test. Sudar after completing his home assignments was watching an animated series on television. Sudar was watching it but the noise level disturbed Yazh. Sudar was totally engrossed in the series and laughed and clapped loudly. Yazh could not concentrate on his lessons.
- So he asked Sudar to reduce the volume. But Sudar was not ready to adhere to his elder brother's advice. In spite of Yazh's continuous request Sudar did not reduce the volume.
- Yazh complained to his father that Sudar did not decrease the volume of the television in spite of requesting him several times. Yazh made it clear that he had a class test the following day.
- "Isn't your brother preparing for his class test? Weren't you wrong in troubling him?" continued his father.
- "I was watching the TV. Yazh kept disturbing and stopped me from watching it." said Sudar.
- "Studying for the test and watching television are not the same" said his father.
- But Sudar was not ready to accept the fact. Sudar was consistent that he had all rights to watch a film as much as Yazh had the right to study.
- His father admitted that both had equal rights. But one must not hinder another's freedom. Sudar didn't realise the fact that he was very stubborn.
- "Look Sudar. You have all rights to watch the film" said his father.
- "Yes dad"
- "Similarly, Yazh also has the right to listen to his favourite song on TV Couldn't he?"
- "How can that happen? When I watch the television he cannot do that."

- “When you can watch a film by increasing its volume, Yazh can also hear music loudly.” said father.
- “How will I watch the movie?”.
- “How will Yazh study?” .
- “Oh! I didn’t think of it. Okay dad, I will not watch the movie while Yazh studies.” .
- “No my child. You can watch the movie without causing trouble to anyone,” .
- “Don’t be angry Yazh. You study and I promise I will not disturb you.”
- Yazh smiled and patted Sudar’s back and left the place.
- Sudar’s mother was watching everything silently. She said, “ Even to run a small family don’t we need to follow so many rules and regulations? How much more of that will we need to administer a country?” she exclaimed.
- “It is an ocean Deepa. In order to administer people who follow different religions, speak different languages and belong to different castes and culture and treat everyone equally, we need to have a good code of laws and guidelines which we call as ‘The Constitution of India.’
- The next day Sudar and Yazh went to school. It was the Republic Day also.
- The celebration was a jubilant. The students and teachers were standing in line around the flag post. Immediately after the hoisting of the flag, a discussion was held with the chief guest for the day, Mr. Arumugam, an expert in social sciences.
- “Wish you a happy Republic Day!” wished Mr. Arumugam.
- “Wish you the same Sir.”
- “Do you know why do we celebrate the Republic Day?”
- “Our Constitution was framed and came into existence from 26th January 1950. That is why every year we observe this day as the Republic Day.” said the history teacher Malarmathi
- “Yes, it is true. There are other reasons why this constitution came into existence on 26th January 1950. When the Congress met at Lahore in 1929, the members of the Congress unofficially declared the same day as the Day of Poorna Swaraj or the Day of complete self governance. The next year, 26th January 1930 was celebrated as the Independence Day. That day has been observed as our Republic Day.”
- “What do you mean by the “Constitution of India” asked Nathar.

- “Before that, let me ask a few questions. You answer me. Then I will explain in detail about the constitution of India.”.

“All right sir.”

(The students were prepared to answer the questions)

“Are you following any rules and regulation at home?”

“Yes sir”

“Are you following any rules at school?”

“Yes sir”

“Are both of them the same or different?”

“Mostly, they are different”

“Is it necessary to follow certain rules in public places?”

“Yes, Sir”

“Why is it necessary?”

“We should not disturb anybody in public” said Tamilselvi.

“It’s true. Also no one should disturb us” said Selva

- “Yes, I do accept it. But what if someone compels you to follow some rules? How would you feel?”

“It would be difficult to do so.”

“How do you feel when you are asked to make your own rules?”

- “We would be proud and pleased to obey our own rules.” (Everyone agreed and nodded their heads)
- The constitution is an authentic document containing the basic ideas, principles and laws of a country. It also defines the rights and duties of citizens. The laws governing a country originate from the constitution. Every country is ruled on the basis of its constitution”
- “What are the things that make the constitution of India?” asked Deepika.

- “The constitution of India is the ultimate law. We have to abide by it. It explains the fundamental concepts of structure, methods, powers and the duties of Government bodies. It also lists the fundamental rights and duties of the citizens. Directive Principles are also mentioned in the constitution. So it is holistic in nature.”
- “When did they begin to frame the constitution?” asked Christopher.

Constituent Assembly

- In 1946, nearly 389 members of the constituent Assembly who belonged to different parties from different places came together to frame the Constitution of India. The Chairman of the committee was Mr. Rajendra Prasad.
- Jawaharlal Nehru, Sardar Vallabai Patel, Moulana Azad, S. Radhakrishnan, Vijalakshmi Pandit and Sarojini Naidu were the significant members in the Constituent Assembly. 15 women members were in the Constituent Assembly
- “Who were the other significant members in the Constituent Assembly?”

“How many women members were there in the Constituent Assembly?”

The Father of the Constitution of India is Dr. B.R. Ambedkar.

“15 women members were in the Constituent Assembly”

Drafting committee

- The Drafting committee was formed with eight members and its Chairman was B.R. Ambedkar; B.N. Rao was appointed as an advisor. The committee met for the first time on 9th December 1946. On the same day, the drafting of constitution of India started.

“How did they form the Indian constitution?”

Features of Constitution

- The constitutions of nearly 60 countries including the UK, USA, former USSR, France, Switzerland etc., were thoroughly examined and their best features have been adopted by our constitution.
- No, nearly 2000 amendments were made before the draft was finalised
- It took a period of 2 years, 11 months, and 17 days. It was completed on 26th November 1949.
- The constitution was accepted by the Constituent Assembly. So, 26th November is celebrated as the Day of the Constitution. The Preamble of our constitution stresses on the justice, liberty, equality and fraternity.

- “How much was spent to frame the constitution of India?” asked Nathar.
- “They spent almost 64 lakhs”.
- “What are the objectives of the Constitution?”
- “The Preamble of our constitution stresses on the justice, liberty, equality and fraternity.”

“What is a Preamble?” “

PREAMBLE

- “WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens
- JUSTICE, social, economic and political;
- LIBERTY of thought, expression, belief, faith and worship;
- EQUALITY of status and of opportunity; and to promote among them all
- FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;
- IN OUR CONSTITUENT ASSEMBLY this 26th day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.”
- The preface of the constitution is the Preamble. According to it, India is a Sovereign, Socialist, Secular Democratic Republic.

Features of Preamble

- The constitution has granted the people the right to rule. The members of the parliament and the legislative assembly are elected by the people. The right to decide is only in the hands of the representatives. Sovereignty refers to the ultimate power of the country.
- Law allows all the citizens of a country, the right to follow different faith and religious beliefs. All citizens enjoy the freedom of worship. The country does not have a religion of its own. All the religions in our country hold the same status.

Type of Government

- The Constitution of India provides a Parliamentary form of Government, both at the centre and the state. In a Parliamentary System, the Executive is collectively responsible to the Legislature. The party which has the majority forms the government.

Fundamental Rights

- “What are fundamental rights?”
Fundamental rights are the basic human rights of all citizens.

Directive Principles

- “You mentioned about Directive Principles. What do you mean by that?”
- There are certain guidelines to be followed while the governments frame law. Though these are not mandatory, they should be taken into account.”

Universal Adult Franchise

“What is Universal Adult Franchise?”

- Every Indian citizen has the right to vote when they attain 18 years of age, irrespective of any caste, religion, gender or economic status.
- “Like fundamental rights, every citizen will have duties too, won't they?”

Fundamental duties

- There are duties respecting the National flag and National Anthem, respect and protect the Constitution, follow our great leaders who fought for our freedom, to protect our country, readiness to serve our country if necessary, treating everyone as brothers irrespective of their castes, religions, languages, races etc., to conserve our ancient heritage, and conserve natural elements like forests, rivers and lakes and fauna, to develop science, humanity and feelings of reformation to avoid non-violence and protect government property, parents or guardians providing educational opportunities to children between 6-14 years etc., have been added as our duties

6th term 3

UNIT – 1 DEMOCRACY

The citizens of a country select their representatives through elections. Thus, they take part in the direct governance of a country. This is termed Democracy.

In a democratic form of government, a considerable amount of power lies with the people of that nation. People can participate in the politics of the country and decision making processes. There are different types of democracy.

1. Direct democracy

In a Direct Democracy, people have the power to frame laws. The choice of the majority will be accepted. The others will also give their consent.

In a Direct Democracy, only the citizens can make laws. All changes have to be approved by the citizen. The politicians only rule over parliamentary procedure. **Switzerland** has had a long history of a successful direct democracy.

Representative Democracy

To select these representatives, elections are held. For example, many contest for the post of the Head, Secretary and members of the administration group.

In the end, those who gain the maximum number of votes will be given the posts. On behalf of the other members, they obtain the power to take decisions in a democratic manner. This is termed as Representative Democracy.

In the system of democracy, the power to take decisions does not lie with the Head. On the contrary, a group holds the power, but adheres to the rules and regulations. All the members of the group hold open discussions and take final decisions only when everyone is convinced. This is called democratic way of decision making.”

NOTE: The birth place of democracy is Greece.
In 2007, the UNO General Assembly resolved to observe 15th September as the **International Day of Democracy**.

Indian Constitution

Indian Constitution is the longest written constitution in the world. It is drafted by the Drafting Committee of the Constituent Assembly headed by **Dr. B.R. Ambedkar**. That is why we call him the ‘**Chief Architect of our Constitution**’

Aims of Democracy

Democracy is defined as “Government of the people, for the people and by the people.”

In a democracy, the power is vested in the hands of the people. For that, the people should have rights to take decisions. Everyone cannot participate in decision making. So, the representative government elected by the people to form a democratic system, all

those who attain the age of 18 are given the voting rights to elect the representatives. At the same time, the representatives have the responsibility to protect the welfare of the people.

World Democracy

New Zealand is the first country to allow women to vote (1893). Voting rights to women were given in 1918 and 1920 in the UK and USA respectively. At the same time, the wealthy alone were given the voting rights in India. Many leaders like Mahatma Gandhi kept insisting on giving voting rights to all. Now in India, all the people above 18 years of age enjoy Universal Adult Franchise.

<u>S. no</u>	<u>Democracy</u>	<u>Period</u>	<u>Location</u>	<u>Significance</u>
<u>1.</u>	Greek Democracy Roman	5 th century BC (BCE)	Greece	Foundation of political philosophy
<u>2.</u>	Empires	300 BC - 50 BC (BCE)	Italian Penninsula, Rome	Loads of expansions of the growth of civilization
<u>3.</u>	San Merinos Democracy	AD (CE) 301	Italy	<u>Earliest written constitution still in effect</u>
<u>4.</u>	The Iceland Democracy	AD (CE) 930	Thingvellir	The oldest and longest functioning parliament in the world.
<u>5.</u>	The isle of man's Democracy	AD (CE) 927	Between Great Britain and Ireland	Self governing possessions of the crown
<u>6.</u>	British Democracy	13 th Century AD (CE)	England	Magna Carta of 1215
<u>7.</u>	US Democracy	AD (CE) 1789	United states of America	The oldest standing democracy

UNIT 2 - LOCAL BODIES - RURAL AND URBAN

The urban local bodies are categorized into City Municipal Corporations, Municipalities and Town Panchayats, while the rural local bodies are categorised into Village Panchayats, Panchayat Unions and District Panchayats. These are together known as local bodies.”

Those areas which have a population of more than one lakh and a high amount of revenue and is found in the level below the City Municipal Corporation is called a **Municipality**.

Town Panchayat has about 10,000 population. A **Town Panchayat** is between a village and a city.

NOTE

Tamil Nadu was the first state to introduce a town Panchayat in the whole of India.

The Government of Tamil Nadu will declare certain municipalities based on population and high revenue.

The List of corporations in Tamil Nadu

1. Chennai
2. Madurai
3. Coimbatore
4. Tiruchirapalli
5. Salem
6. Tirunelveli
7. Erode
8. Thoothukudi
9. Tiruppur
10. Vellore
11. Dindigul
12. Thanjavur

Municipal Corporation

A City Municipal Corporation has a **Commissioner**, who is an Indian Administrative Service (IAS) officer. Government officials are deputed as **Commissioners** for the municipalities. The administrative officer of a Municipality is an **Executive Officer** (EO).

Village Panchayats

Village Panchayats are the local bodies of villages. They act as a link between the people and the government. Villages are divided into wards based on their population. The representatives are elected by the people.

The Elected Representatives

1. Panchayat President
2. Ward members
3. Councillor
4. District Panchayat Ward Councillor

Panchayat Union

Many village Panchayats join to form a **Panchayat Union**. A **Councillor** is elected from each Panchayat. Those councillors will elect a Panchayat Union **Chairperson** among themselves. A **Vice Chairperson** is also elected.

A **Block Development Officer** (BDO) is the administrative head, of a Panchayat Union. The services are provided on the Panchayat Union level.

District Panchayat

A District Panchayat is formed in every district. A district is divided into wards on the basis of 50,000 population. The ward members are elected by the Village Panchayats. The members of the District Panchayat elect the **District Panchayat Committee Chairperson**. They provide essential services and facilities to the rural population and the planning and execution of development programmes for the district.

The local bodies are governed by the representatives elected by the people. The constituencies are called wards. People elect their ward members.

The **Mayor** of the City Municipal Corporation and the **Municipal Chairperson** are the elected representatives of the people. The people elect them. The Corporation **Deputy Mayor** and the Municipal **Vice Chairperson** are elected by the ward councillors.

Functions of the village Panchayat

Obligatory Functions

- Water supply
- Street lighting
- Cleaning roads
- Drainage & sewage pipes system
- Laying down roads
- Activation of Central and State Government schemes

Discretionary Functions

- Parks
- Libraries
- Playgrounds, etc.

Functions of the City Municipal Corporation

- Drinking water supply
- Street Lighting
- Maintenance of Clean Environment

- Primary Health Facilities
- Laying of Roads
- Building flyovers
- Space for markets
- Drainage System
- Solid waste management
- Corporation schools
- Parks
- Play grounds
- Birth and Death registration, etc.

As per the decisions taken in the city Hall meetings, the commissioner or officers assign these works to their subordinate officers or other servants. Thus, they all work in various levels to get these public works done. The Government directly allots funds for these works. The local bodies also collect revenue.

Revenue of the Village Panchayat

- House tax
- Professional tax
- Tax on shops
- Water charges
- Specific fees for property tax
- Specific fees for transfer of immovable property
- Funds from Central and State Governments, etc.

Revenue of the City Municipal Corporation

- House Tax
- Water Tax
- Tax on shopping complexes
- Professional Tax
- Entertainment Tax
- Vehicle Charges
- Funds by Central and State Government, etc.

Grama Sabha

A Grama Sabha is formed in every Village Panchayat. It is the only permanent unit in the Panchayat Raj System. Grama Sabha meetings are held even in smaller villages. The Grama Sabha is the grass root level democratic institution in a Village Panchayat.

Those who have attained the age of 18 years and whose names are found in the electoral roll of the same Panchayat can take part in a Grama Sabha meeting. The Grama Sabha meetings are conducted four times a year. Officers like the District Collector, the

Block Development Officer, teachers etc., also participate in this meeting. The people can freely express their needs and grievances.

NOTE

Meetings convened on **January 26, May 1, August 15 and October 2.**

Apart from these days, the meetings can be convened as per need or during emergency

Mahatma Gandhi advocated Panchayat Raj as the foundation of India's political system, as a form of government, where each village would be responsible for its own affairs. The Panchayat Raj Act was enacted on April 24, 1992.

Special features of Panchayat Raj

- Grama Sabha
- Three tier local body governance
- Reservations
- Panchayat Elections
- Tenure
- Finance Commission
- Account and Audit, etc

NOTE

1. **April 24** is National Panchayat Raj Day.

2. **Villupuram District** has the highest number of Panchayat Unions (22), while The Nilgiris and Perambalur Districts have the lowest number (4).

3. **Walajahpet Municipality** (Vellore District) is the first Municipality in Tamil Nadu.

4. **Kanchipuram District** has the most number of municipalities.

Role of women in the Local Self Government

All local bodies have a reservation of 33% for women. In the 2011 Local Bodies election, 38% seats were won by women. As per the Tamil Nadu Panchayats (Amendment) Act, 2016, 50% reservation for women is being fixed in Panchayat Raj institutions.

Local Body Election

The tenure for the representatives of local self Government is 5 years. The election to the Local Bodies is held once in five years by the State Election Commission. Every state has a State Election Commission. The Tamil Nadu State Election Commission is situated in Koyambedu, Chennai.

Tamil Nadu

Village Panchayats - 12,524

Panchayat Unions - 385

District Panchayats - 31

Town Panchayats - 561

Municipalities - 125

City Municipal Corporations -12



7th term 1

UNIT 1- EQUALITY

Equality is ensuring individuals or groups that are not treated differently or less favorably on the basis of specific protected characteristics, including areas of race, gender, disability, religion or belief, sexual orientation and age.

According to **Prof Laski** "Equality does not mean identity of treatment, the sameness of reward. It means first of all absence of social privilege, on the second it means that adequate opportunities are laid upon to all".

Importance of Equality

Equality is a powerful moral and political ideal that has inspired and guided human society for many centuries. The concept of equality invokes the idea that all human beings have equal worth regardless of their caste, color, gender, race or nationality. The democratic ideals such as liberty, equality etc are meaningful and effective only when they are implemented with justice.

Kinds of Equality

Social equality

Social equality means that all citizens are entitled to enjoy equal status in society. There should not be any discrimination of caste, creed, color and race. All should have equal opportunity to develop their personality and to complete goals.

Civil Equality

Civil equality is enjoyment of civil rights by all citizens. There should not be any discrimination of superior or inferior, the rich or the poor, caste or creed. Equal rights should be available to all the persons and nobody should be denied enjoyment of any rights. Rule of law is in force in England and in the eyes of law all are equal and equal treatment is given to all by the rule of law. In India the same rule of law is followed.

NOTE

Rule of law was advocated by A.V.Dicey, the British legal luminary.

Political Equality

All the democratic countries including India have guaranteed the political rights to all citizens. It includes

- Right to vote
- Right to hold public Office
- Right to criticize the government

Citizens should have equal opportunity to actively participate in the political life. These rights can be enjoyed through the Universal Adult Franchise. In India the voting right is given to all the citizens who have attained 18 years of age without any

discrimination. India is the first country to give right to vote to women from the very first general election held in the year 1952. In Switzerland the right to vote is given to women in 1971. Any person who has completed the age of 25 years can contest in the election. Right to criticize the government is also very important right and the people can express their resentment through demonstrations. The value of the vote of the Prime Minister and value of vote of common man in general election is same which denotes political equality.

Gender Equality

All human beings, both men and women, are free to develop their personal abilities and make choices without any limitations. Women were not given equal rights and they were considered as weak as compared to man and they were placed in a secondary position to men. They should be treated equally. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender Equality is the equal right of both men and women to have access to opportunities and resources. They have right to participate in the economic sphere and make important decisions. Women with their talent and hard work have proved that their ability is not less than men in any aspect. Nowadays, women are successfully working in many fields like Border security force, Indian Air Force, etc. For the uplift of women 50% reservation has been given for women in local bodies.

NOTE

UNICEF says Gender Equality “means that women and men, and girls and boys, enjoy the same rights, resources, opportunities and provisions. It does not require that girls and boys, or women and men, be same, or that they be treated exactly alike.”

As of 2017, gender equality is the fifth of seventeen sustainable development goals of the United Nations.

Equality of Opportunity and Education

All the individuals should have similar chances to receive education. They should have similar opportunities to develop their personality. We need equality to get equal treatment in society. If we treat equality we can earn respect and dignity.

Equality in Indian constitution

Almost the constitution all the countries in the world have guaranteed equality. Likewise, the constitution of India has also guaranteed equality to all citizens by providing Articles from 14-18.

Article 14 – guarantees to all the people equality before law.

Article 15 – deals with the prohibition of discrimination.

Article 16 – provides equality of opportunity in matters relating to employment.

Article 17 – abolishes the practice of untouchability .

Article 18 - abolishes the titles conferred to citizen.

Equality before law and equal protection of law have been further strengthened in the Indian constitution under **Article 21**.

We can promote equality by

- Treating all fairly
- Creating an inclusive culture
- Ensuring equal access to opportunities
- Enabling to develop full potential
- Making laws and policies
- Education.

NOTE

Efforts were made by many social activists from the 19th century onwards. The noted champions of this cause were Raja Rammohan Roy, IshwarchandraVidyasagarDayanandSaraswati, MahadevGovindRanade, TarabaiShinde, Begum RokeyaSakhawatHussain. They worked hard to get equal status to the women.

UNIT 2- POLITICAL PARTIES

Political parties are the voluntary associations of individuals with broad ideological identity who agree on some policies, formulate an agenda and programme for the society. Political parties seek to implement their policies by winning people's support through election. Parties vary in size and in the ways they organize themselves as well as in their policies.

Any political party has three basic components

- the leader
- the active members
- the followers

Importance of political parties

Political parties are the backbone of democracy. Parties are not part of the formal arrangement of a government but they are essential elements to form the government. They formulate public opinion. They serve as intermediaries between the citizen and the policy makers.

A party is recognized if

- It has been engaged in political activity for five years.
- Its candidates secure at least six percent of total votes in the last general election.

Characteristics of Political Parties

Political parties

- Consist a group of persons of common goals and shared values.
- Have its own ideology and programme.
- Capture power only by constitutional means.
- Endeavour to promote the national interest and national welfare.

Types of Party System

There are three major types of party system.

Single Party System

A system in which a single political party has the right to form the government. Single party is existed in the communist countries such as China, North Korea and Cuba.

Bi - Party System

In Bi -Party system the power is usually shared between two parties. Of the two parties one becomes the ruling party and the other becomes opposition. eg Bi-Party system can be seen in U.K. (the Labour Party and the Conservative Party) and in U.S.A (the Republican Party and the Democratic Party).

Multi - Party System

When the competition for power is among three or more parties, the system is known as multi party system. This type of party system is in existence in India, France, Sweden and Norway etc.

Party system in India

Countries that follow a federal system have two kinds of parties. India's party system originated in the late 19th century. In fact India has the largest number of political parties in the world. In India we find the existence of political parties at three levels. They are National parties, Regional parties, and Registered but unrecognised parties (independent candidates). Every party in the country has to register with Election Commission.

Recognized parties

Parties that fulfill these criteria are called recognized parties. They are given a unique symbol by the Election Commission.

A registered but unrecognized political party cannot contest election on its own symbol. This party has to choose one symbol from free symbol 'poll panel' announced by the Election Commission.

Free symbols 'Poll panel'

- As per the Election Symbols order 1968, symbols are either reserved or free.
- A reserved symbol is meant for a recognized political party.
- A free symbol is reserved for unrecognized party.

Majority Party

The Political Party whose number of candidates elected is more than the others is called the majority party. The Majority Party forms and runs the government. They select and appoint their ministers to run the government. They play a decisive role in making laws for the country.

Minority Party

Those with lesser number of elected candidates are called the minority party.

Opposition Party

The party which gets second largest number of seats next to the majority party in the election is called the Opposition party. An effective opposition is very essential for the successful operation of the democracy. They are as important as that of ruling party. They

check the autocratic tendencies of the ruling party. They critically examine the policies and bills introduced by the government. They raise their voice on the failures and wrong policies. They highlight important issues which are not acted upon the Government. The leader of the opposition party enjoys the rank of Cabinet Minister.

Coalition Government

In a Multiparty system a single party sometimes may not secure the majority required to form the government. In such a case, some parties join together to form the government. Such government is called Coalition Government.

Electoral Symbols and its importance

An electoral symbol is a standardized symbol allocated to a political party. They play an important role in elections. They can be easily identified, understood, remembered and recognized by the voters. The Election commission has stopped allotting animals as symbols. The only exceptions are the lion and the elephant. The symbol of nationally recognized parties is standard throughout India. That symbol will not be allotted to any other party or individual.

State parties are allotted to certain symbols that no other party can use the symbol in that particular state but which different parties in different states can use the same symbol. (e.g Shiv Sena in Maharashtra and Jharkhand MuktiMorsha in Jharkhand use bow and arrow as their symbol).

National Party	Regional /State Party
❖ National parties are political parties which participate in different elections all over India.	❖ Regional parties are political parties which participate in different elections but only within one state.
❖ It should be strong enough in at least four states.	❖ It should be strong enough in at least one or two states.
❖ It has an exclusive symbol throughout the country.	❖ A symbol is reserved for it in the state in which it is recognized. But the same symbol can be allotted to different parties in different states.
❖ It resolves State, National and International issues.	❖ It promotes regional and state interest.

7th term 2
Unit I - State Government

Teacher: Good Morning my dear students.

Students: Good morning teacher / sir.

Teacher: (after taking attendance) All are present today. Very good. Coming Monday we have a function in our school. All Should be present on that day without fail.

Yogitha: Do we have any cultural programme?

Teacher: Yes. We are going to open the new building of our school.

Students: Yeah! We are going to a new class room!

Muthu: Who will be the Chief guest?

Teacher: We have invited our MLA as the chief guest for the opening ceremony.

Rahim: MLA. I have heard. But I don't know who is he?

Teacher: MLAs are representatives of the people. He is one among us. He is the Member of Legislative Assembly

Saran: What is Legislative Assembly? Will you explain in detail?

Teacher: Sure. (Showing pictures of fort St. George, Assembly session, Chief Minister and other ministers)

Meena: What is that building? Where is it? It looks like a fort.

Teacher: Yes. You are correct. It is a fort in Chennai. First English fortress in India. The fort currently houses the Tamil Nadu legislative assembly and Secretariat of Tamilnadu.

Legislative Assembly has the lower house where all the MLAs meet to discuss various matters related to the welfare of the state

Kayal: Who will be there in that Legislative Assembly?

Teacher: Listen! India has separate system of administration for the Union, States and Union territories. Do you know how many states and union territories are there in India?

Ravi: Shall I tell? 29 states and 7 union territories including our capital territory Delhi? Am I right teacher?

Teacher: Exactly. As I said already power is divided between two sets of governments one at the central in Delhi and separate governments for all the states. This is called as federal system.

India is a Parliamentary democratic republic where the President of India is the Head of Indian Union and the Prime Minister and all the Ministers are responsible for smooth running of the government. This is called central government.

Nilu: Do we have a separate government for states?

Teacher: Yes. All the states and union territories have separate governments to run its own administration. Governor, Chief Minister and all the ministers constitute the Government. The member of the Parliament is called MP whereas the member of the Legislative Assembly is called MLA. Both the Central and State Governments work according to our constitution.

John: Oh! Is MLA going to inaugurate the function? Who appoints him?

Teacher: No my child. MLAs are not appointed. They are elected by the people through general election. In the previous lesson we have studied about the political parties. Do you remember? These political parties play a vital role in election. For election, the entire state is divided into several constituencies on the basis of the population. Political parties nominate their candidates to each constituency. All the people residing in that constituency who has completed 18 years of age cast their vote. The candidate who gets the more number of votes is declared as elected and becomes MLA. The Election Commission of India conducts and monitors the elections. After the election the party which gets the more number of MLAs is declared as the majority party. The Governor calls the leader of the majority party to form the state government. In simple words a party whose MLAs has won more than half the number of constituencies in the state are called ruling party and forms the government. And the party which gets the total number of seats next to the majority party, acts as an opposition party in the legislature. But all the MLAs of other political parties who do not belong to the ruling party are called opposition party.

Shanmi: It's very interesting to hear. Who are all included in the State Government?

Teacher: The Governor, the Chief Minister, Council of Ministers. The Governor is appointed by the president of India for the term of five years. The leader of the majority party is appointed as the Chief Minister by the Governor. The Chief Minister in consultation with the Governor constitutes a cabinet which includes members of his party as ministers. The term of the office is five years.

Laya: Teacher! Shall I become the Governor? Or Chief Minister?

Teacher: Why not? My child! That is very simple. To become a Governor, you should be the citizen of India and should have completed 35 years of age and should have sound mind. And should not hold any public office of profit

To become a Chief Minister, you should have completed 25 years of age and should be an MLA or in case of an MLC should have completed 30 years of age.

Arya: Who is an MLC? I never heard.

Teacher: Usually a state Legislature has two houses. Upper House and Lower House. This is called Bi-cameral Legislature. Upper House is called Legislative Council. The members are called MLCs and they are not elected directly by the people. The Lower House is called Legislative Assembly. The members are called MLAs. As I said earlier they are directly elected by the people.

In India some of the states have two houses in their state legislature. But in Tamil Nadu we have Lower House only. This is called unicameral Legislature.

Ammar: Oh! Now can you please tell me the powers and functions of Governor and Chief Minister?

Teacher: Sure. The Governor is an integral part of the State Legislature. Governor is the head of the state executive and he has enormous powers. All the administration is carried on in his name. He is the chancellor of Government universities in the state. All bills become law only after his assent. He appoints important officials of the state government such as Advocate General, Chairman and members of State Public Service Commission, State Election Commissioner, Vice chancellors of state universities etc.

The Chief Minister is the real executive head of the state administration. He allocates the portfolios among the ministers. The Council of Ministers are collectively responsible to the State Legislature. All the ministers work as a team under the Chief Minister. The Chief Minister formulates programmes and policies for the welfare of the people of the state. The council of Ministers is collectively responsible to the Legislative Assembly of the state.

The three main organs of government are the legislative, executive and judiciary. The legislative branch makes laws, the executive branch enforces the laws, and the judiciary interprets the laws.

Nandhu: Judiciary. Are you saying about the courts teacher?

Teacher: Yes. The High courts are the highest judicial organ at the State level. It is an independent body. As per the constitution there shall be a High Court in each state. The

state high court consists of a Chief Justice and other judges. The number of Judges in the high court is not uniform and fixed. President appoints the Chief Justice and can hold the office until he completes the age of 62 years. Apart from High court there are district courts and tribunals. They ensure justice to the people without any bias. Apart from this, Family Courts are established to settle the disputes relating to marriages and family affairs.

Lok Adalat (people's court) also have been established by the Government of India to settle dispute through conciliation and compromise.

Children: This topic is very interesting to hear. Thank you very much teacher.

Teacher: Thank you children. A cultural programme is being allotted to our class for the inaugural function. So let us think. We have to practice and perform well.



Unit- 2 MEDIA AND DEMOCRACY

"Let noble thoughts come to us from every side"

Introduction:

Traditionally, India has many folk form of communicating with people in rural areas. Harikatha, and koothu are originally a religious media from in which the stories were propagated. It is a collective form of music, dance, speech, storytelling with comic interludes. It has tremendous effect in communicating the messages straight into the hearts of the people. Then socially relevant messages were passed through this medium. Modern methods to address small and medium gatherings include seminars, dramas, public meetings and workshops etc. Print media has been referred to as Peoples University because they perform the role of public informer, educate and custodian of public interest. Let us discuss about Media and its role.

What is Media?

Every individual person is a medium of expression. An individual interacts through the media to reach other individual and institutions. Media is generally the agency for inter-personal communication. Media' includes every broadcasting and narrowcasting medium. Media is the plural of the word medium. Such a medium or media allows to communicate messages, thoughts, ideas, views, etc.

Classification of Media:

Narrowcast Media	Cable Television, Direct mail, Seminar
Broadcast Media	Films, Television, Radio
Print Media	Newspapers, Magazine, Journals, Books, Posters, Reports
Web Media	Google website and Blogs
Social Media	Twitter, Facebook, whatsApp and Instagram

This communication can be classified into:-

Personal communication - these are meant for personal use, like letters, telephone, cell phone, E-mail and fax.

Mass communication -these are used for communicating with the masses. Newspapers, Radio, TV, Collectively they are termed as media.

Printing press was invented Johannes Gutenberg in 1453

Fourth Pillar of Democracy

The four pillars of democracy are Legislature, Executive, Judiciary, and Media. Media ensures the transparency in the working of all the above three systems. This fourth pillar of democracy ensures that all people living in far off areas of country are aware of what's happening in rest of the country. In fact, mass media is the most important vehicle for information, knowledge and communication in a democratic polity.

Importance of the Media:

Media is very powerful entity on the earth. It is a mirror which shows various social, political and economic activities around us. People depend on the media for various needs including entertainment and information. Media keeps the people awakened and it has become one of the major instruments of social change. Media not only bring out the day to day happenings in the world, but also exposes the strength and weakness of the government. It also advertises the various products produced by the private companies. It creates the awareness. All the TV channels broadcast national and international news. Social problems are portrayed in many cinemas. Media provide a balanced report on any matters. It fights against the socio-political evils and injustice in our society while bringing empowerment to the masses and facilitating development.

All India Radio (AIR) Officially known as Akashvani since 1956 (voice from the sky) is the radio broadcaster of the Government of India launched in 1936.

Media and public opinion:

The media plays a prominent role in the formation of public opinion (general opinion of the public on particular issue). It is the powerful tool in contemporary times. It has become a part of the everyday life of the people. They play a significant role in shaping a person's understanding and perception about the events occurred in our daily lives. The mass media play a significant role in providing honest, intelligent and usually unbiased accounts of events. The newspaper reflects the response of the people to the government policies. Thus print media and electronic media helps the people to express their opinion on important social issues.

Ethics and Responsibility:

Ethics is a code of values which govern our lives. So they are very essential for moral and healthy life. In the context of media ethics may be described as a set of moral principles. The media is expected to follow a code of conduct which should be reflected in their reporting and writing. Sensational and distorted news should be avoided.

The fundamental objectives of media are to serve the people with news, views, comments and information on matters of public interest in a fair, accurate, unbiased and decent manner and language. An awakened and free media is very much essential for the function of the government.

It has right to collect information from any primary authentic sources which are important to the society and then report the same with the aim to inform not to create sensation. The media has a massive responsibility in providing factual coverage.

Role of Media in Democracy:

Media is the back bone of democracy. In our democratic society mass media is the driving force of public opinion. Media strengthens the democratic value. It enlightens-^{*} and empowers the people. It can educate the voters and ensures that government is transparent and accountable. Media carry every report of action of administration of the government. Based on the information, the citizen can learn about the functioning of the government and day to day happenings taking place around them.

Theory of Democracy Democracy means rule by the people. It combines two Greek words. Demos refers to citizen. Kratos means either power or rule.

It arranges the debate on current affairs so that we can get the different views for the same issue. Media reminds the government of its unfulfilled promises to the public. It educates masses in rural areas. Parliamentary democracy can flourish only under the watchful eyes of media. Media not only reports but acts as a bridge between the state and public. Thus the media acts as a watch day of the democratic government. A democracy without media is like vehicle without wheel.

Local Media:

Usualy the media reports the news which of national and global importance where as local media addresses public locality.

Name some local media of yourlocality.

Conclusion:

The media, in the contemporary world of information and technology plays a very significant role in educating masses. The media should always keep in mind, that it should not publish anything which corrupts the public mind and disturbs social peace. For healthy society sharing of views, free flow of information, free communication and expression plays a crucial role. Media, being powerful and important instruments of expression have got lot to contribute. Mass media have made the world smaller and closer.

7TH term 3
Unit -1 - Women Empowerment

Introduction

“Feminism is not about making women stronger. Women are already strong. It’s about changing the way the world perceives that strength”.

“The story of women’s struggle for equality belongs to no single feminist nor to any one organisation but to the collective efforts of all who care about human rights”. “You educate a man; you educate a man.

You educate a woman; you educate a generation”.

To call woman the weaker sex is a libel; it is man’s injustice to woman –Mahatma Gandhi.

The empowerment and autonomy of women and the improvement of their political, social, economic and health status is a highly important end in itself. In addition, it is essential for the achievement of sustainable development. Women’s empowerment and achieving gender equality is essential for our society to ensure the sustainable development of the country.

Social Aspects of Gender

In sociology, we make a distinction between sex and gender. Sex is the biological trait that societies use to assign people into the category of either male or female. When people talk about the differences between men and women they are often drawing on sex – on rigid ideas of biology – rather than gender, which is an understanding of how society shapes our understanding of those biological categories.

Gender is more fluid – it may or may not depend upon biological traits. More specifically, it is a concept that describes how societies determine and manage sex categories; the cultural meanings attached to men’s and women’s roles; and how individuals understand their identities including, but not limited to, being a man, woman, transgender, and other gender positions. Gender involves social norms, attitudes and activities that society views as more appropriate for one sex over another. Gender is also determined by what an individual feels and does.

The sociology of gender examines how society influences our understandings and perception of differences between masculinity (what society views appropriate behaviour for a “man”) and femininity (what society views appropriate behaviour for a “woman”). We examine how this, in turn, influences identity and social practices.

The essential factors for empowerment are :

- 1.Education:** Education gives one the ability to think wisely and take thoughtful decisions.
- 2.Gender Discrimination:** A Society which discriminates between the two genders can never be empowered.
- 3. Discrimination based on caste, creed, religion etc.**

Woman's Education

Education is one of the most important means of empowering women with the knowledge, skills and self-confidence necessary to participate fully in the development process. More than 40 years ago, the Universal Declaration of Human Rights asserted that "everyone has the right to education".

Educating the girl child produces mothers who are educated and who will, in turn, educate their children care for their families and provide their children care and support. The girl child needs to be educated to acquire knowledge and skills needed to advance her status for social interactions and self-improvement.

The sustainability and progress of all regions depend on the success of women across the globe. As the former President Barrack Obama said while addressing the United Nations General Assembly in 2012, "the future must not belong to those who bully women. It must be shaped by girls who go to school and those who stand for a world where our daughters can live their dreams just like our sons."

The Unmatched Importance of Female Education

1. Increased Literacy: Of the illiterate youth across the globe, nearly 63 percent are female. Offering all children education will prop up literacy rates, pushing forward development in struggling regions.

2. Human Trafficking: Women are most vulnerable to trafficking when they are undereducated and poor, according to the United Nations Inter-Agency Project on Human Trafficking. Through providing young girls with opportunities and fundamental skills, Human Trafficking can be significantly undermined.

3. Political Representation: Across the globe, women are under represented as voters and restricted from political involvement. The United Nations Women's Programmes on Leadership and Participation suggest that civic education, training and all around empowerment will reduce this gap.

4. Thriving Babies: According to the United Nations Girls' Education Initiative, children of educated mothers are twice as likely to survive past the age of five.

5. Later Marriage: As suggested by the United Nations Population Fund, in underdeveloped countries, one in every three girls is married before reaching the age of 18. In a region where a girl receives seven or more years of education, the wedding date is delayed by four years.

6. Income Potential: Education also increases a woman's earning capabilities. According to the United Nations Educational, Scientific and Cultural Organisation, (UNESCO) a single year of primary education has shown to increase a girl's wages later in life by 20 percent.

7. Prospering GDP: Gross Domestic Product also rises when both girls and boys are being offered educational opportunities. When 10 percent more women attend school, GDP increases by three percent on average.

8. Poverty Reduction: When women are provided with equal rights and equal access to education, they go on to participate in economic activity. Increased earning power leads to reduction in poverty level.

Savitribai Phule as a tradition breaker, the first female teacher at the first girls' school. when we talk about the girls' education only Jyotirao Phule is remembered as the champion of women's education in India. He, along with his wife Savitribai Phule, opened the first school for girls in 1848.

First in the World - Woman

First Woman	Name	Country
Prime Minister	Sirimavo Bandaranaike	Sri Lanka
In space	Valentina Tereshkova	USSR
To scale Mt Everest	Junko Tabei	Japan
To win the Olympic gold	Charlotte Cooper	England

First in India - Woman

First Women's University Maharshi Karve starts SNDT University in Pune with five students in 1916.
First Women to hold a Union Cabinet post Vijaya Lakshmi Pandit
First Women to hold a Union Foreign Minister's post Sushma Swaraj (2014)
First Women youngest minister of a state Sushma Swaraj (She became the cabinet minister of Haryana when she was only 25 yrs old)
First Women governor of Independent India Sarojini Naidu, in charge of United Provinces
First Women president of UN General Assembly Vijaya Lakshmi Pandit (1953)
First Women Prime Minister of India Indira Gandhi (1966)
First Women IPS Officer of India Kiran Bedi (1972)
First Women to win Nobel Peace Prize Mother Teresa (1979)
First Indian Women to climb Mount Everest Bachendri Pal (1984)
First Indian Women to win Booker Prize Arundhati Roy (1997)
First Women President Pratibha Patil (2007)
First Women Speaker of Lok Sabha Meira Kumar (2009)
First Women judge in Supreme Court Meera Sahib Fatima Bibi
First Women President of the Indian National Congress Annie Besant

First Women Chief Minister of an Indian State Sucheta Kripalani
First Women Director General of Police (DGP) Kanchan Chaudhary Bhattacharya
First women defence Minister of India Nirmala Sitharaman
First woman Finance Minister of India Nirmala Sitharaman

Factors Responsible for Poor Female Literacy Rate

1. Gender based inequality.
2. Social discrimination and economic exploitation.
3. Occupation of girl child in domestic chores.
4. Low enrolment of girls in schools.
5. Low retention rate and high dropout rate.

Male Female literacy rate in India: 1951-2011

Census Year	Persons	Males	Females	Male - Female gap in literacy rate
1	2	3	4	5
1951	18.33	27.16	8.86	18.30
1961	28.3	40.4	15.35	25.05
1971	34.45	45.96	21.97	23.98
1981	43.57	56.38	29.76	26.62
1991	52.21	64.13	39.29	24.84
2001	64.83	75.26	53.67	21.59
2011	74.04	82.14	65.46	16.68

Role of woman in the economic development

Importance of women’s economic empowerment in society is inevitable. Empowerment is one of the main procedural concerns when addressing human rights and development. Women’s empowerment and achieving equality is essential for our society to ensure the sustainable development of the country.

Benefits of Economic Empowerment of Woman

1. Women’s economic empowerment is central to realising women’s rights and gender equality.
2. Empowering women in the economy and bridging gender gaps in the world of work are key to achieving the agenda for Sustainable Development
3. When more women work, economies grow.
4. Increasing women’s and girls’ educational attainment contributes to women’s economic empowerment and more inclusive economic growth.
5. It is estimated that companies with three or more women in senior management functions score higher in all dimensions of organisational performance.

The need for Economic Empowerment of Woman

1. Gender differences in laws affect both developing and developed economies, and women in all regions.
2. Women remain less likely to participate in the labour market than men around the world.
3. Women are more likely to be unemployed than men.
4. Women are over-represented in informal and vulnerable employment.
5. Globally, women are paid less than men.
6. Women bear disproportionate responsibility for unpaid care and domestic work.
7. Unpaid care work is essential to the functioning of the economy, but often goes uncounted and unrecognised
8. Women are less likely to be entrepreneurs and face more disadvantages starting businesses.
9. Women are less likely than men to have access to financial institutions or have a bank account.
10. Women are still less likely to have access to social protection.
11. Violence and harassment in the world of work affects women regardless of age, location, income or social status.

Indian society is known for its unity in diversity. Social inequality also prevails in this society which has given birth of weaker section of society which is as diverse as Indian society itself, women, Scheduled caste, scheduled tribes, children, poor, landless farmers are considered as weaker sections. They have faced socio-economic and political discrimination in hands of dominating section since ancient time and their fight for rights and access to justice is almost as old as the discrimination against these marginalised and weaker group.

Summary

Women empowerment and issues related, nowadays gained its importance worldwide. Personal rights, Social equality, Political power, and Economic opportunity are the important aspects of woman empowerment. World governments, both developed and developing countries are sincerely working towards achieving the goal of Women empowerment. Almost the women population shared 50% of the total population of the world; we can't imagine world peace and prosperity without empowering each and every woman on this planet. It is everyone's responsibility to make each woman into an independent and empowered woman.

Unit - 2 Market and Consumer Protection

Introduction

When we talk about a market we generally visualise a crowded place with a lot of shops and consumers. People are buying different types of goods like groceries, clothing, electronics, etc in the market.

And the shops are also selling a variety of products and services as well. So in a traditional sense, a market is where buyers and sellers meet to exchange their goods and services.

But what is a market in economics? In economics, we do not refer to a market as a physical place. Economists described a market as coming together of the buyers and sellers, i.e. an arrangement where buyers and sellers come in direct or indirect contact to sell/buy goods and services. For example, the market for books will constitute all the sellers and buyers of books in an economy. It does not necessarily refer to a geographic location.

A set up where two or more parties engaged in exchange of goods, services and information is called a market. Ideally a market is a place where two or more parties are involved in buying and selling. The two parties involved in a transaction are called seller and buyer. The seller sells goods and services to the buyer in exchange of money. There has to be more than one buyer and seller for the market to be competitive.

Features of a Market

In economics, the term market refers to the shops for one commodity or a set of commodities. For example a market for rice, a market for cloth, a market for electronics goods, etc.

1. A market is also not restricted to one physical or geographical location. It covers a general wide area and the demand and supply forces of the region.

2. There must be a group of buyers and sellers of the commodity to constitute a market. And the relations between these sellers and buyers must be business relations.

3. Both the sellers and buyers must have access to knowledge about the market. There should be an awareness of the demand for products, consumer choices, and preferences, fashion trends, etc.

4. At any given time only one price can be prevalent in the market for the goods and services. This is only possible in the existence of perfect competition.

Classification of Markets

Broadly there are two classifications of markets – the product market and the factor market. The factor market refers to the market for the buying and selling of factors of production like land, capital, labour, etc. The other classification of markets are as follows,

I. On the Basis of Geographic Location

Local Markets: In such a market the buyers and sellers are limited to the local region or area. They usually sell perishable goods of daily use since the transportation of such goods can be expensive.

Regional Markets: These markets cover a wider area than local markets like a district, or a cluster of few smaller states.

National Market: This is when the demand for the goods is limited to one specific country. Or the government may not allow the trade of such goods outside national boundaries.

International Market: When the demand for the product is international and the goods are also traded internationally in bulk quantities, we call it as an international market.

II. On the Basis of Time

Very Short Period Market: This is when the supply of the goods is fixed, and so it cannot be changed instantaneously. Say for example the market for flowers, vegetables, fruits etc. The price of goods will depend on demand.

Short Period Market: The market is slightly longer than the previous one. Here the supply can be slightly adjusted. Example: Long Period Market: Here the supply can be changed easily by scaling production. So it can change according to the demand of the market. So the market will determine its equilibrium price in time. Example:

III. On the Basis of Nature of Transaction

Spot Market: This is where spot transactions occur, that is the money is paid immediately. There is no system of credit.

Future Market: This is where the transactions are credit transactions. There is a promise to pay the consideration sometime in the future.

IV. On the Basis of Regulation

Regulated Market: In such a market there is some oversight by appropriate government authorities. This is to ensure there are no unfair trade practices in the market. Such markets may refer to a product or even a group of products. For example, the stock market is a highly regulated market.

Unregulated Market: This is an absolutely free market. There is no oversight or regulation, the market forces decide everything. Example:

V. On the basis of nature of competition

Monopoly:

Monopoly refers to a market structure in which there is a single producer or seller that has a control on the entire market. This single seller deals in the products that have no close substitutes.

Monopolistic Competition:

The term monopolistic competition was given by Prof Edward H. Chamberlin of Harvard University in 1933 in his book *Theory of Monopolistic Competition*. The term monopolistic competition represents the combination of monopoly and perfect competition. Monopolistic competition refers to a market situation in which there are a large number of buyers and sellers of products. However, the product of each seller is different in one aspect or the other.

Oligopoly:

The term oligopoly has been derived from two Greek words, *Oligoi* means few and *poly* means control. Therefore, oligopoly refers to a market form in which there are few sellers dealing either in homogenous or differentiated products.

1. Who is a Consumer?

A Consumer is a person who purchases a product or avails a service for a consideration, either for his personal use or to earn his livelihood by means of self employment.

The consideration may be:

- ✓ Paid
- ✓ Promised
- ✓ Partly paid and partly promised.

It also includes a beneficiary of such goods/services when such use is made with the approval of such person.

2. Who is not a Consumer ?

A person is not a consumer if he/she:

- ✓ Purchases any goods or avails any service free of charge;
- ✓ Purchases a good or hires a service for commercial purpose;
- ✓ Avails any service under contract of service.

What is Unfair Trade Practice?

An "unfair trade practice" means a trade

practice, which, for the purpose of promoting any sale, use or supply of any goods or services, adopts unfair method, or unfair or deceptive practice. Some of these practices include:

- False representation
- When goods and services are not of stated standard, quality or grade;
- When second hand, renovated goods are sold as new ones;
- When goods and services do not have the claimed use, usefulness or benefit;
- When products / services do not have the claimed warranty / guarantee;
- When the price of product or service is misleading.
- False and misleading advertisement of selling at bargain price.
- Offering gifts, prizes, etc. to lure customers with no intention of providing them.
- Selling goods which do not fall within the safety standards set up by competent authority.
- Hoarding or destroying goods with the intention of raising the cost of these or similar goods manufactured in greater number so as to manipulate higher prices.
- Manufacturing or offering spurious goods or adopting deceptive practices in the provision of services.

Do you know?

“Goods once sold will not be taken back” or “No exchange”, or “No refund under any circumstances” It amounts to Unfair Trade Practice and does not carry any legal weight.

Consumer protection

Consumer protection is a group of laws enacted to protect the rights of consumers, fair trade, competition and accurate information in the market place. The laws are designed to prevent the businesses that engage in unfair practices from gaining an advantage over competitors. They may also provide additional protection for those most vulnerable in society. Consumer protection laws are a form of government regulations that aim to protect the rights of consumers. For example, a government may require businesses to disclose detailed information about products – particularly in areas where safety or public health is an issue, such as food.

Consumer protection is linked to the ideas of consumer rights and to the formation of consumer organisations, which helps consumers make better choices in the marketplace and get help with consumer complaints. Other organisations that promote consumer protection include government organisations and self-regulating business organisations.

Example:

Telecom Regulatory Authority of India – TRAI.

Insurance Regulatory and Development Authority of India – IRDAI.

The Eight Basic Consumer Rights

1. The Right to Basic Needs.
2. The Right to Safety.
3. The Right to Information.
4. The Right to Choose.
5. The Right to Representation.
6. The Right to Redress.
7. The Right to Consumer Education.
8. The Right to a Healthy Environment

The Consumer Protection Act, 1986 (COPRA)

This Act enacted in 1986 in the Parliament of India to protect the interests of consumers. It makes for the establishment of consumer councils and other authorities for the settlement of consumer's grievances and for matters connected there with it. The act was passed in Assembly in October 1986 and came into force on December 24, 1986.

COPRA is regarded as the 'Magna Carta' in the field of consumer protection for checking unfair trade practices, 'defects in goods' and 'deficiencies in services' as far as India is concerned. It has led to the establishment of a widespread network of consumer forums and appellate courts all over India. It has significantly impacted how businesses approach consumer complaints and has empowered consumers to a great extent.

Consumer Protection Councils are established at the national, state and district level to increase consumer awareness. To increase the awareness of consumers, there are many consumer organisations and NGOs that have been established.

Consumer Disputes Redressal Agencies

National Consumer Disputes Redressal Commission (NCDRC): Established by the Central Government. It deals with matters of more than 10 million.

State Consumer Disputes Redressal Commission (SCDRC): Also known as the "State Commission" established by the State Government in the State. It is a state level court that takes up cases valuing less than ₹10 million.

District Consumer Disputes Redressal Forum (DCDRF): Also known as the "District Forum" established by the State Government in each district of the State. The State Governments may establish more than one District Forum in a district. It is a district level court that deals with cases valuing up to ₹2 million.

Consumer protection Act of 2019

Indian Parliament, in August 2019, passed the landmark Consumer Protection Bill, 2019 which aims to provide the timely and effective administration and settlement of consumer disputes in this Digital Age. The New Act will come into force on such date as the Central Government may so notify. The New Act seeks to replace more than 3 (three) decades old Consumer Protection Act, 1986 (Act).

Highlights of the New Act:

1. E-Commerce Transactions: The New Act has widened the definition of 'consumer'. The definition now includes any person who buys any goods, whether through offline or online transactions, electronic means, teleshopping, direct selling or multi-level marketing.

2. Enhancement of Pecuniary Jurisdiction: Revised pecuniary limits have been fixed under the New Act. Accordingly, the district forum can now entertain consumer complaints where the value of goods or services paid does not exceed INR 10,000,000 (Indian Rupees Ten Million). The State Commission can entertain disputes where such value exceeds INR 10,000,000 (Indian Rupees Ten Million) but does not exceed INR 100,000,000 (Indian Rupees One Hundred Million), and the National Commission can exercise jurisdiction where such value exceeds INR 100,000,000 (INR One Hundred Million).

3. E-Filing of complaints: The New Act contains enabling provisions for consumers to file complaints electronically and for hearing and/or examining parties through video-conferencing.

4. Establishment of Central Consumer

Protection Authority: The New Act proposes the establishment of a regulatory authority known as the Central Consumer Protection Authority (CCPA), with wide powers of enforcement. The CCPA will have an investigation wing, headed by a Director- General, which may conduct inquiry or investigation into consumer law violations.

5. Unfair Trade Practices: The New Act introduces a specific broad definition of Unfair Trade Practices, which also includes sharing of personal information given by the consumer in confidence, unless such disclosure is made in accordance with the provisions of any other law.

6. Penalties for Misleading Advertisement: The CCPA may impose a penalty of up to INR 1,000,000 on a manufacturer or an endorser, for a false or misleading advertisement. The CCPA may also sentence them to imprisonment for up to two years for the same. In case of a subsequent offence, the fine may extend to INR 5,000,000 and imprisonment of up to five years. The CCPA can also prohibit the endorser of a misleading advertisement from endorsing that particular product or service for a period of up to one year. For every subsequent offence, the period of prohibition may extend to three years.

Consumer courts in India

National Consumer Disputes Redressal Commission (NCDRC): A national level court works for the whole country and deals compensation claimed exceeds rupees one crore. The National Commission is the Apex body of Consumer Courts; it is also the highest appellate court in the hierarchy. The National Consumer Disputes Redressal Commission (NCDRC), is a quasi-judicial commission in India which was set up in 1988 under the Consumer Protection Act of 1986. Its head office is in New Delhi. The commission is headed by a sitting or retired judge of the Supreme Court of India.

State Consumer Disputes Redressal Commission (SCDRC): A state level court works at the state level with cases where compensation claimed is above 20 lakhs but up to one core. The State Commission also has the appellate jurisdiction over the District Forum.

District Consumer Disputes Redressal Forum (DCDRF): A district level court works at the district level with cases where the compensation claimed is up to 20 lakhs.

Important Acts

- ✓ The Consumer Protection Act, 1986
- ✓ The Legal Metrology Act, 2009
- ✓ The Bureau of Indian Standards Act, 1986
- ✓ The Essential Commodities Act, 1955
- ✓ The prevention of Black Marketing and maintenance of supplies of essential
- ✓ Commodities Act, 1980



8TH CIVICS

UNIT - I: HOW THE STATE GOVERNMENT WORKS?

There are two sets of government in our country – the central government and the state government. There are 29 state governments in our country; every State has a government to run its own administration. The States have their own executive and legislature and Judiciary. The state executive consists of the Governor and the Council of Ministers headed by the Chief Minister. The Governor is an integral part of the State legislature.

The State Executive

The Governor

The Constitution provides for the post of the Governor as the Head of a State in India. He is appointed by the President of India. He is the constitutional Head of a State. The Governor is appointed for a term of five years. But before the expiry of his full term, the President can dismiss him from office. The Governor may also resign on his own interest. His term of office may be extended and he may be transferred to another State. However, the State Government cannot remove the Governor from his post. To be the Governor, a person must be a citizen of India and should have completed 35 years of age. And he cannot be a member of the Parliament or the State legislature. He should not hold any office of profit.

Powers and functions

- The Governor is the Chief Executive in a State. All the executive powers of the State are **vested upon him and decisions are taken in his name. He appoints the Chief Minister and Council of Ministers.**
- He makes some important appointments of the State Government, such as, the Advocate general, Chairman and members of the State Public Service Commission and others.
- The President imposes emergency in a State under Article 356 on the basis of the report of the Governor. The Governor also acts as the Chancellor of State Universities.
- He summons and prorogues the sessions of the State legislature and he can dissolve the Legislative Assembly.
- Money bills can be introduced in the State Legislative Assembly only with the approval of the Governor. The Governor may promulgate ordinances when the Legislative Assembly or both the Houses of the legislature (when there are two Houses) are not in session.
- The Governor may nominate one member from the Anglo- India Community to the Legislative Assembly if there are Anglo- Indian people in a State and when they are not duly represented in the State legislature. He may also nominate 1/6 members of

the Legislature Council from among persons who are experts in the fields of science, literature, arts, social service and co- operative movement.

- The annual budget of the State Government is laid before the legislature with the approval of the Governor. The Governor must give his assent to all the bills passed in the legislature including money bills. The Contingency fund of the State is also placed at the disposal of the Governor.

Position of the Governor

The position of the Governor of a State is compared to the President of India as a nominal executive. But the Governor is not always a nominal executive. He can exercise his powers in the real sense on some occasions. He acts as an agent of the Central Government in a State. Therefore, he is responsible for maintaining relation between the Central Government and the State Government. The Governor may advise the Council of Ministers when faces difficult situations. The President declares emergency in a State on the basis of the report of the Governor regarding the law and order situation in the State. The Governor takes independent decisions while exercising discretionary powers. He may seek information from the Council of Ministers regarding various activities of the Government.

The Chief Minister

The Governor appoints the leader of the majority party in the State Legislative Assembly as the Chief Minister. He is the head of the State Council of Ministers. The Chief Minister has no fixed term of office. He remains in office so long as he gets support of the majority members of the Legislative Assembly. When he loses support in the legislature, he has to resign. The resignation of the Chief Minister means the resignation of the whole Council of Ministers in the State.

The Chief Minister must be a member of the State Legislature. If he is not a member of the State legislature at the time of his taking over charge, he must be so within a period of six months.

Powers and Functions

- The Chief Minister is the chief administrator of the State. All major decisions of the State Government are taken under his leadership.
- The Chief Minister plays an important role in the formation of the Council of Ministers. On the advice of the Chief Minister, the Governor appoints the other Ministers.
- The Chief Minister supervises the activities of different ministries and advises them accordingly. He also coordinates the activities of different ministries.
- The Chief Minister plays an important role in making policies of the State Government. He has to ensure that the policies of the government do not go against public interest. His voice is final in policy decisions of the State Government.

- He plays an important role in making higher appointments of the State Government. The Governor appoints different higher officials of the State Government on the advice of the Chief Minister and his Council of Ministers.

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The Legislature

In India, the State Legislature consists of the Governor and one or two houses. The upper house is called the Legislative Council while the lower house is called the Legislative Assembly.

Legislative Council

The Constitution provides that the total strength of the Legislative Council must not be less than 40 and not more than 1/3 of the total strength of the Legislative Assembly of the State. The members of the Legislative Council are elected indirectly. One third of its members are elected by the local government bodies like the District Panchayat and Municipalities. Another one third is elected by the members of the Legislative Assembly. One twelfth is elected by the graduates of the constituency and another one twelfth by the teachers of secondary schools, colleges and universities. One sixth of the members of the Legislative Council are nominated by the Governor of the State.

The Legislative Council is a permanent house. One-third of its members retire every two years and elections are held to fill the vacant seats. The members are elected for a term of six years. To be a member of the Legislative Council, one must be a citizen of India and should have completed 30 years of age. He cannot be a member of the Legislative Assembly or either of the houses of the Parliament. The Chairman is the presiding officer of the Legislative Council. In his absence, the Deputy Chairman presides over its meetings. They are elected from among the members of that house.

Legislative Assembly

The people who make the laws of a state government are called 'Members of the Legislative Assembly' (MLA). MLAs are chosen from different constituencies. For the election of MLAs the entire state is divided into different constituencies. These constituencies are called the legislative constituencies. One legislative constituency may have one lakh or even more people. One MLA is chosen from each legislative constituency to represent that legislative assembly.

Election to the Assembly

Different political parties compete in the elections to the legislative assembly. These parties nominate their candidates from each constituency. The candidate is that person who contests for the election and asks people to vote for him. A person has to be at least 25 years old to contest for election to the legislative assembly. One person can stand for election in more than one constituency at the same time. Even if a person does not belong to any political party, he can contest election; such candidate is called an independent candidate. Every party has its own symbol. Independent candidates are also given election symbol. The members of legislative assembly (MLA) are elected directly by the people. All people residing in the area of a legislative constituency who are 18 years of age can cast a vote in the legislative assembly elections.

According to the Constitution, a Legislative Assembly cannot have more than 500 members and not less than 60 members. Some seats in the Legislative Assembly are reserved for Scheduled Castes and Scheduled Tribes. The Governor can nominate one member from the Anglo-Indian community. The members of the Legislative Assembly are elected for a term of five years. But the Governor can dissolve the house before the expiry of its term and can call for fresh elections. The meetings of the Assembly are presided over by the Speaker who is elected from among the members of the Assembly. In his absence, the Deputy Speaker conducts its meetings.

The States Council of Ministers

The leader of the majority party in the election is chosen as Chief Minister. In Tamil Nadu there are 234 legislative constituencies. The party with more than 118 elected candidates (MLA) are invited by the governor to form the Government. The Chief Minister (who also should be an MLA) chooses his ministers from the MLAs of his party. Ministers for various departments headed by the Chief Minister is called the State Government. So it is said that the party which got majority seats in the election forms the government.

The working of the State Government

After being elected to the legislative assembly the MLAs are expected to regularly participate in its sittings. The legislative assembly meets 2 or 3 times in a year. The main duty of the Legislative Assembly is to make laws for the state. It can make law on the subjects mentioned in the state list and the concurrent list. However, during state emergency, it cannot exercise its legislative power.

The assembly has control over the State council of Ministers. The State council of ministers are responsible or answerable to the Assembly for its activities. The Assembly may pass a no confidence motion against the council of Ministers and bring its downfall if it is not satisfied with the performance of the council of Ministers. The legislative Assembly has control over the finances of the state. A money bill can be introduced only in the Assembly. The government cannot impose, increase, lower or withdraw any tax without the approval of the Assembly. The elected members of the Legislative Assembly can take part in the election of the president of India and all members can take part in the election of the members of the Rajya Sabha from the state. The Assembly also takes part in the amendment of the Constitution on certain matters. So the government has three basic functions: making laws, executing laws and ensuring justice.

How laws are made in State Government?

Several kinds of rules and laws have been made for all people of our country. For instance, there is a law that you cannot keep a gun without having a licence for it. Or that woman cannot marry before the age of 18 years old and men cannot marry before the age of 21 years. These rules and laws have not been made just like that. People elected their government who thought carefully before making such laws. A lot of such laws are made by the state and central government.

In the legislative assembly meetings, MLAs discuss a number of topics like public works, education, law and order and various problems faced by the state. The MLAs can ask questions to know the activities of ministries, which the concerned ministers have to answer. The legislative assembly makes laws on certain issues. The process of law making as follows:

Executing Laws

It is the job of the state's council of ministers to execute the law. The legislative assembly of Tamilnadu is located at Chennai. The place where a state's legislative assembly is located and where its council of ministers function is called the capital of that state.

The state government has several lakhs of government employees to execute the laws made by the legislative assembly- Collectors, Tahsildars, Block Development Officers, Revenue officers, Village Administrative Officers, Policemen, Teachers and Doctors, etc. All of them are paid salaries by the state government. They have to follow the orders of the state government.

Judiciary of State

High Courts

The High court stands at the apex of the State Judiciary. As per the constitution there shall be a High Court in each state. But there may be a common High Court for two or more states and Union Territories. The State High Court consists of a Chief Justice and such other Judges as the President may appoint from time to time if necessary. The number of judges in the High Court is not uniform and fixed. The President appoints the Chief Justice of High Court in consultation with the Chief Justice of India and the Governor of the state.

A Judge of High Court must have the following qualification:

- He must be a citizen of India
- He must have at least ten years' experience as head of the judicial office in the territory of India.
- He must have at least ten years' experience as an advocate in one or more High Courts.

A Judge of High Court holds the office until he completes the age of 62 years. A Judge of the High Court can be removed from office only for proven misbehaviour or incapacity and only in the same manner in which a Judge of the Supreme Court is removed.

Power and Functions of the High Court

- The High Court has been empowered to issue writs of Habeas corpus, Mandamus, Prohibition, Certiorari and Quo Warranto for the enforcement of the fundamental rights and for other purposes.
- Every High Court has a general power of superintendence over all the lower courts and tribunals within its jurisdiction except military courts and tribunals.
- If a case is pending before a sub-ordinate court and the High Court is satisfied that it involves a substantial question of the constitutional law, it can take up the case and decide it itself.

- The High Court controls all the subordinate courts in the State.
- Like the Supreme Court, the High Court also acts as a Court of Record.

For the purpose of judicial administration, each state is divided into a number of districts, each under the jurisdiction of a district judge. The district court Judges were appointed by the Governor. In the exercise of the above mentioned powers, the High Court enjoys full powers and freedom to act within its jurisdiction. The constitutional safeguards have ensured its independent working.

NOTE

1. While appointing the Governor, the President acts as per the advice of the Union Cabinet. The State Government is also consulted when the appointment is to be made. Generally, a person is not appointed Governor in his own State.
2. At present, only seven states in India have Legislative Council in their legislature. They are Bihar, Uttar Pradesh, Maharashtra, Karnataka, Jammu & Kashmir, Andhra Pradesh and Telengana
3. The State legislature follows the same procedure for passing an ordinary or a money bill like that of the Parliament. In State legislatures also, the Legislative Assembly which is the lower house is more powerful than the Legislative Council which is the upper house.

8th term I

UNIT 2- CITIZENS AND CITIZENSHIP

- The word 'Citizen' is derived from the Latin word 'Civis' which means resident of a City State of Ancient Rome. After the disappearance of City-State system, it has been used to mean a member of the State. The citizens of a state enjoy full civil and political rights.

Citizen and Citizenship

- Citizen is a person of a country who is entitled to enjoy all the legal rights and privileges granted by a state and is obligated to obey its laws and to fulfil his duties.
- Citizenship is the status given to the citizens which provide them the right to legally live in a country as long as they want.

Types of Citizen

There are two types of citizens, Natural and Naturalised citizens.

1. Natural citizens: are the citizens by birth.
2. Naturalised citizens: are the one who acquires citizenship.

Acquisition of citizenship

- The citizenship Act of 1955 prescribes five ways of acquiring citizenship. They are by birth, descent, registration, naturalisation and incorporation of territory.

1) By Birth

- A person born in India on or after 26th January 1950 but before 1st July 1987 is a citizen of India by birth irrespective of the nationality of his Parents.

A person born in India on or after 1st July 1987 is considered as a citizen of India only if either of his Parents is a citizen of India at the time of his birth.

2) By Descent

- A Person born outside India on or after 26th January 1950 but before 10th December 1992 is a citizen of India by descent, if his father was a citizen of India at the time of his birth. A person born outside India on or after 10th December 1992 is considered as a citizen of India if either of his parents is a citizen of India at the time of his birth. From 3rd December 2004 onwards, a person born outside India shall not be a citizen of India by descent, unless his birth is registered at an Indian consulate within one year of the date of birth.

3) By Registration

- A Person of Indian origin who is ordinarily resident in any country or place outside undivided India. A Person of Indian origin who is ordinarily resident in India for seven years before making an application for registration. A Person who is married to a citizen of India and is ordinarily resident in India for seven years before making an application for registration

4) By Naturalisation

- The Central Government may, on an application, grant a certificate of naturalization to any person if he is not a citizen of any country where citizens of India are prevented from becoming subjects or citizens of that country. A citizen of any country, renounce the citizenship of that country he has either resided in India or been in the service of a Government in India or throughout the period of twelve months he is a good character and has an adequate knowledge of a language specified in the Eighth Schedule to the Constitution. (presently 22 languages)

5) By incorporation of Territory

- If any foreign territory becomes a part of India, the Government of India specifies the persons who among the people of the territory shall be the citizens of India. Such persons become the citizens of India from the notified date. For example, when Pondicherry became a part of India, the Government of India issued the citizenship (Pondicherry) order, 1962.

Loss of Indian Citizenship

- Part II of the Constitution of India (Article 5-11) prescribes three ways of losing citizenship.

Renunciation: (is a voluntary act) when a person after acquiring the citizenship of another country gives up his/her Indian citizenship.

Termination: (takes place by operation of law) When an Indian citizen voluntarily acquires the citizenship of another country; he/she automatically ceases to be an Indian citizen.

Deprivation: (is a compulsory termination) The citizenship is deprived on the basis of an order of the Government of India in cases involving acquisition of Indian citizenship by fraud, false representation or being disloyal to the Constitution.

Single citizenship

- Our Indian Constitution provides for only Single citizenship, that is, the Indian citizenship. But federal states like USA and Switzerland has dual citizenship. (National

citizenship and the State citizenship). In India, all citizens irrespective of the state in which they are born or reside enjoy the same political and civil rights of citizenship all over the country.

Rights and Duties of Citizen

- Our Constitution confers the following rights for the citizen of India.
 - ❖ Fundamental Rights
 - ❖ Right to vote in the election to the Lok Sabha and the State Legislature
 - ❖ Right to hold certain public offices
 - ❖ Right to become the Member of Parliament and State Legislature.
 - ❖ According to 42 Amendment of our Constitution, a set of Fundamental Duties are prescribed for all citizens of India. (For e.g. paying taxes honestly, respecting the rights, beliefs and opinions of others, defending the country, respect and obey state and local laws and so on)

Qualities of a good citizen

- ❖ Loyalty to the Constitution.
- ❖ Obeys laws.
- ❖ Contributes to society and community and performs civic duty.
- ❖ Quality of goodness and justice.
- ❖ Respecting diversity.

Global Citizenship

- Global citizenship is an idea that everyone, no matter where they live is part of a worldwide community rather than as the citizen of particular nation or place. All people have rights and civic responsibilities. It is fundamental in enabling young people to access and participate in shaping modern society.
- Our Constitution of India has introduced Single citizenship and provides uniform rights for the people of India to promote the feeling of fraternity and unity among them to build an integrated Indian nation.

NOTE

Indian Citizenship Act, 1955

- This act is to provide for the acquisition and termination of Indian citizenship.

Nationality and citizenship

- Nationality is the status of belonging to a particular nation by origin, birth basically, it's an ethnic and racial concept. Nationality of a person cannot be changed. Citizenship

is granted to an individual by the government of the country when he/she complies with the legal formalities. Citizenship can be changed.

- As per the order precedence President is the first citizen of our country. Alien and immigrant are two terms that are used to refer to non-nationals of a country. Alien refers to all non-citizens or non-nationals residing in a country. eg. tourists, foreign students. Immigrant refers to alien who has been granted the right to reside and work permanently without restriction in a particular country. Overseas Indians' Day Pravasi Bharatiya Divas (PBD) Sponsored by Ministry of External Affairs of Government of India is celebrated once in every two years, to "mark the contributions of Overseas Indian Community in the development of India". The day commemorates the arrival of Mahatma Gandhi in India from South Africa.



Unit - 3 Understanding Secularism

Introduction:

India is a land of multi-religious faith and multi-cultural beliefs. It is the birth place of four major religions; Hinduism, Jainism, Buddhism and Sikhism. In our country people of diverse religions and beliefs have been living peacefully for a long time. Modern nation states are multi-religious states, hence there is a need for tolerance of all religions. The concept of secularism is aimed at creating a society in which people of religious beliefs or people who do not belong to any religion can live together in harmony and peace. Rajaram Mohan Roy, Sir Syed Ahmad Khan, Rabindranath Tagore, Mahatma Gandhi and B.R. Ambedkar were some of the noted individuals held high in public regards who contributed towards the spread of secularism in the various spheres of Indian society. Secularism is invaluable for a society like India which is characterised by religious diversity.

Do you know?

- The term secularism is derived from the Latin word 'saeculum' meaning 'an age' or 'the spirit of an age'.
- George Jacob Holyoake a British newspaper editor coined the term secularism.

What does Secularism mean?

Secularism means an attitude of tolerance towards other religions and peaceful co-existence of citizens belonging to different faiths. It is a policy of neutrality and equality by the states towards all religious communities. Secularism is the principle of separation of state and religion or more broadly no interference of the state in the matters of religion and vice-versa. This means that every citizen is free to propagate, practice, and profess their faith, change it or not have one, according to their conscience.

Atheism - is a lack of belief in god and gods.

Secularism - is non - interference of the state in religious affairs and vice-versa.

Objectives of Secularism

- One religious group does not dominate another.
- Some members don't dominate other members of the same religious community.
- The state does not enforce any specific religion nor take away the religious freedom of individuals.

A simple statement by poet Iqbal illustrates the secular view "Religion does not teach us animosity; We are Indians and India is our home!"

12th Rock Edict, Ashoka

Emperor Ashoka was the first great emperor to announce as early as 3rd century BC (BCE) that the state would not prosecute any religious sect. In his 12th Rock Edict, Ashoka made an appeal not only for the tolerance of all religious sects but also to

develop a spirit of great respect towards them.

The Characteristic Features of a Secular State

Principle of Liberty- the state permits the practice of any religion.

Principle of Equality- the state does not give preference to any religion over another.

Principle of Neutrality- the state remains neutral in religious matter.

A secular state is the one in which the state does not officially promote any one religion as the country's official religion and every religion is treated equally. It gives to every citizen not only the equal right to freedom of conscience but also the right to profess, practice and propagate any faith of their own choice. The state observes an attitude of neutrality and impartiality towards all religions. In a secular state no one is given preferential treatment and the State does not discriminate any person on the basis of their religious practices and beliefs. All citizens are eligible to enter government service irrespective of their faith. There should be absolutely no religious instructions in educational institutions and no taxes to support any particular religion.

Importance of Secularism

The concept of secularism evolved in India as equal treatment of all religions. We need secular state to maintain peace and harmony between people of various religious ideologies. It is a part of democracy, which grants equal rights.

The Mughal emperor Akbar followed the policy of religious toleration. His propagation of Din-i-Illahi (Divine Faith) and Sulh-e-Kul (Peace and harmony among religions) were advocated for religious toleration.

Constitution and Secularism

Secularism is the part of Indian Constitution. The makers of the Indian Constitution were aware that a strong and united nation could be built only when all sections of people had the freedom to practice their religion. So secularism was accepted as one of the fundamental tenets for the development of democracy in India.

The word secularism was not mentioned in our Constitution when it was adopted in 1950. Later on in 1976, the word secular was incorporated in the Preamble through the 42nd Amendment of the Indian Constitution. (India is a Sovereign, Socialist, Secular, Democratic, Republic) The basic aim of our Constitution is to promote unity and integrity of the nation along with individual dignity.

There is no state religion in India. The state will neither establish a religion of its own nor confer any special patronage upon any particular religion. The freedom of religion guaranteed under the Indian Constitution is not confined to its citizen alone but extends to aliens also. This was pointed out by the Hon'ble Supreme Court in the case *Ratilal Panchand V State of Bombay* in 1954.

A 19th century Hindu temple in Khajuraho, India incorporates a Hindu spire, a Jain cupola, a Buddhist stupa and Muslim style dome in place of usual shikara.

The Constitution of India has the following distinguishing features

- a. The state will not identify itself with or be controlled by any religion
- b. The state guarantees to everyone the right to profess any religion of their own.
- c. The state will not accord any preferential treatment any of them.
- d. No discrimination will be shown by the state against any person on account of his religious faith.

a. It creates fraternity of the Indian people and gives assurance the dignity of the individual and the unity of the nation.

The secular Indian state declares public holidays to mark the festivals of all religions.

Mosaic of Constitutional Provisions

Article 15- prohibition of discrimination on grounds of religion, caste, sex or place of birth etc.,

Article 16- equality of opportunity in public employment.

Article 25(1)- guarantees the freedom of conscience and the right to profess, practice and propagate religion individually.

Article 26- Freedom to manage religious affairs

Article 27- The state shall not compel any citizen to pay any taxes for the promotion of any particular religion.

Article 28- on religious instruction or religious worship in certain educational institution.

Article 29(2)- A ban on discrimination in state-aided educational institution .

Why do we need secular education?

Secularism in education means making public education free from any religious dominance. Children as future citizens must get education which should aim at their development of character and moral behavior irrespective of religious affiliation.

Secular education is needed

- to remove narrow mindedness and make dynamic and enlightened view;
- to develop moral and humanistic outlook;
- to train the youth to be good citizen;
- to strengthen democratic values like liberty, equality, and fraternity and co-operatively living;
- to give wider vision towards life;
- to develop an attitude of appreciation and understanding of others point of view;
- to develop the spirit of love, tolerance, co-operation, equality and sympathy;
- to synthesise materialism and spiritualism.

Conclusion:

The Indian State is secular and works in various ways to prevent religious domination. Secularism undoubtedly helps and aspires to enable every citizen to enjoy fully blessings of life, liberty and happiness. The Indian Constitution guarantees fundamental rights that are based

on secular principles. It is one of the glowing achievement on Indian democracy. Secularism

Akbar's tomb at Sikandara near Agra, India

Akbar's instruction for his mausoleum was that it would incorporate elements from different religions including Islam and Hinduism

allows us to live in civility. It compels people to respect other religion. It grants equal rights to the people in respect of their religious faith. It is desirable for a country like India.



Unit - 2 Human Rights and UNO

Introduction:

Everybody is born equal. Each individual in the world has the right to lead a dignified life of his or her own choice. Human rights are related to individuals and society. Human rights denotes all those rights that are inherent and ensure that we live as free people and exercise our choices. The state's role is to ensure that people have equal rights.

What are Human Rights?

Human Rights are rights inherent to all human beings regardless of race, sex, nationality, ethnicity, language and religion. Human rights include freedom from slavery and torture, freedom of opinion and expression and fair trial, the right to life work and education.

Where do Human Rights come from?

A set of basic rights and freedoms has deep roots in European and American countries.

a. Written Precursors of Human Rights Documents

The Magna Carta of 1215(England) - gave people new rights and made the king subject to the law.

The Petition of Right 1628(England) - set out the rights of the people.

The Habeas Corpus Act of 1679(England) - an act for the better securing liberty of the subject

The English Bill of Rights of 1689 - set out certain basic civil rights.

The French Declaration on the Rights of Man and Citizen 1789 - a document of France, stating that all citizens are equal under the law.

The US Constitution and Bill of Rights 1791 - safeguards the rights of the citizens.

b. The Birth of United Nations

The idea of human rights emerged stronger after the Second World War. This War led to unimaginable violation of human rights. During the times of war, human lives lost its value and those affected by war had to struggle till the end of their life. Atrocities during the Second World War made clear that previous efforts to protect individual rights from government violations were inadequate. The rights of man were prevented or eliminated in several parts of the world due to several factors. It is proved that the government of some countries alone could not protect human rights. People wanted to ensure that never again would anyone be unjustly denied life, freedom, food, shelter, and nationality. These voices played a critical role in the San Francisco meeting in which the United Nations Charter was drafted in 1945. At this juncture, an International body, the United Nations Organisation (UNO) which was established on 24th October 1945 took up the issue. Human Rights is an important theme in all UN policies and programmes in the areas of peace and security, development, humanitarian assistance and economic and social affairs.

c. The Universal Declaration of Human Rights (UDHR)

One of the greatest achievements of United Nations is the creation of human rights law. To advance this goal, the UN established a Commission on Human Rights. The Commission guided by Eleanor Roosevelt's (wife of former US president Franklin D Roosevelt) forceful leadership captured the world's attention. Finally, the Universal Declaration of Human Rights (UDHR) was adopted by the UN General Assembly in 1948. It is a milestone document in the history of Human rights. The Declaration was proclaimed by the UN General Assembly in Paris, France on 10th December 1948 (General Assembly resolution 217A). In remembrance of every year 10th December is observed as the Human Rights Day and its

Preamble of UDHR

All men are born free and all are equal in status and rights. They are endowed with intelligence and conscience and obliged to promote the spirit of common brotherhood amongst all men.

regular observance commenced from 1950. It is also known as modern International Magna Carta of Human Rights. Its principles have been incorporated into the Constitutions of most of the (more than 185) nations. UDHR has been translated into more than 500 languages. It is the most translated document in the world.

The Cyrus Cylinder 539 BC (BCE)

Cyrus the Great, the first king of ancient Persia, freed the slaves and declared that all people had the right to choose their own religion and established racial equality. These and other decrees were recorded on a baked clay cylinder in the Akkadian language in cuneiform script. It is translated into all six official languages of the United Nations and its provisions parallel the first four Articles of the Universal Declaration of Human Rights.

Human Rights are based on the values of

- a. **Dignity** - The right to life, the right to integrity, the prohibition of enforced labour, slavery and degrading punishment.
- b. **Justice** - The right to fair trial, proportional punishment to crime, the right not to be tried more than once for the same crime
- c. **Equality** - Equality before law. No discrimination on race, religion, gender, age, ability/disability etc.

Basic Characteristics of Human Rights

Inherent - they are not granted by any person or authority.

Fundamental - they are fundamental rights because without them, the life and dignity of man will be meaningless

Inalienable - they cannot be taken away from the individual.

Indivisible - they can't be denied even when other rights have already been enjoyed.

Universal - they are universal. They apply irrespective of one's origin or status. They are enforceable without national border.

Interdependent - they are interdependent because the fulfillment or exercise of one human right cannot be had without the realization of the other

Human Rights Day is celebrated annually on 10th December every year. It is to honour the United Nations General Assembly for declaring the human rights universally.

Kinds of Human Rights

There are 30 Articles incorporated in the Universal Declaration of Human Rights.

These rights are broadly classified into Five primary categories. They are as follows

a. Civil Rights

The term civil rights refers to the basic rights afforded by laws of the government to every person. This is the right to be treated as an equal to anyone else. It includes the rights to life, liberty, freedom from slavery and arbitrary arrest.

b. Political Rights

Political rights are exercised in the formation and administration of a government. The Civil and Political rights are directly related to modern democracy. They protect the individual from the misuse of political power and recognise every individual's right to participate in their country's political process. It includes the freedom of expression, and peaceful assembly, the right to take part in the government of one's country, the right to vote, the freedom of speech and obtain information.

c. Social Rights

It is necessary for an individual to fully participate in the society. Social rights are those rights necessary for an adequate standard of living including the right to education, health care, food, clothing, shelter and social security.

d. Economic Rights

The right to participate in an economy that benefits all and to desirable work. Economic rights guarantee every person to have condition under which they are able to meet their needs. This includes the rights to employment and fair wage, the reasonable limitation of working hours, shelter, education and adequate standard of living, and the right to property.

e. Cultural Rights

The right to freedom of religion and to speak the language and to practice the cultural life of the community, the right to share in scientific advancement, and right to the protection of moral and material interest.

The Difference between Human Rights and Civil Rights

Human Rights	Civil Rights
Human rights belong to everyone, everywhere, regardless of nationality, sexuality, gender, race,	Civil rights are those rights that one enjoys by virtue of citizenship in a particular nation or state

religion or age.	
Human rights are considered universal to all human beings and universal in all countries	Civil rights vary greatly from country to country or government to government. It is related to the Constitution.
No nation may rightfully deprive human rights to an individual.	Different nations can grant or deny different civil rights and liberties.
Human rights are basic rights inherent with birth	Civil rights are creation of the society.

Human Rights Commission

The Economic and Social Council (ECOSOC), a principal organ of the United Nations was empowered to set up a commission for the promotion of human rights. National level and State level human rights commissions were established to ensure the protection of human rights.

a. National Human Rights Commission

The National Human Rights Commission (NHRC) of India was established on 12th October, 1993. It is an independent statutory, and non-constitutional body. Its headquarters are located in New Delhi. NHRC is a multi-member body which consists of a Chairperson and other members. The President appoints the Chairperson and other members. They are appointed for 5 years or till the age of 70 years whichever is earlier. NHRC has five divisions. Law Division, Investigation Division, Policy Research & Programmes Division, Training Division and Administrative Division. The National Human Rights Commission is responsible for the protection and promotion of human rights in India.

b. State Human Rights Commission

The State Human Rights Commission of Tamil Nadu was formed on 17th April, 1997. It functions at the state level. It consists of three members including a Chairperson. A State Human Rights Commission can inquire into violation of human rights related to subjects covered under State list and Concurrent list in the seventh schedule of the Indian Constitution. (not if NHRC already enquiring)

Human Rights Organisations

Many organisations around the world have taken their efforts to protect human rights and for ending human rights abuses. These nongovernmental organisations monitor the actions of governments and pressure them to act according to human rights principles. Some of these organisations are Amnesty International, Children's Defense Fund, Human Rights Watch.

Indian Constitution Article

24 - prohibits child labour.

39(f) - provides for children to develop in healthy manner.

45 - provides that the state shall endeavor to provide early childhood care and education for all children until they complete the age of six years.

Child Rights

According to Article 1 of the United Nations Convention on the Rights of the Child 1989, 'a child means every human being below the age of eighteen years'. The Convention on the Rights of the Child was proclaimed by UN on 20th November 1989.

The child is considered as an important national asset. The future of a nation depends on how its children mature and develop. So protection of children from all kinds of exploitation and abuses has become the main objective of our society. There are laws in India protecting the rights of the children.

UNO has declared
1978 as International year of women.
1979 as the International year of children.

a. Right to Education Act

Article 21A provides that the state shall provide free and compulsory education to all children aged six to fourteen years.

b. The Child Labour Act (Prohibition and Regulation Act 1986)

It provides no child who has not completed 15 years of age can be employed

c. The Juvenile Justice Act 2000 (Care and Protection of Children)

This Act tries to protect children deprived of adequate care and to reform the children by adopting child friendly approach.

d. POCSO Act 2012

Protection of Children from Sexual Offences Act regards the best interest of the child as being paramount importance in every state.

1098 Child Line This is India's first 24 hours' free emergency phone service for children in need of assistance. Special care is given for vulnerable children those affected by child labour, child marriage and children affected by any abuse.

Women Rights

Women and girl's rights are human rights. Women are entitled to the full and equal enjoyment of all of their human rights and to be free from all forms of discrimination. This is fundamental to achieve human rights, peace and security and sustainable development. The Charter of the United Nations guarantees equal rights to both women and men.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is described as an International bill of rights for women.

In 1995 the Fourth World Conference of Women, held in Beijing, developed a Platform for Action to recognise women's rights and improve women's livelihood worldwide, and follow-up meetings monitored progress towards meeting these goals. The United Nations Development Fund for Women (UNIFEM), has worked since 1995 to implement the Beijing Platform for Action. Only when women and girls have full access to their rights will true equality exist

Maintenance and Welfare of Parents and Senior Citizen Act 2007

This Act makes it legal obligation for children and heirs to provide maintenance to senior citizens and parents. Protection and support during old age are envisaged as human rights.

Legislations	Provisions
The Hindu Widow Remarriage Act 1856	Legalised widow remarriage.
The Hindu Marriage Act 1955	States that the marriageable age for women is 21.
The Hindu Succession Act 1956	Ensures the right to women to inherit their parental property.
The Dowry Prohibition Act 1961	Provides drastic punishments for those ill-treating the bride in the name of dowry
The Eve Teasing Act 1997	Gives relief to women.
Indecent Representation Act 1999	Prohibits the indecent representation of women in magazine, newspapers etc.
The Factory Act 1948, The Plantation Labour Act 1951, The Mines Act 1952 The Maternity benefit Act 1961	Protects the women workers.
Protection of Women from Domestic Violence Act 2005	Protects women from harassment by husband and family members.

Conclusion:

Human rights are about equality and fairness for everyone and it ensures that everyone is treated with dignity and respect. The protection of human right is everyone's responsibility. An understanding and respect for human rights provides the foundation for peace, harmony, security and freedom in our community.

8th civics
Unit -6 Defence & Foreign Policy

I. Defence

Introduction:

India is a peace loving country. India has always maintained cordial relationship with all the other countries in general and with its neighbours in particular. At the same time, it has to strengthen its security to defend its border from any foreign aggression. So the Government of India has given higher priorities to the defence sector. Let us understand the various defence forces of our country.

Need for Defence System

National Security is very essential for the political, social and economic development of any country. It is also important for the growth of a country's peace and prosperity.

Indian Defence Services

The President of India being the head of the State occupies the highest position in our defence organisation. He is the supreme commander of the Armed forces in India.

Security Forces in India can be divided into

Indian Armed Forces - They are primary forces consist of country's Army, Navy, Air Force and Coast guard. They serve under the Ministry of Defence.

Paramilitary Forces - They are Assam Rifles and Special Frontier Force.

Central Armed Police Forces - They are BSF, CRPF, ITBP, CISF and SSB. They serve under the authority of Ministry of Home Affairs. CAPF work along with both Army and Police in different roles assigned to them.

Indian Armed Forces

Army

The Indian Army is the land-based branch and it the largest volunteer army in the world. It is commanded by the Chief of Army Staff

The National War Memorial is a monument built by the Government of India to honour the Indian Armed Forces. The memorial is spread over 40 acres of land and is built around the existing chhatri (canopy) near India Gate, New Delhi. The names of armed forces personnel martyred during the conflicts are inscribed on the memorial walls.

(COAS), who is a four-star general. The primary mission of the Indian Army is to ensure national security, national unity, defending the nation from external aggression, internal threats and maintaining peace and security within its borders. It conducts humanitarian rescue operations during natural disaster and calamities. The Indian Army has a regimental system. It is operationally and geographically divided into seven commands.

Navy

The primary objective of the navy is to safeguard the nation's maritime borders, and in conjunction with other Armed Forces of the union, act to deter or defeat any threats or aggression against the territory, people or maritime interests of India. The Chief of Naval Staff, a four-star Admiral, commands the navy. It has three Naval Commands.

Air Force

The Indian Air Force is the air arm of the Indian armed forces. Its primary mission is to secure Indian airspace and to conduct aerial warfare during armed conflict. The Chief of Air Staff, an air chief marshal, is a four-star officer and is responsible for the bulk of operational command of the Air Force. It has seven commands.

Indian Coast Guard (ICG)

The Indian Coast Guard was established in 1978 by the Coast Guard Act, 1978 of the Parliament of India as an independent Armed force of India. It operates under the Ministry of Defence. The Coast Guard works in close cooperation with the Indian Navy, the Department of Fisheries, the Department of Revenue (Customs) and the Central and State police forces.

Paramilitary Defence Forces

The Forces which help in maintaining internal security, protecting the coastline and assisting the army are known as "Paramilitary Forces". The responsibility is the security of important places like Railway stations, Oil fields and refineries, water reservoirs lines. They also participate in the management of natural or

Field Marshal - is a Five Star General officer rank and the highest attainable rank in the Indian Army.

Sam Manekshaw was the first Field Marshal of India and the second Field Marshal was K. M. Cariappa.

Arjan Singh was the first and the only officer of the Indian Air Force to be promoted to Five Star Rank as Marshal

The Madras Regiment is one of the oldest infantry regiment of the Indian Army, originating in the year 1758. The Regimental Centre is at Wellington, Udhagamandalam, Tamil Nadu.

In 1962, after the Sino-Indian War, the need to expand the number of officers was felt. Two Officers Training Schools (OTS) were established in Pune and Chennai to train officers for Emergency Commission into the Army. On 1st January 1988, the school was renamed as the Officers Training Academy (OTA).

man-made disasters. During peace time, the paramilitary forces also have the responsibility of protecting the international borders.

- a) The Assam Rifles (AR)
- b) The Special Frontier Force (SFF)

The Assam Rifles (AR)

The Assam Rifles came into being in 1835 which was established by the British in the Assam region, as a militia called the 'Cachar Levy'. There are currently 46 battalions of Assam Rifles. It is under the Ministry of Home Affairs (MHA).

The Special Frontier Force (SFF)

The Special Frontier Force (SFF) is a paramilitary special force of India created in 1962. This force was put under the direct supervision of the Intelligence Bureau, and later, under the Research and Analysis Wing, India's external intelligence agency.

The Central Armed Police Forces (CAPF)

Following five forces which come under Ministry of Home Affairs were earlier considered paramilitary forces, but from March' 2011, They have been reclassified as Central Armed Police Forces (CAPF) to avoid confusion.

In 1025 AD (CE), Rajendra Chola I, the Chola king from Tamil Nadu launched naval on the city-state of expedition Srivijaya in maritime Southeast Asia, and conquered Kadaram (modern Kedah). Rajendra's overseas expedition against Srivijaya was a unique event in India's history.

- i) The Central Reserve Police Force (CRPF)
- ii) Indo-Tibetan Border Police (ITBP)
- iii) The Border Security Force (BSF)
- iv) Central Industrial Security Force (CISF)
- v) Special Service Bureau (SSB)

The Central Reserve Police Force (CRPF)

The mission of Central Reserve Police force shall be to enable the government to maintain Rule of law, public order and internal security effectively and efficiently, to preserve national integrity and promote social harmony and development by upholding supremacy of the Constitution.

The Rapid Action Force is a specialised wing of the CRPF (Central Reserve Police Force) to deal with riot, crowd control, rescue and relief operations, and related unrest situations.

Indo-Tibetan Border Police (ITBP)

It is a border guarding police force. This force is specialized in high altitude operations. It is deployed for border guarding duties from Ladakh to Arunachal Pradesh (India - China border).

The Border Security Force (BSF)

The border security force is a Border Guarding Force of India. BSF is charged with guarding India's land border during peace time and preventing transnational crimes.

National Cadet Corps (NCC)

National Cadet Corps is a Tri-Services Organization, comprising the Army, Navy and Air Force, engaged in grooming the youth of the country into disciplined and patriotic

citizens. The National Cadet Corps in India is a voluntary organization which recruits cadets from high schools, colleges and universities all over India. The Cadets are given basic military training in small arms and parades.

Central Industrial Security Force (CISF)

The Central Industrial Security Force was set up under an Act of the Parliament of India on 10th March 1969. Its duties are guarding sensitive governmental buildings, the Delhi Metro, and providing airport security.

SashastraSeemaBal/Special Service Bureau (SSB)

SashastraSeemaBal (SSB), in English the Armed Border Force is the border guardening force for Nepal and Bhutan border.

Home Guard

The Indian Home Guard is a voluntary force, tasked as an auxiliary to the Indian Police.

15th January - Army Day
1st February - Coast Guard Day
10th March - Central Industrial Security Force Day
7th October - Rapid Action Force Day
8th October - Air Force Day
4th December - Navy Day
7th December - Armed Forces Flag Day

Home Guards are recruited from various cross sections of the civil society such as professionals, college students, agricultural and industrial workers, etc. who give their spare time for betterment of the community. All citizens of India, in the age group of 18-50, are eligible. Normal tenure of membership in Home Guards is three to five years.

To protect and guard our nation, our armed forces are always kept ready. Youth should come forward to service and save the nation by joining the armed forces. Recruitment to the Defence services is open to all Indians. It is the duty of every citizen to have an opportunity to serve the country.

II. Foreign Policy of India

A foreign policy is a set of political goals that define how a sovereign country will interact with other countries in the world. It seeks to secure the best interest of the people, territory and economy of the country. Our country's external relation is based on certain principles and policies. India's foreign policy was evolved with the background of her colonial sufferings.

Basic Principles of Foreign Policy

- Preservation of national interest
- Achievement of world peace
- Disarmament

- Abolition of Colonialism, Racism and Imperialism
- Increasing the number of friendly nations
- Economic development

Panchsheel

Jawaharlal Nehru, the first Prime Minister of India was the chief architect of India's foreign policy. Nehru was a supporter of world peace. Hence he gave utmost importance to world peace in his policy planning. He declared the five principles of peace, known as Panchsheel.

These principles included

- Mutual respect for each other's territorial integrity and sovereignty
- Mutual non-aggression
- Mutual non-interference in each other's internal affairs
- Equality and mutual benefit
- Peaceful co-existence

Non-Alignment

The word Non-Alignment was coined by V.K. Krishna Menon. Non-alignment has been regarded as the most important feature of India's foreign policy. Non-alignment aimed to maintain national independence in foreign affairs by not joining any military alliance formed by the USA or Soviet Union in the aftermath of the Second World War. Non-alignment was neither neutrality nor non-involvement nor isolationism. It was a dynamic concept which meant not committing to any military bloc but taking an independent stand on international issues.

The founding fathers of Non-Aligned Movement: Jawaharlal Nehru of India, Tito of Yugoslavia, Nasser of Egypt, Sukarno of Indonesia, and Kwame Nkumarah of Ghana

Nelson Mandela - Leader of the African National Council of South Africa. A determined fighter against apartheid. Apartheid is the worst form of racial discrimination. It is against humanism and democracy. India fought against Apartheid and opposed all types of racial discrimination. The end of racialism in South Africa in 1990 was a great success for India's policy

India's Relation with Neighbouring Countries

India's position is unique in its neighbourhood. India has always favoured international and regional cooperation, because she believes that through cooperation all disputes and problems among nations can be sorted out peacefully. India's foreign policy is based on the principle of developing friendly relations and cooperation with her neighbours.

India shares a common land border with Pakistan, Afghanistan, Nepal, China, Bhutan, Bangladesh and Burma. It also shares a common sea border with Sri Lanka

India is a vast country with

- Pakistan and Afghanistan to the north-west
- China, Nepal, Bhutan to the north
- Bangladesh to the east
- Myanmar to the far east
- Sri Lanka (south-east) and
- Maldives (south-west)

Neighbourhood First policy

It is part of India's foreign policy that actively focuses on improving ties with India's immediate neighbours. India provides neighbours with support as needed in the form of resources, equipment and training. Greater connectivity and integration is provided so as to improve the free flow of goods, people, energy, capital and information.

Act East Policy

South East Asia begins with North East India. Myanmar is our land bridge to the countries of the Association of the Southeast Asian Nations (ASEAN). The purpose is to ensure a stable and multipolar balance of power in the Indo-Pacific and to become an integral part of Asia.

India is actively engaged in general economic diplomacy with its neighbouring countries as below.

SAARC

India believes in regional co-operation. To foster the bonds of brotherhood, co-operation and peaceful co-existence SAARC (South Asian Association for Regional Cooperation) was established. India, Bangladesh, Pakistan, Nepal, Bhutan, Sri Lanka, Maldives and Afghanistan are the eight members of the SAARC.

BCIM

This Bangladesh - China - India - Myanmar Economic corridor envisages the formation of a thriving economic belt, focusing on cross-border transport, energy and telecommunication networks.

BIMSTEC

It refers Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation. Its main objectives are to strengthen and improve the technological economic cooperation, international trade and foreign direct investment cooperation. The member countries are Bangladesh, India, Myanmar, Sri Lanka, Thailand, Bhutan and Nepal.

BBIN

Bangladesh - Bhutan - India - Nepal has signed a framework to enable movement of passengers, cargo vehicles and for energy development.

To summarise, India is a huge country with manifold cultures. It has high status in the South East Asia. India's foreign policy is to maintain peace, freedom and mutual co-operation among the nations. Though India is not in any major military alliance, our relations with the major powers have acquired a strategic depth.

Unit - 2 The Judiciary

"The excellence of the judiciary is a measure of the excellence of the government."

Introduction:

The judicial system of a country needs to be efficient in order to ensure proper justice to all. India has a single unified and integrated judicial system. Judiciary plays an important role as an organ of the government. It administers justice, settles disputes, interprets laws, protects fundamental rights and acts as guardian of the Constitution.

Law: It is a system of rules imposed through a government or institution to govern people.

Judiciary: In law, the Judiciary or Judicial system is the system of courts which administers Justice in the name of the State.

Evolution of Indian Judiciary

a. Judiciary during ancient period

During ancient times, the concept of justice was linked with religion. The king was regarded as the fountain head of Justice. Most of the Kings' courts dispensed justice according to 'dharma', (righteousness and duty) a set of conventional laws, Dharmic laws governed not only the individual but also the society.

Smiritis

In ancient India Smiritis defined the social duties for the individual. There are Manusmiriti, Naradasmiriti, Yajnavalkyasmiriti etc.

The republics of Ganas had their own system of law. We find the existence of Kulika court. Amongst the Vajjis, there was a board of eight Kulikas for the investigation of Criminal cases. Appeal proceeded from Kula courts to Gana Courts.

b. Judiciary during Medieval period

The Tughlaq period saw the compilation of the code of civil procedure. It was called Fiqha-e-FerozeShahi. The code prescribed details of the procedure and the law in several matters. It was written in Arabic and wastranslated into Persian. This was followed till the reign of Aurangazeb when it was replaced by Fatawa-i-Alamgiri written in 1670.

c. Judiciary during Modern period

The Indian judicial system and laws we have today was formed by the British during the colonial rule in the country. The beginning of Indian codified common law is traced back to 1727 (Under the Charter of 1726) when the Mayor's court in Madras, Bombay and Calcutta were established by the East India Company. Regulating Act of 1773 made provision for the formation of Supreme Court. A Supreme Court was established for the first time at Fort Williams in Calcutta. Sir Elijah Impey was appointed as chief justice of that court. In 1801 and 1824 Supreme Courts were established in Madras and Bombay.

These Supreme Courts functioned until 1862 when they were replaced by the High Courts at all the three places.

Warren Hasting, established Mofussil Diwani Adalat to resolve civil disputes and Mofussil Fauzdari Adalat to resolve criminal disputes. The appeals from these courts could be taken to Sadar Diwani Adalat (civil court of appeal) and Sadar Nizamat Adalat (criminal court of appeal). Lord Cornwallis reorganised the civil and criminal judicial system. Under Cornwallis, the District Fauzdari court was abolished and Circuit Court was setup at Calcutta, Dacca, Murshidabad and Patna. During the period of William Bentinck four Circuit courts were abolished.

The Calcutta High Court is the oldest High court in the country, established in 1862, whereas the Allahabad High Court is the largest Court.

Sadar Diwani Adalat and Sadar Nizamat Adalat were established at Allahabad. A law commission was setup by Macaulay, which codified the Indian Laws. On the basis of this Commission, A Civil Procedure Code of 1859, An Indian Penal Code of 1860, and a Criminal Procedure Code 1861 were prepared. The Government of India Act 1935 created Federal Court. It was not the highest court as appeals could lie in certain situation to the Privy Council in England. The Jurisdiction of Privy council was abolished by the Abolition of the Privy Council Jurisdiction Act, 1949. The Supreme Court of India was inaugurated on 28 January 1950.

Judiciary and constitution

India framed its own Constitution. Among the noble aims and objectives of the Constitution, the founding fathers accorded the highest place to 'Justice'. During British period, Indian had neither law nor courts of their own and both the law and courts had been designed for the Colonial Power. The Constituent Assembly members therefore tried to ensure the independence of the Courts with full power of Judicial review. Supreme Court Rules, 1966 are framed under Article 145 of the Constitution to regulate the practice and procedure of the Supreme Court. The Supreme Court of India is the highest court of the land as established by Part V ('The Union') under Chapter IV titled 'The Union Judiciary' and Part VI ('The State') under Chapter VI titled 'Subordinate Courts' of the Constitution of India. Articles 124 to 147 of the Constitution of India lay down the composition and jurisdiction of the Supreme Court of India

The first political philosopher, who propounded the idea of an independent judiciary, was Montesquieu, the famous French philosopher. He believed in the theory of separation of powers of the three branches of the Government - Legislature, Executive and Judiciary.

Structure of courts in India

There are three different levels of courts in our country.

District Courts: The Courts that hear civil cases at the district level are called District Courts

Sessions Court: The Courts that hear criminal cases are called the Sessions Court.

The Panchayat Courts: The Panchayat Courts deal with Civil and Criminal cases at the village level.

The Revenue courts: The Revenue courts deal with the cases of land records. It also assesses and collects land revenue from the land holders.

LokAdalat: LokAdalat was set up to provide speedy justice. It hears and settles the disputes in the language of the people in the public presence. A LokAdalat is presided over by a retired judge along with a lawyer and a social worker. Cases are put forward without advocates. These cases are solved through mutual consent. The first LokAdalat was held on 1982 at Junagadh of Gujarat.

Fast Track courts: These courts were established in the year 2000 with an aim to clear the long pending Sessions and other lower judicial cases.

Tele Law Initiative: To provide legal aid and service to the people in rural areas, the Tele Law Initiative was launched by the Ministry of Law and Justice in collaboration with the Ministry of Electronics and Information Technology. People can seek legal advice from the lawyers through video conferencing available at the common service centre on the 'Tele Law' Portal - a technology enabled platform.

Family Courts: Family courts specifically handle family law matters. They are civil courts and are utilised for various family related claims such as Child custody, Divorce, Adoption, Juvenile issues etc.,

Mobile courts: Mobile courts will be of great relief to the rural people. It would create greater awareness about the judicial system among the rural masses, cut costs for them and render justice as their doorstep.

E-Courts: The E-Courts project was established in 2005. According to the project all the courts will get computerised. Judicial service centre is the part of e-court. The public as well as the advocates can ask directly the case status and next hearing dates with free of cost.

NALSA - The National Legal Service Authority has been constituted under the Legal Services Authorities Act, 1987 to provide free Legal Services to the weaker sections of the society and to organise LokAdalats for amicable settlement of disputes.

Role of the Judiciary

Role of Judiciary can be classified as,

Dispute Resolution	The Judicial system provides a mechanism for resolving disputes between <ul style="list-style-type: none"> • Citizen
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	<ul style="list-style-type: none"> • Citizens and the government • Two State governments <p>The centre and the State governments</p>
Judicial Review	The Judicial has the power to declare a law unconstitutional if it believes that the law passed by the Parliament is violating the basic structure of the Constitution
Upholding the Law and Enforcing Fundamental Rights	Every citizen of India can approach the Supreme Court or High Court if they believe that their fundamental rights have been violated

b. Appellate Jurisdiction: It can hear appeals against the decisions made by the High Court on the granting of certificate by the High Court.

c. Advisory Jurisdiction: The Court can report to the President its opinion about a question of the public importance referred to it by the President.

d. Writs Jurisdiction: The Writs are issued by the Supreme Court under Article 32 and by the High Courts under Article 226 of the Constitution of India.

e. Court of Record: It maintains records of the court proceedings and its decisions are binding upon the lower courts.

f. Special Powers: It supervises the functioning of the lower courts.

High Court

This is the highest court in the states. Every state in India has a High Court. Two or three states may have a common High Court. For example Punjab, Haryana and Chandigarh is having one High Court. It has original, Appellate and Writs Jurisdiction. Below the High Court there are a Subordinate courts in the States.

Independent and impartial function of Judiciary

The framers of the Constitution established independent and impartial judiciary in India. Independence of judiciary is important for the purpose of fair justice. Democratic country like India, judiciary is the custodian of rights of citizens. Therefore, the framers of the Indian Constitution at the time of framing of our constitution were concerned about the kind of judiciary our country should have. This concern of the members of the constituent assembly was responded by Dr. B.R. Ambedkar in the following words:

“There can be no difference of opinion in the House that our judiciary must be both independent of the executive and must also be competent in it. And the question is how these two objects can be secured.”

An effective judiciary should be independent as well as accountable. The independence of the judiciary is the independence of the exercise of the functions by the judges in an unbiased manner i.e. free from any external influence.

The Litigation Process

There are two different types of legal sections in India: Civil and Criminal

Civil Law	Criminal Law
<p>It deals with disputes over money property Eg. Disputes relating to land, rent, marriage</p> <ul style="list-style-type: none"> • A petition has to be filed before the relevant court • Sentences awarded in the form of monetary claim 	<p>It deals with conducts or acts that the law prohibits Eg. Theft, murder, women harassment etc.</p> <ul style="list-style-type: none"> • It usually begins with lodging of an FIR followed by investigation after which a case is filed in court • Punishment is awarded if proven guilty

Public Interest Litigation (PIL): PIL is a litigation filed in a court of law for the protection of “public interest”. The Supreme court introduced this system which allows a person to approach the court with his case. PIL can be filed for the following reasons such as violation of basic human rights, religious rights, pollution, and road safety. This could be done by a written letter stating the case. This concept is unique to the Indian Judiciary

Conclusion:

Judiciary plays a crucial role in a democratic state. Judiciary is the custodian of the Constitution and guardian of fundamental rights. India, the largest representative democracy of the world possesses a well-structured and independent judicial system.

9th civics
UNIT 1 - FORMS OF GOVERNMENT

The governance of nations differs significantly based on who has power. There are different forms of government: aristocracy, monarchy, autocracy, oligarchy, theocracy, democracy and republic.

1. Aristocracy

A form of government in which power is held by the nobility.

Example: United Kingdom, Spain

2. Monarchy

A system of government in which one person reigns supreme, usually a king or queen (constitutional monarchy).

Example: Bhutan, Oman, Qatar

3. Autocracy

A system of government by one person with absolute power.

Example: North Korea, Saudi Arabia

4. Oligarchy

A small group of people having control of a country or organisation.

Example: Former Soviet Union, China, Venezuela

5. Theocracy

A system of government in which religious doctrines form the basis of government headed by a priest who rules in the name of God or proclaims himself as a God.

Example: Vatican

6. Democracy

A system of government in which eligible members in the population vote to elect their elected representatives, and the party or individual who obtains the majority votes forms the government. Example: India, USA, France

7. Republic

A state in which supreme power is held by the people and their elected representatives and which has an elected or nominated President rather than a monarch.

Example: India, Australia

Democracy

- Democracy is a form of government that allows people to choose their rulers.
- Only leaders elected by people should rule the country.
- People have the freedom to express views, freedom to organise and freedom to protest.

Meaning of Democracy

Democracy is a system of government in which the supreme power is vested in the people of a country and people elect their representatives either directly or indirectly through fair and free elections, which are usually held periodically.

Definition

According to Mahatma Gandhi, "True democracy cannot be worked by twenty men sitting at the centre. It has to be worked from below by the people of every village."

Salient Features of Democracy

1. Elected representatives of people and final decision-making power to the representatives.
2. Free and fair elections.
3. Universal adult franchise with each vote having equal value.
4. Fundamental rights and protection of individual freedom.

Evolution of Democracy

Democracy began 2,500 years ago in some of the city-states of ancient Greece. It is important to know that democratic institutions existed in India as early as the Vedic period. Chanakya's *Arthashastra* tells us that in ancient India, an autonomous village community was the basic unit of the local government. In ancient Tamil Nadu, Kudavolai system was a very notable and unique feature of the village administration of the Cholas. The evolution towards a democracy is represented by the following values: freedom, equality, liberty, accountability, transparency and trust.

Types of Democracy

There are two types of democracies:

1. Direct democracy
2. Indirect (representative) democracy

The types of democracy refer to the kind of government or social structures which allow people to participate equally.

Direct Democracy

When the people themselves directly express their will on public affairs, the type of government is called pure or direct democracy.

Example: Ancient Greek city-states, Switzerland

Indirect Democracy / Representative Democracy

When the people express their will on public affairs, through their elected representatives, the type of government is called indirect or representative democracy.

Example: The prevailing system of democracy in India, USA and UK

Democracy in India

India has a parliamentary form of democracy. The Indian Parliament comprises the elected representatives of people and makes the laws for the country. The participation of people in the decision making and the consent of citizens are the two important elements of the parliamentary form of government in India.

India is the largest democratic country in the world. Democracy in India works on five basic principles. These are sovereign, socialist, secular, democratic, republic.

Every person who is a citizen of India and who is not less than 18 years of age can exercise their right to vote in India, based on universal adult suffrage. There is no discrimination based on a person's caste, creed, religion, region, gender and education when it comes to providing the right to vote.

Merits and Demerits of Democracy

Merits

1. Responsible and accountable government
2. Equality and fraternity
3. Sense of responsibility among common people
4. Local self-government
5. Development and prosperity for all
6. Popular sovereignty
7. Sense of cooperation and fraternal feeling

Demerits

1. Indirect or representative nature of democracy
2. Lack of interest in democratic process and hence lower turnout in elections.
3. Instability in governance due to fractured mandate
4. Delay in decision-making process.

Elections in India

India has a quasi-federal government, with elected representatives at the federal, state and local levels. The general elections are conducted by the Election Commission of India. At the national level, the President of India, appoints the Prime Minister, who enjoys majority in the Lok Sabha, the lower house of the Parliament of India. All members of the Lok Sabha are directly elected through general elections, which take place once in every five years, in normal circumstances. Two Anglo Indian members can be nominated

by the President of India to the Lok Sabha. Members of the Rajya Sabha, the Upper House of the Indian Parliament, are elected by an electoral college consisting of elected members of the legislative assemblies of the states and the Union Territories of India. The President of India nominates 12 members for their contributions to art, literature, science and social services.

The First Elections in Democratic India

General elections to the first Lok Sabha since independence were held in India between 25 October 1951 and 21 February 1952. The Indian National Congress emerged victorious by winning 364 of the 489 seats. Jawaharlal Nehru became the first democratically elected Prime Minister of the country.

Major challenges to Indian Democracy

Democracy is the dominant form of government in the contemporary world. It has not faced a serious challenge or a rival so far. In the last hundred years, there has been an expansion of democracy all over the world. The various aspects of democracy and its challenges are:

1. Illiteracy
2. Poverty
3. Gender discrimination
4. Regionalism
5. Casteism, communalism and religious fundamentalism
6. Corruption
7. Criminalisation of politics
8. Political violence

Conditions for the Success of Democracy in India

- Empowerment of the poor and illiterates to enjoy the goodness of democracy.
- Willingness among the elected people not to misuse their powerful position and public wealth.
- Eradication of social evils and dangers from which democracy suffers.
- An impartial and efficient press to form public opinion.
- Presence of strong public opinion.
- Feeling of tolerance and communal harmony among the people.
- Awareness among the people of the fundamental rights that they are entitled to enjoy.
- Conscious check and vigilance on the working of the elected representatives.
- Powerful and responsible opposition.

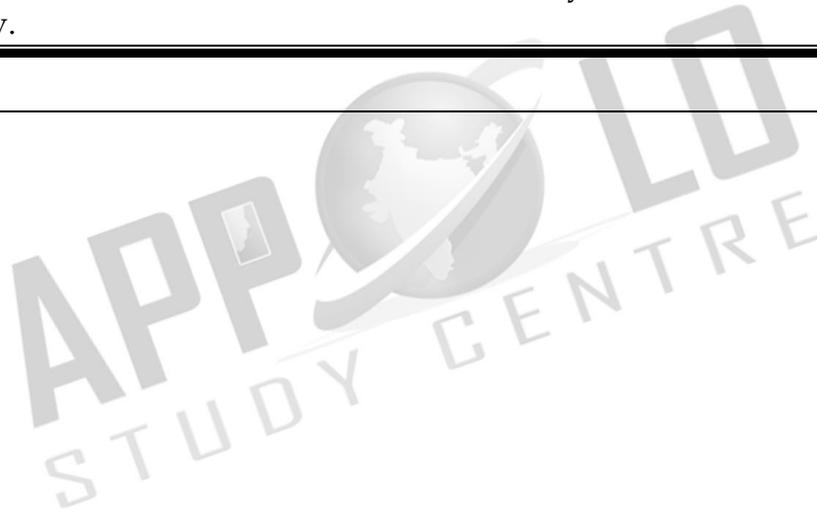
Though democracy in India has been appreciated worldwide for its working, there is still a lot of scope for improvement. The above-mentioned steps must be taken to ensure smooth functioning of democracy in the country.

Indian democracy can be successful and vibrant only when its citizens imbibe and reflect in their behavior the basic democratic values like equality, freedom, social justice, accountability and respect for all. Their mindset, thinking and behavior are expected to be

in tune with the essential conditions of democracy. They have to appreciate the opportunities for their desired roles like participation, making the system accountable, fulfilling obligations, and playing proactive roles to actualize the goals of democracy.

NOTE

1. The term 'democracy' is derived from two Greek words: *demos* meaning people and *cratia* meaning power. Thus, literally democracy means "the power of the people".
2. Abraham Lincoln, one of the Presidents of USA, defines democracy as a government of the people, by the people and for the people.
3. The Parliament House in India was designed by the British architects Edwin Lutyens and Herbert Baker in 1912-13 and construction began in 1921 and ended in 1927
4. Two Houses of Parliament
 - a) Lok Sabha / Lower House / House of People.
 - b) Rajya Sabha / Upper House / Council of States
5. General elections were held in British India in 1920 to elect members to the Imperial Legislative Council and the Provincial Councils. They were the first elections in the country's history.



UNIT 2 - ELECTION, POLITICAL PARTIES AND PRESSURE GROUPS

Electoral System in India

The electoral system in India has been adapted from the system followed in the United Kingdom. India is a socialist, secular, democratic republic and the largest democracy in the world. The modern Indian nation state came into existence on **15 August 1947**.

Articles 324 to 329 in part XV of the Constitution makes the following provisions with regard to the electoral system in our country.

- (i) Article 324 of the Indian Constitution provides for an independent Election Commission in order to ensure free and fair elections in the country. At present, the commission consists of a Chief Election Commissioner and two Election Commissioners.
- (ii) The Parliament may make provision with respect to all matters relating to elections to the Parliament including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing their due constitution.
- (iii) The state legislatures can also make provisions with respect to all matters relating to elections to the state legislatures including the preparation of electoral rolls and all other matters necessary for securing their due constitution.

Election Process

At the national level, the head of government, the Prime Minister, is elected by members of the Lok Sabha, the lower house of the Parliament in India. In representative democracy like ours, elections are extremely important. Voting in elections is the best way to make your 'voice' heard.

Introduction of the NOTA Option

If the people in a democratic country are not willing to elect any candidate, they can vote for the option called NOTA (None Of The Above). Rule 49-O in the Conduct of Elections Rules, 1961, of India describes this procedure.

Types of Elections in India

Elections are classified into two types:

1. Direct Elections

People directly vote for the candidates in the fray and elect their representatives. The following are examples of direct elections in which people over the age of 18 years participate in the electoral process by casting their votes.

- (i) Lok Sabha elections, in which the Members of Parliament are elected.
- (ii) Elections to the state Legislative Assemblies, in which the Members of Legislative Assemblies are elected.
- (iii) Elections to the local governing bodies, in which members of the local governing bodies like the municipal corporation or the panchayat are elected.

Merits

- (i) As the voters elect their representatives directly, direct elections are considered to be a more democratic method of election.
- (ii) It educates people regarding the government activities and helps in choosing the appropriate candidates. Also, it encourages people to play an active role in politics.
- (iii) It empowers people and makes the rulers accountable for their actions.

Demerits

- (i) Direct elections are very expensive.
- (ii) Illiterate voters sometimes get misguided by false propaganda and sometimes campaigning based on caste, religious and various other sectarian consideration pose serious challenges.
- (iii) Since conducting direct elections is a massive exercise, ensuring free and fair elections at every polling station is a major challenge to the Election Commission.
- (iv) There are instances of some political candidates influencing the voters through payments in the form of cash, goods or services.
- (v) Election campaigns sometimes results in violence, tension, law and order problems and affects the day-to-day life of people.

Indirect Elections

Voters elect their representatives, who, in turn, elect their representatives to formal offices like the President's office.

Merits

- (i) Indirect elections are less expensive.
- (ii) It is more suited to elections in large countries.

Demerits

- (i) If the number of voters is very small, there exists the possibility of corruption, bribery, horse trading and other unfair activities.
- (ii) It is less democratic because people do not have a direct opportunity to elect, but they instead do it through their representatives. So, this may not reflect the true will of the people.

Political Parties

Political parties are an essential part of democracy. Parties are the link between government and the people.

Meaning of Political Party

A political party is an organisation formed by a group of people with a certain ideology and agenda to contest elections and hold power in the government. A political party has three components: a leader, active members and the followers.

Types of a Party System

There are three types of party system in the world namely.

- i. Single-party system in which one ruling party exists and no opposition is permitted. China, Cuba, the former USSR (Union of Soviet Socialist Republics) are the examples for the single-party system.
- ii. Two-party system in which only two major parties exist, for example, USA, UK.
- iii. Multi-party system in which there are more than two political parties, for example, India, Sri Lanka, France and Italy.

Types of Political Parties

Political parties in India are classified according to their area of influence into two main types :

- (1) National Parties
- (2) State Parties.

National Parties

A party which is recognized as a state party in at least four states is recognized as a national party. Every party in the country has to register with the Election Commission while the Commission treats all the parties equally. It offers some special facilities to state and national parties. These parties are given a unique symbol. Only the official candidate of the party can use that election symbol. In 2017, there were seven recognized national parties.

State Parties

Other than the seven national parties, most of the major parties of the country are classified by the Election Commission as 'state parties'. These are commonly referred to as regional parties. A party is recognized as a state party by the Election Commission of India based on certain percentage of votes secured or a certain number of seats won in the Assembly or Lok Sabha elections.

Recognition to the Parties

For getting recognition as 'national party', a party has to fulfill any one of the following criteria:

- i. At least 6% votes in at least four states and members to the Lok Sabha.
- ii. In the election of Lok Sabha, at least 2% members from at least three states are elected to Lok Sabha.
- iii. Recognition as a state party at least four states.

Functions of Political Parties

- Parties contest elections. In most democracies, elections are fought mainly among the candidates put up by political parties.
- Parties put forward their policies and programmes before the electorate to consider and choose.
- Parties play a decisive role in making laws for a country. Formally, laws are debated and passed in the legislature.
- Parties form and run the governments.

- Those parties that lose in the elections play the role of the Opposition to the party or a group of coalition parties in power, by voicing different views and criticising the government for its failures or wrong policies.
- Parties shape public opinion. They raise and highlight issues of importance.
- Parties function as the useful link between people and the government machinery.

Role of Opposition Parties in a Democracy

In a democracy, there may be a two-party system like in the USA or a multi-party system like in India and France. The ruling party may have received the mandate of the majority people and the Opposition party represented the remaining people. The Leader of the Opposition party occupied a prominent place in all democratic forms of the government. He enjoys the rank of a Cabinet Minister. He opposes the wrong policies of the ruling party, which affects the general public. As the Chairman of the Public Accounts Committee questions the functioning of the government departments and examines the public money used for the well-being of the people. Similarly, he plays an important role to select the Chairman and members of the Central Vigilance Commission, Chairperson and members of the Information Commission. The Opposition Parties reflect genuine demands and concern of the people to play a constructive role in a democracy.

Pressure Groups

The term 'pressure group' originated in the USA. A pressure group is a group of people who are organized actively for promoting and defending their common interest. It is so called as it attempts to bring a change in the public policy by exerting pressure on the government.

The pressure groups are also called 'interest groups' or vested groups. They are different from the political parties in that they neither contest elections nor try to capture political power.

Examples for Pressure Groups

1. Federation of Indian Chamber of Commerce and Industry (FICCI)
2. All India Trade Union Congress (AITUC)
3. All India Kisan Sabha
4. Indian Medical Association (IMA)
5. All India Students Federation (AISF)
6. All India Sikh Students Federation
7. Young Badaga Association
8. Tamil Sangam
9. Tamil Nadu Vivasayigal Sangam
10. Narmada Bachao Andolan

Pressure Groups in India

A large number of pressure groups exist in India. But, they are not developed to the same extent as in the USA or the Western countries like Britain, France, Germany and so on.

The pressure groups in India can be broadly classified into the following categories:

1. Business groups
2. Trade unions
3. Agrarian groups
4. Professional associations
5. Student organisations
6. Religious organisations
7. Tribal organisations
8. Linguistic groups
9. Ideology-based groups
10. Environmental protection groups

Functions of Pressure Groups in India

Pressure groups are the interest groups that work to secure certain interest by influencing the public policy. They are non-aligned with any political party and work as an indirect yet powerful group to influence the policy decisions. Pressure groups carry out a range of functions including representation, political participation, education, policy formulation and policy implementation.

Political Participation

Pressure groups can be called the informal face of politics. They exert influence precisely by mobilizing popular support through activities such as petitions, marches, demonstrations and other forms of political protest. Such forms of political participation have been particularly attractive to young people.

Education

Many pressure groups devote significant resources by carrying out research, maintaining websites, commenting on government policy and using high-profile academics, scientists and even celebrities to get their views across, with an emphasis to cultivate expert authority.

Policy Formulation

Though the pressure groups themselves are not policy-makers, yet it does not prevent many of them from participating in the policy-making process. Many pressure groups are vital sources of information and render advice to the government and therefore they are regularly consulted in the process of policy formulation.

Mobilization and People's Participation

Mobilization

Mobilising people towards socially productive activities that lead to the overall betterment of people's lives is essential. Sometimes earthquakes, tsunamis, floods and other such natural disasters on a massive scale occur and people's immediate mobilisation for evacuation and emergency relief becomes most essential.

Democratic Participation

Democracy can succeed only when smaller local groups and, in fact, every citizen can take action that supports the tax and revenue collection systems, observance of national norms in environmental protection, cleanliness, health and hygiene, sanitary drives and immunisation programmes like pulse polio.

However, we must keep in mind that there is no better form of government than Democratic government. To create a better society and nation, the people of India along with the union and state governments should come together to fight against the miseries of human life.

NOTE

1. **Kudavolai** was the system of voting followed during the **Chola** period in Tamil Nadu
2. We celebrate National Voters Day on **25th January** in India.
3. NOTA was first introduced in the General Elections held in **2014**. India is the **14th country** in the world to introduce NOTA.
4. **Voters Verified Paper Audit Trail (VVPAT)** is the way forward to enhance credibility and transparency of the election process. This system was first introduced in the **2014 General Election**.

UNIT 3 - HUMAN RIGHTS

The U.N.O defines Human rights as “The right inherent to all human beings, regardless of race, gender, nationality, ethnicity, language, religion or any other status. Everyone is entitled to these rights without discrimination.”

Universal Declaration of Human Rights (UDHR)

The Universal Declaration of Human Rights is a milestone document in the history of human rights. It was drafted by the representatives with different legal and cultural backgrounds from all regions of the world. The Declaration was proclaimed by the United Nations General Assembly in Paris on 10th December 1948 (General Assembly resolution 217A) as a common standard of achievement of all people and all nations. The first time it sets out the fundamental human rights to be universally protected and the UDHR has been translated into many languages.

There are 30 articles in the Universal Declaration of Human Rights and it guarantees freedom of expression as well as civil, political, social, economic and cultural rights. These rights apply to all people, irrespective of their race, gender and nationality, as all people are born free and equal.

This general explanation of Human Rights by UDHR is not a legally binding document; however it has a political and moral importance and many of its guarantees have become standard norms today.

Social, Economic and Cultural Rights

Social, economic and cultural rights are integral part of the human rights law that developed due to the aftermath of World War II.

Social rights are necessary for full participation in the society. Economic rights guarantee every person to have conditions under which they are able to meet their needs. They are a part of a range of legal principles through which economic equality and freedom are preserved in a State.

Cultural rights are human rights that aim at assuring the enjoyment of culture and its components in conditions of equality, human dignity and non-discrimination.

Civil and Political Rights

Civil and political rights protect an individual's freedom from infringement by the government, social organizations and private individuals. These rights ensure one's ability to participate in the civil and political life of the society and state.

The term 'Civil rights' refers to the basic rights afforded by laws of the government, to every person regardless of race, nationality, colour, gender, age, religion etc.,

Political rights exercised in the formation and administration of a government. They are given to the citizens by law. These rights give power to the citizens to participate either directly or indirectly in the administration.

Fundamental Rights in India

Fundamental rights are required for the all round development of a human being. They make the life of people meaningful by giving them rights like speech and to live in an area of their choice.

The fundamental rights are :

- Right to Equality
- Right to Freedom
- Right against Exploitation
- Right to Freedom of Conscience and Religion
- Cultural and Educational Rights for minorities
- Right to Constitutional Remedies

Right to Equality

It refers to equality before law and equal protection of law. Prohibition or discrimination on the grounds of religion, caste, races, gender or place of birth is offensive and one can seek justice from court

Right to Freedom

Six different types of freedom are mentioned in the Constitution. They are:

- a. Freedom of speech and expression.
- b. Freedom to assemble peacefully without arms.
- c. Freedom to form associations and unions.
- d. Freedom to reside and settle in any part of India.
- e. Freedom to move freely throughout the territory of India.
- f. Freedom to practice any profession and carry on any occupation, trade or business.

Right against Exploitation

It is against the law to employ children below 14 years of age in mines, factories or other occupations. Neither contractor nor an employer can force a worker to do a job against their will.

Right to Freedom of Conscience and Religion

This right gives the citizens freedom to follow and practice a religion of their choice. All citizens have the freedom of conscience or ideas. The citizens also have the freedom to follow their own ways for practicing any religion.

Cultural and Educational Rights

The Constitution gives us the right to preserve, protect and promote culture. We have the right to open schools, associations and societies to preserve and promote our tradition and culture. Similarly a group of people may open a school for imparting religious education to children. The government also promotes such activities by giving grants. However, such institutions cannot deny admission to anyone based on their caste, colour, creed or even religion.

Differences Between Human Rights and Fundamental Rights	
Human Rights	Fundamental Rights
<ul style="list-style-type: none"> The rights that a human being deserves to survive with respect and freedoms. 	<ul style="list-style-type: none"> The elemental rights of the citizens of a country, which are listed in the constitution and enforceable under the law is known as fundamental rights.
<ul style="list-style-type: none"> Human rights include those rights which are basic to a real life and are absolute, i.e. it cannot be taken away. 	<ul style="list-style-type: none"> Fundamental rights includes only those rights which are basic to a normal life.
<ul style="list-style-type: none"> Human rights are recognised at international level. 	<ul style="list-style-type: none"> Fundamental rights are guaranteed under the constitution of the country.

Human rights as declared by the UN, suggest minimum standards of rights to be adopted by Government and these serve more or less like Directive Principles.

Right to Constitutional Remedies

Fundamental Rights are guaranteed by the Constitution. By this right, a person can adopt Constitutional means and approach a court if he is denied the Fundamental Rights. The court then issues orders which are called 'Writs' to the government to restore the rights to the citizen. The Constitutional Remedies put to right anything which may be wrong in terms of the Constitution. This right therefore protects and safeguards all other rights.

Fundamental Duties

These are in the form of duties and responsibilities of citizens. 'The original Constitution which came into force with effect from 26th January, 1950 did not contain Fundamental Duties.

These were incorporated in the Constitution by the 42nd Amendment Act in 1976. The Constitution states eleven Fundamental Duties as given below:

1. Respect for the Constitution and its ideals and institutions, the National Flag and the National Anthem.
2. To follow and cherish the noble ideals which inspired our National Struggle for freedom.
3. To uphold and protect the sovereignty, unity and integrity of India.
4. To defend the country and render national service when called upon to do so.
5. To promote harmony and spirit of common brotherhood amongst all the people of India, transcending religious, linguistic, regional or sectional diversities, to renounce practices derogatory to the dignity of women.
6. To value and preserve the rich heritage of our composite culture.
7. To protect and improve the natural environment including forests, lakes, rivers and wildlife and have compassion on living creatures.

8. To develop the scientific temper, humanism and the spirit of inquiry and reform.
9. To safeguard public property and to abjure from violence.
10. To strive towards excellence in all spheres of individual and collective activity, so that the nation constantly rises to higher levels of endeavor and achievements.
11. To provide opportunities for education by the parent and guardian to their child or ward up to the age of 14 years.

National Human Rights Commission

The National Human Rights Commission is an autonomous body constituted on **12th October 1993** under the protection of Human rights Act, 1993. It consists of a chairman and few other members. NHRC is responsible for the protection and promotion of human rights in India defined by the Act as rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the international covenants.

Functions of NHRC

- To inquire into the violation of human rights or negligence in the prevention of such violation by a public servant
- To intervene in court proceedings relating to human rights
- To undertake and promote research in the field of human rights
- To engage in human rights education among various sections of society
- To encourage the effects of NGOs and institutions working in the field of human rights.

State Human Rights Commission (SHRC)

Every state in India has a **State Human Rights Commission** established in accordance with the power conferred on the state under section 21 of the Protection of Human Rights Act, 1993. The protection and promotion of human rights constitute the principal concern of the Commission. Moreover, the procedures adopted by the Commission to conduct its proceedings, the suo motu actions taken on complaints regardless of the sources received and the transparency of the proceedings of the SHRC add strength to its functioning in a state.

Functions of SHRC

- The SHRC shall enquire into violation of human rights in respect of matters specified in the state and concurrent lists.
- Its objectives and duties are the same as NHRC, but confined only to the state. It has a chairman and two members.
- It has the power of a civil court and can take cognizance of cases if received or in suo motu.
- It can also recommend compensation to victims.

Child Rights

Apart from the fundamental rights described by the Constitution, we have to ensure certain other rights. A child is a person who has not completed the age of 18 years i.e. a minor as per UNO. This principle is exhibited in Article 25 of the Universal

Declaration of Human Rights. Based on these principles, the declaration of the Rights of the child was accepted and adopted in the UN General Assembly on 20th November, 1989.

- Right to life
- Right to family environment
- Right to Education
- Right to benefit from Social security
- Right against sexual exploitation
- Right against sale or trafficking
- Right against other forms of exploitation like Child labour.

Right to life

A child has the right to survive even before its birth. The right to survival also includes the right to be born, the right to basic needs of food, shelter and clothing and a dignified living.

Right to Family Environment

A child has the right to live a normal childhood in a family environment. Children who have been left destitute, abandoned or orphaned also have the right to live. These children can be given for adoption to caring families.

Right to benefit from Social security

Children should get financial support from the country when their parents or guardians are unable to provide them with a good standard of living by themselves, due to any illness, disability or old age

Right to Education

Right to Education Act is an Act of the Parliament of India enacted in 2009 for free and compulsory education for children from 6 to 14 years of age as under Article 21A of the Constitution.

Right against sale or trafficking

Children should be treated as individuals with fundamental human rights. Children are vulnerable. There are root causes such as poverty, gender discrimination, broken families etc., behind the sale or trafficking of children.

Children are subjected to sale or trafficking for various reasons - economic exploitation, sexual exploitation, sexual abuse, drug trafficking and child labour.

Right against sexual exploitation

The state should protect children from sexual exploitation and abuse, when they are forced or persuaded to take part in sexual activities physically or mentally.

Right against other forms of exploitation like Child labour

Children are often employed in several industries. These children are deprived of their childhood, health and education. This will lead to a life of poverty and want. These children are made to work in glass, match-box, lock-making factories, rag-picking, carpet-making industry, beedi-rolling, mining, stone quarrying, brick kilns and tea gardens etc. Work is mostly gender-specific, with girls performing more home-based work, while boys are employed as waged labour. Since these children work in agricultural fields, restaurants, motor repair workshops and home-based industries, elimination of child labour remains a challenge.

Women Rights

The National Commission for Women (NCW) is constituted in India to review the Constitutional and legal safeguards for women, recommends remedial measures and advises the government on all matters of policy affecting the welfare and development of women in the country.

In modern India, women have held high offices including that of the President, Prime Minister, Speaker of the Lok Sabha, Leader of the Opposition, Union Ministers, Chief Ministers and Governors.

Women's rights under the Constitution of India mainly include equality, dignity, and freedom from discrimination; additionally, India has various statutes governing the rights of women.

Reservations

The state of Tamil Nadu provides 69% of reservation to the Scheduled Classes, Scheduled Tribes, Backward Classes, Most Backward Classes, Most Backward Classes, Denotified communities and Minorities, in employment and educational institutions. Government of Tamil Nadu provides inner reservations for Muslims in BC and for Arunthathiyar in SC category. The following table gives us a very clear picture of the percentage of reservations for various communities by the Government of Tamil Nadu.

Communities	Reservation in (%)
Backward Classes	26.5
Backward Class Muslims	3.5
Most Backward Classes/Denotified Communities	20
Scheduled Castes	18
Scheduled Tribes	3
Total	69

Under each reserved category and in General category 33% is reserved for women and 4% is reserved for differently abled persons. Special reservation offered to Arunthathiyars within the seats reserved for Scheduled castes. For persons studied in Tamil medium 20% seats are offered under each category on priority basis.

Right to Information Act (RTI)

The Right to Information Act is a revolutionary act that aims to promote transparency in the government institutions in India. This act was enacted in October 2005.

A common man can demand any government organization to provide information. The information must be provided within thirty days. If not, a fee will be collected as penalty from the concerned official.

It is one of the most powerful laws of the country. This act is people friendly; even an illiterate person can ask any Public Information Officer to write it down for him. All government agencies like Municipal Corporations, Government departments, Government Schools, Road Authorities, etc., come under this Act.

Through RTI one can get even copies of government documents such as records, reports, papers, etc., Personal information of individuals and organizations related to the country's defence and intelligence, such as BSF, CRPF, Intelligence Bureau are exempted from the RTI.

- Sign the Application form with your full name and address along with the date and send it through a registered post to the office of the concerned authority.
- If a reply is not received within 30 days, an appeal can be filed with the Appellate Authority.

Labour Rights

The Constitution ensures right to equality, equality of opportunity in public employment, right to form associations and unions, right to livelihood, prohibits trafficking, forced labour and child labour. Article 39(d) ensures equal wages to male and female workers for equal work.

“The rights of every man are diminished when the rights of one man are threatened” said John F. Kennedy. Civilized nations of the world insist on equality. Nations pay more attention on human rights to ensure equality. This helps in maintaining peace, harmony and development of the country.

9th Full Book

Unit 4 – Forms of Government

- Government is the main agency of the state. It comprises of several members belonging to political and administrative wings. It serves as the instrument for delegation and execution of the state policies for the welfare of the people. It formulates expresses and realizes the will of the state. It exercises certain legislative, executive and judicial powers based on the constitution and the laws. There are three organs in government, namely – Legislature, Executive and Judiciary. These organs carry out the activities of the state. Governments are classified into unitary, federal, parliamentary and presidential forms.

Meaning

- 'Government' refers to the executive functions of the state. It denotes a body having authority to make and enforce laws applicable to the civil, corporate, religious, academic or other groups.

Unitary Form of Government

- A unitary system of government or unitary state is a sovereign state governed as a single entity. The central government is supreme and the administrative divisions exercise only powers that the central government has delegated to them.
- England, France, Japan and Sri Lanka are examples of Unitary Form of governments.
- In a Unitary form of government, all the authority and power is vested in a single centre, whereas in a federal form of government authority and power is distributed between centre and the constituent units. Even in a unitary form of Government, there might be a lot of decentralization of authority, but we cannot claim it as a federal system.

Merits of unitary form of government

- Suitable for small countries.
- There is no conflict of authority and responsibility.
- A unitary government will make prompt decisions and take speedy action.
- A unitary government is less expensive.
- Amendments to the constitution are easy.
- There is unity, uniformity of law, policy and administration.

De-merits of unitary form of government

- It is not suitable for big countries.
- The central government will have to tackle so many complex problems that lead to administrative delay
- The central government will not concentrate on local problems, local interest and initiative.
- The concentration of powers may pave way for the despotism of the central government.

Unitary features of the indian constitution

- Strong Centre
- Central Government's control over state territory
- Single Constitution
- Flexibility of the Constitution
- Unequal representation of states
- Emergency Provisions
- Single Citizenship
- Single Integrated Judiciary
- All India Services
- Appointment of Governor by the central government

Federal form of government

- The classification of governments into unitary and federal is based on the nature of relations between the national and the regional governments.
- A federal government is one in which powers are divided between the national government and the regional governments by the Constitution itself and both operate in their respective jurisdictions independently. U.S.A, Switzerland, Australia, Canada, Russia, Brazil, Argentina have federal form of governments. In a federal model, the national government is known as the Federal government or the Central government or the Union government and the regional government is known as the state government or the provincial government.

Merits of federal form of government

- Reconciliation of local autonomy with national unity
- Division of power between centre and states leads to administrative efficiency
- It gives rise to big states
- Distribution of powers check the despotism of central government
- More suitable for bigger countries
- It is good foreconomic and cultural progress

De-merits of federal form of government

- Federal government is weaker when compared to the unitary government.

- Federal government is more expensive
- Provincial tendencies are very common
- Lack of uniformity in Administration
- Threat to national unity
- Distribution of powers between centre and states lead to conflicts
- Double Citizenship
- Rigid constitution cannot be mended easily for changing needs
- The state governments sometimes place hindrances in the foreign policy

Country	Name of Parliament
Israel	Knesset
Germany	Bundestag
Denmark	Folketing
Norway	Storting
U.S.A	Congress

Federal features of the Indian constitution

- Dual Government
- Written Constitution
- Division of Powers
- Supremacy of the Constitution

Difference between Unitary Form and Federal Form of Government

Unitary Form of Government	Federal Form of Government
Only one level of Government or Sub units	Two levels of Government
Mostly Single Citizenship	Dual Citizenship
Sub units cannot operate independently	Federal Units are answerable to Central Government
No Division of Power	Division of Power
Centralisation of Power	Decentralisation of Power

Parliamentary form of government

- Modern democratic governments are classified into parliamentary and presidential on the basis of the nature of relations between the executive and the legislative organs of the government.
- The parliamentary system of government is the one in which the executive is responsible to the legislature for its policies and acts.
- The parliamentary government is also known as cabinet government or responsible government or Westminster model of government and is prevalent in Britain, Japan, Canada and India among others.

Features of parliamentary form of government

- Nominal and Real Executives
- Majority Party Rule
- Collective Responsibility
- Dual Membership
- Leadership of the Prime Minister
- The Constitution is the supreme law of the land. The laws enacted by the Centre and the states must conform to its provisions.
- Rigid Constitution
- Independent Judiciary
- Bicameralism

Merits of the parliamentary form of government

- Harmony between Legislature and Executive
- Responsible Government
- Prevents Dictatorship
- Wide Representation

Demerits of the parliamentary form of government

- Unstable Government
- No Continuity of Policies
- Dictatorship of the Cabinet
- Against Separation of Powers

The Presidential form of government

- The Presidential Form Of Government is also known as non-responsible or non-parliamentary or fixed executive system of government, basically built on the principle of separation of power and is prevalent in the USA, Brazil, Russia and Sri Lanka among other.

Features of Presidential form of government

- The American President is both the head of the State and the head of government. As the head of State, he occupies a ceremonial position. As the head of government, he leads the executive organ of the government.
- The President is elected by an electoral college for a fixed tenure of four years. He cannot be removed by the Congress, except by impeachment for a grave unconstitutional act.
- The President governs with the help of a cabinet or a smaller body called 'Kitchen Cabinet'. It is only an advisory body and consists of non-elected departmental secretaries. They are selected and appointed by him, are responsible only to him and can be removed by him any time.

- The President and his secretaries are not responsible to the Congress for their acts. They neither possess membership in the Congress, nor attend its sessions. The President cannot dissolve the House of Representatives – the lower house of the Congress.
- The doctrine of separation of powers is the basis of the American presidential system. The legislative, executive and judicial powers of the government are separated and vested in three independent organs of the government.

Merits of the presidential system of government

- Democratic
- Effective Control by the President
- Facilitate decision-making
- State government

Demerits of the presidential system of government

- Can degenerate into Dictatorship
- Strain relationship between executive and legislature
- Lack of Harmony between the Legislature and Executive

Difference between the Parliamentary Form of Government and Presidential Form of Government

Presidential Form of Government	Parliamentary Form of Government
President is directly elected by the people	Prime Minister is from the majority party
President is Supreme	Central Legislature is Supreme
Separation of Powers	Absence of Separation of Powers Centralisation.
Independent branches	Independent branches with overlapping functions
President - Head of the State	President - Head of the State
President - Head of the Government	Prime Minister - Head of the Government
Individual Leadership	Collective Leadership
President is not accountable to Congress	Collectively and Individual Responsibility

The relationship between the Centre and the State in India

India is a union of States where the power is shared between the centre and the states, as per the procedures mentioned in the Constitution of India. Though the powers are shared between the Central and State Governments, the final decision is by the Central government in all matters. The relationship between the centre and the states are

1. Legislative relations (Articles 245-255)
2. Administrative relations (Articles 256-263)
3. Financial relations (Articles 268-293)

Both the Central and State governments have the power to make laws, but the matters

differ. The centre can make laws applicable to the whole nation on certain matters called as the union list. The States have the powers to make laws in some matters only, applicable to their own state, called as the State list. The concurrent list includes the subjects on which both Central and State government have the power to make laws.

Union List: Union list has 100 subjects. These include Foreign affairs, Defence, Armed forces, Posts and Telegraphs, inter-state trade and commerce and so on.

State List: The state list consists of 61 subjects, which include Public order in the state, police, prisons, Local Governments, agriculture and so on.

Concurrent List: The Concurrent list has 52 subjects which include Criminal and Civil procedures, marriage and divorce, economic and special planning, newspapers, books and printing presses, population control and so on.

THE CONCEPT OF GOVERNANCE

From Government to Governance

- Good governance is an indeterminate term used in the international development literature to describe how public institutions conduct public affairs and manage public resources. Governance is 'the process of decision-making and the process by which decisions are implemented'.
- 'Government' and 'governance' are synonyms, both denoting the exercise of authority in an organization, institution or state.

Characteristics of good governance

- Participation
 - Rule Of Law
 - Transparency
-

UNIT 5 - LOCAL SELF GOVERNMENT

Meaning of Local Self Government

Local Self-Governments are institutions that look after the administration of an area or a small community such as a village, a town or a city. Local Self- Government operates at the lowest level of society. It works at the grassroot level, close to the people, touching their everyday life. Local Self-Government is the management of local affairs by such local bodies which have been elected by the local people. These local bodies provide services to the local community as well as act as an instrument of democratic self-government.

Historical Background

The idea of local self government is a very old concept in India. It was at its peak under the later Cholas or the Imperial Cholas of Tanjore. There are historical records of references to local self government under Mauryan administration. Local self government existed throughout the country with its own diverse characteristics of ancient India. During the medieval period, local self governments had somewhat declined due to the onslaught of feudalism. It was revived during the British period in the last quarter of the 19th century, with Western orientation of training in democracy with Lord Ripon's Resolution in 1882. Lord Ripon was known as the 'Father of Local Government for laying the foundations of local self governments in modern times.

Under the Government of India Act, 1935 provincial autonomy was introduced. This Act came into force in 1937. In the provinces where the Congress formed its Government, rural development received special attention. It was an essential part of Gandhi's programme that Panchayat Raj institutions would be built from villages to the highest level.

After Independence, the Gandhian ideal of Grama Swaraj (Village Republic) greatly influenced the constitution makers. India being the land of villages, the creation of village panchayats became a social movement. Restoration of panchayats has become an article of faith during our freedom struggle. Hence with the dawn of independence and framing of the constitution of India, Article 40 was incorporated in the constitution which reads as: *"the State should take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as the units of self Governments."*

Lord Ripon

Lord Ripon was the one who gave Indians the first taste of freedom by introducing the Local Self Government in 1882. Ripon took some steps towards liberalizing the administration in India. He formulated the local self government and made it clear that he was advocating for the decentralization of administration.

He tried to remove obstacles in the sphere of Local Self government by his resolution of 1882. He led a series of enactments in which larger powers of the local self-government were given to the rural and urban bodies and the elected people received wider rights.

Local Self Governments since Independence

The conceptualization of the system of local self-government in India took place through the formation and effort of four important committees from the year 1957 to 1986. The Community Development Programme (1952) and National Extension Service (1953) became a basis for 'The Great Charter on Panchayat Raj' in 1957.

Salient Features of the 73rd and 74th Constitution Amendment Acts (1992)

- Panchayats and Municipalities will be 'institutions of self-government'.
- Basic Units of Democratic System - Grama Sabhas (Villages) and Ward Committees (Municipalities) comprising all the adult members registered as voters.
- Three-tier system of panchayats at village, intermediate block/taluk/mandal and district levels. Two-tier for smaller states with population below 2 million.
- Seats at all levels filled by direct elections.
- Seats reserved for Scheduled Castes (SCs) and chairpersons of the Panchayats at all levels also shall be reserved for SCs and STs in proportion to their population.
- One-third of the total number of seats reserved for women. One-third of the seats reserved for SCs and STs also reserved for women. One-third offices of chairpersons at all levels reserved for women.
- Uniform five year term and elections to constitute new bodies to be completed before the expiry of the term. In the event of dissolution, elections must be held compulsorily within six months.

Salient Features of the Tamil Nadu Panchayati Raj Act, 1994

The New Panchayat Raj System came into being in Tamil Nadu after the enactment of a new law for local body institutions in the year 1994. The salient features of the new Act are as follows:

1. A three-tier system
2. Gram Sabha
3. Establishment of Election Commission
4. Constitution of Finance Commission
5. Reservation of seats for SC/ST's proportionate to their population One third reservation of seats for women and
6. Constitution of District Planning Committees.

Village Panchayat

Local governments which are function in villages are called Village Panchayats. The President and ward members are directly elected by the people. (Those who have attained the age above 18) and their term of office is five years. District Collector act as the Inspector of Village Panchayat. Village Panchayats are constituted in each and every village wherever the population is above 500.

Functions of the Village Panchayat

- Supply of drinking water
- Maintenance of street lights
- Maintenance of roads
- Maintenance of village libraries
- Maintenance of small bridges
- Granting permission to the housing plots

- Maintenance of drainage
- Construction of group houses
- Cleaning of streets
- Maintenance of burial grounds
- Maintenance of common lavatory facilities

Voluntary Functions.

According to the Tamil Nadu Local Government Act passed in 1994, the following functions to be performed as voluntary functions by the local governments.

- Maintenance of street lights in the villages
- Maintenance of markets and fairs
- Implantation of trees
- Maintenance of play grounds
- Maintenance of parking vehicles, slaughter houses and cattle sheds
- Control over places of exhibition

Revenue

Village Panchayat was the only local government which was empowered to levy taxes in the three-tier system of Village Panchayat.

Taxes

- Property Tax
- Professional Tax
- House Tax
- Taxes for connection of drinking water
- Land Tax
- Taxes levied on shops

Meeting of Gram Sabha

In each and every village, the people living within its jurisdiction will be the members of Panchayat. The President of the Panchayat will preside over its meetings. In the meeting of the Grama Sabha, the income and expenditure and the beneficiary of the schemes in the village are discussed.

Meetings of the Grama Sabha are conducted four times a year

1. January 26 - Republic Day
2. May 1 - Labourer Day
3. August 15 - Independent Day
4. October 2 - Gandhi Jayanthi

Panchayat Union

Panchayat Union is formed by grouping of villages. Members of the Panchayat Union are directly elected by the people. The Chairman of the Panchayat Union is chosen from among the members.

Functions of the Panchayat Union

- Supply of drinking water
- Maintenance of Village Health Centres

- Maintenance of roads
- Establishment of Maternity Homes
- Establishment of Public fairs
- Establishment of Veterinary hospitals
- Maintenance of Social forests
- Repairing of Primary School buildings

District Panchayat

A District Panchayat is constituted in each district. One district Panchayat is constituted for every 50,000 people and the ward members are directly elected by the people. The Chairman is elected from one among its members and their term is 5 years.

Functions of District Panchayat

- Advising the government about the developmental schemes of the Village Panchayat and Panchayat Union.
- Supervising the functions of District Planning Commission.

Urban Local Government

- Town Panchayat
- Municipality
- Corporation

Gandhi's Concept of Gram Swaraj

Gandhi really wanted 'Swaraj', the self rule by the people of India who represent the rural mass. He observed 'India's soul lives in the village'. He dreamt of village republics in terms of Panchayat in free India. Mahatma Gandhi advocated Panchayat Raj, a decentralized form of government, where each village is responsible for its own affairs, as the foundation of India's political system. In simpler words, Gandhi's ideal village should be basically self-reliant, making provision for all necessities of life-food clothing, clean water, sanitation, housing, education, and other requirements, including government and self-defense.

Town Panchayat

The area where more than 10,000 people live is called a Town Panchayat. Members and President of the town Panchayat are directly elected by the people. There is an Executive Officer to look after the administration of the Town Panchayat and their term of office is 5 years.

Municipality

The area where more than 1,00,000 people live is called a Municipality. The Members and the Chairman of the Municipalities are directly elected by the people and their term of office is five years. A Municipal Commissioner is appointed by the government to administer the Municipality.

Corporation

Municipal corporations are established in big cities where the city has many lakhs of population. The Municipal Commissioner is the Administrative Officer. The Mayor is the Chairman of the corporation. The term of office of the Mayor and other members is five years. In Tamil Nadu, there are 12 Corporations. They are in Chennai, Kovai, Madurai, Trichy, Tirunelveli, Salem, Erode, Vellore, Tuticorin, Tirupur, Tanjore, Dindigul.

The Municipal Commissioner will be a person from the Indian Administrative Service (IAS). All the decisions of the Corporation Council will be implemented by him. He will be assisted by the office of the corporation.

Important functions of the Mayor

- He acts as a bridge between the members of the corporation and the government
- He presides over the meetings of the Corporation Council
- He receives the dignitaries from foreign countries

Types of other Urban Panchayats

- Notified Area Committee
- Town Area Committee
- Cantonment Board
- Township
- Port Trust
- Special Purpose Agency

Elections to the local government in Tamil Nadu

The State Election Commission conducts the elections to the local government like general elections. The electoral roll is prepared ward wise. Seats are reserved for the SC & ST and also for the women in proportion to the population by rotation basis.

Problems and Challenges facing the Local Self Governments

Local self governments are the crucial basis for our democracy. The Constitutional status of local self governments adds more significance to their functioning. There are, however, a few critical concerns in the working of local self governments in India. Major problems and challenges may be mentioned as below:

- Lack of clear demarcation of powers and functions of local bodies
- Allocation of funds and needs assessment are not matched
- Role of caste, class and religion in decision-making at the local self governments
- Poor accountability of elected members and officials at the grassroot levels of democracy

Piped water supply scheme in Erode Municipality:-

Periyar E.V.Ramasamy became the Chairman of Erode Municipality in 1917. During his tenure in Erode Municipality, Periyar worked effectively for providing piped drinking water supply and health facilities to the people. Piped water supply scheme was implemented in 1919 by Periyar. This scheme was said to be first of kind in the history of Indian Municipal administration.

10th civics

UNIT 1 - INDIAN CONSTITUTION

Introduction

- The Constitution is the fundamental law of a country which reflects the fundamental principles on which the government of that country is based. It is the vehicle of a Nation's progress. More particularly, it is concerned with institutional fabric and the framework of the distribution of powers between the various organs of the government and between the Union and the States. The concept of constitution was first originated in U.S.A.

The Need for a Constitution

- All Democratic countries have a constitution that governs them. A constitution puts down certain principles that form the basis of any kind of a state that we as citizens, desire to live in. A constitution tells us the fundamental nature of our society. A country is usually made up of different communities of people who have different beliefs; it will be helpful in fulfilling the beliefs of different segments of citizens.

Making of Indian Constitution

- The Constitution of India was framed by a Constituent Assembly setup under the Cabinet Mission Plan, 1946. The Assembly consisted of 389 members representing Provinces (292), States (93), the Chief Commissioner's provinces (3) and Baluchistan (1). The Assembly held its first meeting on December 9, 1946. Dr.SachchidanandaSinha, the oldest member, was elected as the temporary President of the Assembly. While the work was in progress, Dr.SahchidanandaSinhadied. Dr.Rajendra Prasad was elected as the President of the Assembly. Similarly, both H.C. Mukherjee and V.T. Krishnamachari were elected as the Vice-Presidents of the Assembly. The Assembly met for 11 sessions along with 166 days of meetings. During the discussion, 2473 amendments were presented. Some of them were accepted. The Assembly worked through various committees and the draft of the Constitution was prepared by the Drafting Committee under the chairmanship of Dr. B.R. Ambedkar. He is recognised as the 'Father of the Constitution of India'. After the draft had been discussed by the people, the press, provincial assemblies and others, the Constitution was finally adopted on November 26, 1949, contained a Preamble, 22 parts, 395 Articles and 8 Schedules. The drafted Constitution came into force on 26th January, 1950. Thursday is known as the Republic Day. It is being observed every year.

Salient features of Indian Constitution

- ❖ It is the lengthiest of all the written constitutions of the world.
- ❖ It has borrowed most of its provisions from the constitutions of various countries.
- ❖ It is partly rigid and partly flexible.

- ❖ It establishes a federal system of government.
- ❖ It establishes the parliamentary system not only at the Centre but also in the states.
- ❖ It makes India as a secular state.
- ❖ It provides an independent judiciary.
- ❖ It introduces Universal Adult Franchise and accords the right to vote to all citizens above 18 years of age without any discrimination.
- ❖ It provides single citizenship.
- ❖ It makes special provisions for minorities, Scheduled Castes, Scheduled Tribes, etc.

Preamble

- The term 'preamble' refers to the introduction or preface to the Constitution. It consists of the ideals, objectives and basic principles of the Constitution. It contains the summary or essence of the Constitution. It has great value and has been described as the 'key to the Constitution'. The Preamble to the Indian Constitution is based on the 'Objective Resolution', drafted by Jawaharlal Nehru, which was adopted by the Constituent Assembly on January 22, 1947. It has been amended once by the 42nd Constitutional Amendment Act of 1976, which added three new words - socialist, secular and integrity. The Preamble begins with the phrase 'We, the People of India'. This clearly implies that the Constitution derives its authority from the People of India. Thus, we can say that the people of India are the source of our Constitution. The Preamble of our Constitution states that India is a Sovereign Socialist Secular Democratic Republic. Its aim is to secure to all Indian citizens Social, economic and political justice. The Constitution guarantees Liberty of thought, expression, belief, faith and worship to all. It gives Equality of status and of opportunity to all. It wants to promote Fraternity among all Indians.

Citizenship

- The word 'Citizen' is derived from the Latin term 'Civis'. It means resident of a City State. The Constitution of India provides for a single and uniform citizenship for the whole of India. Articles 5 to 11 under part II of the Constitution deals with the citizenship.

Citizenship Act of 1955

- The Citizenship Act of 1955 provides for acquisition and loss of citizenship after the commencement of the Constitution. This Act has been amended so far eight times. Originally, the Citizenship Act (1955) also provided for the commonwealth Citizenship. But, this provision was repealed by the Citizenship (Amendment) Act, 2003.

Acquisition of Citizenship

- The Citizenship Act of 1955 prescribes five ways of acquiring citizenship, viz, birth, descent, registration, naturalisation and incorporation of territory: According to the

Citizenship Act, 1955, the citizenship could be acquired through any of the following methods.

By Birth: All persons born in India on or after January 26, 1950 are treated as citizens by birth.

By Descent: A person born outside India on or after January 26, 1950 shall be a citizen of India by descent, if his father is a citizen of India at the time of his birth.

By Registration: A person can acquire citizenship of India by registration with appropriate authority.

By Naturalisation: A foreigners can acquire Indian citizenship, on application for naturalization to the Government of India.

By Incorporation of Territory: In the event of a certain territory being added to the territory of India, the Government of India shall specify the persons of that territory who shall be citizen of India.

Loss of Citizenship

- The Citizenship Act of 1955 prescribes three ways of losing citizenship whether acquired under the Act or prior to it under the Constitution, viz, renunciation, termination and deprivation.
- It can be voluntarily renounced by a citizen. It can be terminated if a person acquires the citizenship of some other country.
- The central government can deprive a naturalized citizen, if it satisfied that the citizenship was acquired by fraud, false representation or concealment of material facts or indulges in trade with enemy countries or if the person has been sentenced to imprisonment for a period of 2 years.

Fundamental Rights

- The Fundamental Rights are enshrined in Part III of the Constitution from Articles 12 to 35. In this regard, the framers of the Constitution derived inspiration from the Constitution of USA. Originally, the Constitution provided for seven Fundamental Rights. At present, there are only six Fundamental Rights. Part III of the Constitution is rightly described as the Magna Carta of India. While Fundamental Rights are available to all persons, certain Fundamental Rights are available only to Indian Citizens.

Right to constitutional remedies (Articles 32)

- A writ is an order or command issued by a court in writing under its seal. It is in the nature of a command or prohibition from performing certain acts that are specified in the orders of the court. Both the Supreme Court and the High Courts are empowered to issue five kinds of writs of habeas corpus, mandamus, prohibition, quo warranto

and certiorari. That is why the Supreme Court is called the “Guardian of the Constitution”. According to Dr. Ambedkar, Article 32 is “the heart and soul of the Constitution”.

Habeas Corpus: Safeguards people from illegal arrests.

Mandamus: It protects the petitioner who requires legal help to get his work done by respective public authorities.

Prohibition: It prohibits a subordinate court from acting beyond its jurisdiction.

Certiorari: It quashes an order issued by a subordinate court by overstepping its jurisdiction.

Quo Warranto: It prevents usurpation of public office through illegal manner.

Suspension of Fundamental Rights

- When the President makes a Proclamation of Emergency under Article 352, the freedoms guaranteed under Article 19 are automatically suspended. The President can suspend other fundamental rights through specific orders. These orders must be approved by the Parliament. But he cannot suspend the freedoms given under Arts. 20 and 21 (protection in respect of conviction for offences and protection of life and personal liberty respectively) in any circumstances.

Directive Principles of State Policy

- The Directive Principles of State Policy are enumerated in Part IV of the Constitution from Articles 36 to 51. The Constitution does not contain any classification of Directive Principles. However, on the basis of their content and direction, they can be classified into three broad categories, viz, socialistic, Gandhian and liberal-intellectual. These principles are not enforceable by the courts. But they are fundamental for the governance of the country. The Government is duty bound to apply these principles while making laws. They aim at promoting the Social Welfare of the people. Dr. B.R. Ambedkar described these principles as ‘novel features’ of the Indian Constitution.

Differences between Fundamental Rights and Directive Principles of State Policy

Fundamental Rights	Directive Principles of State Policy
It was derived from the Constitution of the USA.	It was drawn on the model of the Constitution of Ireland.
Even the Government cannot take away or abridge	These are mere instructions to the Government.

these rights.	
These are enforceable by a court of law.	These are not enforceable in any court.
These have legal sanctions.	These have moral and political sanctions.
These rights strengthen political democracy in the country.	The implementation of these principles ensures social and economic democracy.
These are natural rights.	These lead to protect human rights.

Fundamental Duties

- The Fundamental Duties in the Indian Constitution are inspired by the Constitution of former USSR. In 1976, the Congress party set up the Sardar Swaran Singh Committee to make recommendations on fundamental duties. The 42nd Amendment Act of 1976 added some responsibilities of citizens to our Constitution called the Fundamental Duties. This amendment added a new part, namely, Part IVA to the Constitution. This new part consists of only one Article that is Article 51A which for the first time specified a code of ten fundamental duties of the citizens.

List of Fundamental Duties

Article 51A declares it to be the duty of every citizen of India.

- To abide by the constitution and respect its ideals and institutions, the National Flag and the National Anthem.
- To cherish and follow the noble ideals which inspired the national struggle for freedom
- To uphold and protect the sovereignty, unity and integrity of India
- To defend the country and render national service when called upon to do so
- To promote harmony and the spirit of common brotherhood among all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women
- To value and preserve the rich heritage of our composite culture

- g) To protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures
- h) To develop scientific temper, humanism and the spirit of inquiry and reform
- i) To safeguard public property and to abjure violence
- j) To strive towards excellence in all spheres of individual and collective activity, so that the nation constantly rises to higher levels of endeavour and achievement
- k) To provide opportunities for education to his child or ward between the age of six and fourteen years. (The 86th Constitutional Amendment Act, 2002 has also introduced the 11th Fundamental Duty under 51A(k) under which all citizens of India or parents shall provide opportunities for education to their children between age of 6 and 14 years)

Centre-State Relations

- The Constitution of India, being federal in structure, divides all powers between the Centre and the States. The Centre-State relations can be studied under three heads:

Legislative relations

- The Union Parliament has the power to legislate for the whole or any part of the territory of India, which includes not only the States but also the Union Territories or any other area for the time being, included in the territory of India. The Seventh Schedule of the Constitution embodies three lists namely, the Union List, State List and Concurrent List consisting of 97, 66 and 47 items respectively. The Parliament enjoys the exclusive power to legislate on subjects enumerated in the Union List. The State Legislature has exclusive right to legislate on the State List. Both Parliament and State Legislatures have power to legislate on subjects contained in the Concurrent List. But in case of conflict between the law of the State and the Union on a subject in the Concurrent List, the law of Parliament prevails.

Administrative relations

- The Administrative power of a State extends only to its own territory and with respect to which it has legislative competence, whereas the Union has exclusive executive power over:
- The matters with respect to which Parliament has exclusive power to make laws and the exercise of its powers conferred by any treaty or agreement.

Financial relations

- Article 268-293 in Part XII deal with the financial relations between centre and the states. The Centre and States are empowered by the Constitution to impose various kinds of taxes. And certain taxes are imposed and collected by the centre and divided between centre and states based on the recommendation of the Finance Commission appointed by the President under Article 280 of the Constitution. Late Prime Minister Indira Gandhi appointed the Sarkaria Commission in 1983 to make an enquiry into the Centre-State relations. The Central government has implemented 180 (out of 247) recommendations of the Commission. The most important is the establishment of the Inter-State Council in 1990.

Official Language

- Part XVII of the Constitution deals with the official language in Articles 343 to 351. Its provisions are divided into four heads namely, Language of the Union, Regional languages, Language of the judiciary and texts of laws and Special directives. The First language committee was appointed in 1955. It submitted its report in 1956. As a follow up of the report, parliament enacted the Official Language Act, 1963. The act laid down that even after 15 year, English may continued to be used along with Hindi for all official purposes of the Union and also for transaction of business in parliament. Again through the Official Languages (Amendment) Act, 1967, it was provided that the use of English would continue indefinitely. The Constitution also permitted certain regional languages to be used for intra-state official transactions. Initially, the Constitution recognised 14 regional languages which were included in the Eighth Schedule. At present, 22 languages are recognised.

Emergency Provisions

- The Central Government has been vested with extraordinary powers to deal with conditions of emergency. Three types of emergencies are envisaged in the Constitution:

National Emergency (Article 352)

- The President under Article 352 can declare emergency if he is satisfied that India's security is threatened due to war, external aggression or armed rebellion, or if there is an imminent danger or threat. When a national emergency is declared on the ground of war or external aggression it is known as external emergency. On the other hand, when it is declared on the ground of armed rebellion it is known as internal emergency. This type of emergency has been declared three times so far: in 1962, 1971 and 1975.

State emergency (Article 356)

- Under Article 356, the President can declare an emergency in a state if the Governor reports that a situation has arisen under which the government of a State cannot be carried on in accordance with the provisions of the Constitution. The continuance of

such an emergency beyond one year is possible only if emergency under Art. 352 are in operation or the Election Commission certifies that there are difficulties in holding Assembly elections. Maximum duration of the emergency can be three years. In this kind of emergency, the States lose much of their autonomy in legislative and executive matters. After such an announcement state legislature is suspended and the State is governed by the Governor on behalf of the President. For the first time, the President's Rule was imposed in Punjab in 1951.

Financial emergency (Article 360)

- Article 360 authorises the President to declare financial emergency if he is satisfied that the financial stability or credit of India or of any of its parts is in danger. In this type of emergency, salaries and allowances of any class of persons serving State or Union, including judges of the Supreme Court and High Court can be reduced by an order of the President. This type of emergency has not been declared in India so far.

Amendment of the Constitution

- The term amendment denotes change, improvement and modification. Usually this term is associated with one or more changes made in the Constitution of a country. Article 368 of the Constitution in Part XX, deals with the powers of Parliament to amend the Constitution and its procedure.

Procedure of Amendment

- An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House 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, it shall be presented to
- The President who shall give his assent to the Bill and thereupon the Constitution shall stand amended in accordance with the terms of the Bill. The constitution amendment can be brought about only by the Parliament. State legislatures cannot initiate for any amendment to the Constitution.

Types of Amendments

- Article 368 provides for three ways of amendments, that is, by a special majority of Parliament and also through the ratification of half of the states by a simple majority. But, some other articles provide for the amendment of certain provisions of the Constitution by a simple majority of Parliament, that is, a majority of the members of each House present and voting (similar to the ordinary legislative process). Notably, these amendments are not deemed to be amendments of the Constitution for the purposes of Article 368. Therefore, the Constitution can be amended in three ways:

- ❖ Amendment by simple majority of the Parliament
- ❖ Amendment by special majority of the Parliament
- ❖ Amendment by special majority of the Parliament and the ratification of half of the state legislatures.

Constitutional Reform Commissions

- The National Commission to Review the Working of the Constitution was set up by a resolution of the Government of India in 2000 headed by M.N.Venkatachaliah. In April 2007, a three member commission headed by the former Chief Justice of India M.M.Punchhi was set up by the then Government to take a fresh look at relative roles and responsibilities of various levels of Government and their inter-relations.



UNIT 2 - CENTRAL GOVERNMENT

Introduction

The Central Government is the supreme government in our country. The head quarter of the Central Government is at New Delhi. Articles 52 to 78 in part V of Indian Constitution deals with the Union Executive. Our Constitution provides for a democratic form of government. The makers of the Indian constitution, by giving due recognition to the vastness and plural character of our nation, have provided a federal arrangement for her governance. The Central Government consists of three organs, namely, Union Executive, Legislature and Judiciary. The Union Executive consists of the President of India, the Vice-President, and the Council of Ministers headed by the Prime Minister, and the Attorney General of India. The Legislature is known as the Parliament. It consists of two houses, namely the Rajya Sabha and the Lok Sabha. The Union Judiciary consists of the Supreme Court of India.

The President of India

In the scheme of parliamentary system of government provided by the constitution, the President is the nominal executive authority. The chief executive of the Indian union is the President. He is designated as the First citizen of India. He is the supreme commander of the armed forces. The President is also the Constitutional head of the Union Executive. He is also responsible for constituting the judiciary. According to Article 53 of the constitution, the executive power of the Union shall be vested in the President which shall be exercised by him directly or through officers subordinate to him in accordance with Constitution.

Qualification for the election as President

The constitution lays down qualifications for a Presidential candidate.

- He should be a citizen of India.
- He must have completed the age of thirty five years.
- He must not hold any office of profit under the Union, State or local Government.
- He should have the other qualifications required to become a member of the Lok Sabha.
- His or her name should be proposed by at least ten electors and seconded by another ten electors of the Electoral College which elects the President.
- The President cannot be a Member of Parliament or of a State Legislature; if he is a member of any legislature, his seat will be deemed to have been vacated on the date he / she assumes the office of President.

Election of the President

The President is elected by an electoral college in accordance with the system of proportional representation by means of single transferable vote. The Electoral College consists of the elected members of both houses of Parliament and the elected members of the states and elected members of National Capital Territory of Delhi and Puducherry.

Once elected as the President has to take an oath of office before the Chief Justice of India. The President is elected for a term of five years and can be re-elected.

Powers of the President

The powers and functions of the President of India can be broadly classified under the following categories.

Executive Powers

The constitution vests in the President of India all the executive powers of the Central Government. Article 77 requires that every executive action of the Union shall be taken in the name of the President. So he has to make many appointments to key-offices to run the administration.

He appoints the Prime Minister and the other members of the Council of Ministers, distributing portfolios to them on the advice of the Prime Minister. He is responsible for making a wide variety of appointments. These include the appointment of Governors of States, the Chief Justice and other Judges of the Supreme Court and high Courts, the Attorney General, the Comptroller and Auditor General, the Chief Election Commissioner and other Election Commissioners the Chairman and other Members of the Union Public Service Commission Ambassadors and High Commissioners to other countries.

He appoints a commission to investigate into the conditions of SCs, STs and other backward classes. He is the supreme commander of the defence forces of India, in this capacity the President can appoint Army, Navy, and Air Chiefs.

Legislative Powers

The President is an integral part of the Union Parliament. He inaugurates the session of the Parliament by addressing it after the general election and also at the beginning of the first session each year. This address is essentially identical in nature to a Speech from the Throne. The President summons Parliament at least twice in a year. He may send messages to either House of the Parliament with respect to a bill pending in the House. All bills passed by the Parliament become "Laws of Acts" only after getting assent of the President. Money bills cannot be introduced in the Parliament without his approval. President terminates the sessions of both or any of the Houses of Parliament. He can even dissolve the Lok Sabha before the expiry of the term of the House. He nominates 12 persons who are eminent in literature, science, sports, art and social service to the Rajya Sabha. He can also nominate two persons belonging to Anglo- Indian Community to the Lok Sabha, if in his opinion, that community is inadequately represented in the House.

Financial Power

Money bill can be introduced in the Parliament only with his prior recommendation. Annual Budget of the Central Government is presented before the Lok Sabha by the Union Finance Minister only with the permission of the President. He causes to be laid before the Parliament the annual financial statement (the Union Budget). The Constitution of India places the Contingency Fund of India is at the disposal of the President. No demand for a grant can be made except on his recommendation. He can

make advances out of the contingency fund of India to meet any unexpected expenditure. He constitutes a finance commission after every five years or on the demand of the states to recommend the distribution of revenues between the Centre and the States.

Judicial Powers

Article 72 confers on the President power to grant pardons, reprieves, respites or remissions of punishment, or to commute the sentence of any person convicted of an offence. In all cases where the punishment or sentence is by a court martial; in all cases where the punishment or sentence is for an offence against a Union law; and in all cases where the sentence is a sentence of death. The President is not answerable to any court of law for exercise of his/she power (however He can be subjected to impeachment by the Parliament).

Military Powers

Article 53(2) lays down that “the supreme command of the Defence Force of the Union shall be vested in the President and the exercise thereof shall be regulated by law”. The President is thus declared to be the Supreme Commander of the defence Force of the country. In the exercise of this power, it is the President, who can declare war against a country and make peace.

Diplomatic Powers

The President appoints Indian diplomats to other countries and receives foreign diplomats posted to India. The ambassador designate becomes ambassador after calling on the President and presenting his credentials. All treaties and agreements with foreign States are entered into, in the name of the President.

Emergency Powers

The President has been empowered by the Constitution to proclaim Emergency. They are follows:

- Article 352 confers power on the President to make a proclamation of Emergency on the grounds of war, external aggression, or armed rebellion. This is known as National Emergency.
- Article 356 confers power on the President to make a proclamation of State Emergency by declaring that the Government in a State cannot be run on in accordance of the provisions of the Constitution.
- Under Article 360, the President is vested with the power to proclaim Financial Emergency, if he is satisfied that the financial stability or, the credit of India or any part of India is threatened, by any reason.

Removal of the President

The President shall hold office for a term of five years from the date on which He enters the office. The President may by writing under his hand addressed to the Vice-President, resign his office. The President may, for violation of the Constitution, be

removed from office by impeachment in the manner provided in Article 61; The Impeachment action can be brought about in the form of resolution in either house of the Parliament. It must be supported by not less than One- Fourth of the total strength of the House for its introduction. The President shall, in spite of the conclusion of his term, continue to hold office until his successor enters upon his office.

Privileges of the President

According to Article 361(1) the President, or the Governor of a state, shall not be answerable to any court for the exercise and performance of the powers and duties of his office or for any act done or purporting to be done by him in the exercise and performance of those powers and duties.

List of Presidents of India

1. Thiru. Rajendra Prasad	1950 to 1962
2. Thiru. Sarvepalli Radhakrishnan	1962 to 1967
3. Thiru. Zakir Hussain	1967 to 1969
4. Thiru. V.V Giri	1969 to 1974
5. Thiru. Fakhruddin Ali Ahmed	1974 to 1977
6. Thiru. Neelam Sanjiva Reddy	1977 to 1982
7. Thiru. Giani Zail Singh	1982 to 1987
8. Thiru. R Venkataraman	1987 to 1992
9. Thiru. Shankar Dayal Sharma	1992 to 1997
10. Thiru. K R Narayanan	1997 to 2002
11. Thiru. APJ Abdul Kalam	2002 to 2007
12. Tmt. Pratibha Patil	2007 to 2012
13. Thiru. Pranab Mukherjee	2012 to 2017
14. Thiru. Ram Nath Kovind	2017 to till now

Vice-President

The vice-President occupies the second highest office in the country. He is accorded a rank next to the President in the official warrant of precedence. This office is modelled on the lines of the American Vice- President. Article 63 of the constitution provides for a Vice President of India. This office has been created to maintain the political continuity of the state.

Qualification for the election as Vice President

The constitution lays down qualifications for a Vice Presidential candidate.

- He should be a citizen of India.
- He must have completed the age of thirtyfive years.
- He must not hold any office of profit under the Union, State or local Government.
- He should have the other qualifications required to become a member of the Rajya Sabha.

Election and term of the Vice-President

Article 66(1) the Vice- President, like the president, is elected not directly by the people but the method of indirect election. He is elected by the members of an electoral college consisting of the member of both Houses of Parliament. The term of office of the Vice President is five years. His office may terminate earlier than the fixed term either by resignation, death or by removal. He is eligible for re-election. The Constitution does not

provide a mechanism of succession to the office of the Vice – President. Under such circumstances, election to the Vice President shall be held early as possible. Till then deputy chairman of the Rajya sabha can perform the duties of the chairman of the Rajya sabha.

Removal of the VicePresident

The Vice President may be removed from his office by a resolution of the Council of States passed by a majority of all the then members of the council and agreed to by the House of the People. A resolution for this purpose may be moved only after a notice of at least a minimum of 14 days has been given of such an intention.

Functions of the Vice President

The Vice-President is Ex-Officio Chairman of the Rajya Sabha. As the Chairman of the House, he carries out several functions.

- He regulates the proceeding of the House.
- He decides the order of the House.
- He decides the admissibility of a resolution or questions.
- He suspends or adjourns the House in case of a grave disorder.
- He issues directions to various committees on matters relating to their functions.
- When the President is unable to discharge his duties due to illness or absence from the country, he attends to the functions of the President. When the President is unable to do so due to sickness or when the post of President becomes vacant due to resignation, death, or removal by impeachment etc. the Vice-President can act as the President for a maximum period of six months.

Prime Minister

Article 74 (1) says: There shall be a council of ministers with the Prime Minister as the head to aid and advice the President. He may direct the council to reconsider their advice, but is bound by the advice given after reconsideration. The post of Prime Minister of India has adopted the Westminster (England) model of constitutional democracy. The leader of the majority party in Lok Sabha is appointed by the President as the Prime Minister. The other ministers are appointed by the President on the advice of the Prime Minister. If no party commands absolute majority in the Lok Sabha, the President can summon the leader of any party who, in his opinion, can manage to form a ministry. The President administers to the ministers the oath of office and of secrecy. The salaries and allowances of the Prime Minister and the ministers are determined by the Parliament. A person who is not a member of the Parliament can be appointed as a minister but he has to get himself elected to the Parliament within six months. Ministers are individually as well as collectively responsible to the Lok Sabha.

Duties and functions of Prime Minister

Article 78 mentioned the duties of the Prime Minister:

- The Prime Minister decides the rank of his ministers and distributes various departments.
- The Prime Minister decides the dates and the agenda of the meeting of the Cabinet which he presides.

- The Prime Minister is the Head of the Cabinet and the other ministers are his colleagues.
- The Prime Minister informally consults two or three of his senior colleagues when he does not convene a Cabinet meeting.
- The Prime Minister supervises the work of various ministers.
- To converse to the President all decisions of the Council of Ministers connecting to the government of the affairs of the Union and proposals for legislation.
- The Prime Minister act as the link between the President and the Council of Ministers.
- The Prime Minister is the leader of the Nation and chief spokesman of the country.
- As the leader of the nation, the Prime Minister represent our nation at all international conferences like the commonwealth, summit of the non aligned nations and SAARC nations.

1. Thiru. Jawaharlal Nehru	1947-64
2. Thiru. Lal Bahadur Shastri	1964-66
3. Tmt. Indira Gandhi	1966-77
4. Thiru. Morarji Desai	1977-79
5. Thiru. Charan Singh	1979-80
6. Tmt. Indira Gandhi	1980-84
7. Thiru. Rajiv Gandhi	1984-89
8. Thiru. V.P. Singh	1989-90
9. Thiru. Chandra Shekhar	1990-91
10. Thiru. P.V. Narasimha Rao	1991-96
11. Thiru. Atal Bihari Vajpayee	May 1996
12. Thiru. D. Deve Gowda	1996-97
13. Thiru. I.K. Gujral	1997-98
14. Thiru. Atal Bihari Vajpayee	1998-2004
15. Thiru. Manmohan Singh	2004-14
16. Thiru. Narendra Modi	2014-till now

Council of Ministers

After the elections, the President of India, on the advice of the Prime Minister, appoints the council of ministers. Sometimes a non - member of the Parliament too may be appointed. However, he must get elected to either of the Houses of the Parliament within a period of six months. The Constitution of India restricts the number of the Council of Ministers including the Prime Minister to fifteen per cent of the total members of the Lok Sabha.

Categories of the Ministers

The ministers are classified under three ranks

- (i) Cabinet Ministers
- (ii) Ministers of State
- (iii) Deputy Ministers.

Cabinet Ministers

The Cabinet is an informal body of senior ministers who form the nucleus of administration. Important decisions of the government are taken by the Cabinet, such as defence, finance, external affairs and home.

The Cabinet recommends to the President to promulgate an ordinance. It is instrumental in moving Amendments to the Constitution. The Finance bills have their origin in the Cabinet and then they are introduced in the Lok Sabha with the Presidents recommendations. The

Cabinet decides the foreign policy of the Government approves international treaties and plays a significant role in the appointment of Ambassadors to various countries.

Ministers of State

These ministers belong to the second category of ministers in the council. They are also in charge of ministries or departments but they do not participate in the meetings of the cabinet unless invited to do so.

Deputy Ministers

They are the lowest ranked ministers in the cabinet. They assist either the Ministers of Cabinet or State in the performance of the duties entrusted to them.

PARLIAMENT OF INDIA

The parliament is the legislative organ of the Union government. Article 79 to 122 in Part V of the constitution deal with the organization, composition, duration, officers, procedures, privileges, powers and so on of the Parliament. The Parliament of India consists of three parts they are the President, Rajya Sabha (the council of States) and Lok Sabha (the House of the People). The Rajya Sabha is the Upper House and the Lok Sabha is the Lower House it is termed as bicameral legislature.

Rajya Sabha

The council of State or Rajya Sabha consists of 250 members out of whom 238 represent the states and the Union Territories, elected by the method of indirect election. The 12 nominated members shall be chosen by the President from amongst persons having 'special knowledge or practical experience in the field of literature, science, sports, art and social service.

Qualification of the Members

A person seeking membership of Rajya Sabha must possess the following qualifications

- He should be a citizen of India.
- He should not be less than 30 years of age.
- He should not hold any office of profit under any Government.
- He should be a person with sound mind and monetarily solvent.
- He should have such other qualification as may be approved by the Parliament for that reason from time to time.
- He should not be the member of Lok Sabha or any other legislature.

Term of House

The Rajya Sabha is a permanent house and it cannot be dissolved. The members of the Rajya Sabha are elected for a term of six years. One third of the members of Rajya Sabha retire every two years, and new members are elected to fill the seats thus vacated. The Vice President of India is the Ex-officio Chairperson of the Rajya Sabha. The Deputy Chairperson of the Rajya Sabha is elected by the members of the Rajya Sabha.

Election

Members of Rajya Sabha are elected by the elected members of the 'State Legislative Assemblies' in accordance with the system of proportional representation by means of the single transferable vote. This process of election is called "indirect election" as they are not elected by the people directly.

Functions of the Rajya Sabha

- Any bill (except the money bills) needs to be approved by Rajya Sabha to get passed. If the bill gets stuck for more than six months then President calls for a joint session of both the houses to resolve the deadlock.
- It has the same power as Lok Sabha, for passing any bill for constitutional amendment.
- The members of Rajya Sabha have the electoral power for selection of President, Vice President. Together with the members of Lok Sabha and all the State Legislative Assemblies they elect the President and Vice President.
- It has power in the impeachment procedure of president and judges of Supreme Court and high court.
- Rajya Sabha has the power to make a state list subject into National Importance. If two third majority of the members of Rajya Sabha passes a resolution to support it. Rajya Sabha can also create or abolish an All India Service. If majority of members (2/3 of Total Members) supports it.

Lok Sabha

The Lok Sabha is the popular house of the Indian Parliament and contains elected representatives of the people. Maximum number of members can be elected for Lok Sabha is 552. The Lok Sabha as of today has 543 elected members. Out of these, 530 members are elected from different states and 13 members from the Union Territories. The President generally nominates two members belonging to the Anglo-Indian community. At present, the Lok Sabha consists of 545 members.

Qualification of the Members

- He should be a citizen of India.
- He should not be less than 25 years of age.
- He should have his name in electoral rolls in some part of the country. He should not hold any office of profit under the Union or State Government.
- He should be mentally sound and economically solvent.

The term of the House

Generally the Lok Sabha enjoys a term of five years from the date of its first session. It can be dissolved by the President before the expiry of its term on the advice of the Prime Minister. The emergency provisions of the Constitution enable the President to prorogue or dissolve the Lok Sabha either on the advice of the Prime Minister or on being convinced that no party or no alliance of parties enjoys necessary majority support in the House.

Election

The members of the Lok Sabha are directly elected by the people of the constituencies created on the basis of population. The Election Commission of India arranges, supervises and conducts elections to the Lok Sabha. For sake of elections to Lok Sabha the entire nation is divided into number of constituencies which are formed more or less on the basis of the population. "Universal Adult Franchise" is followed while electing the members of the Lok Sabha. All Indian Citizens above 18 years of age who are registered as voters will vote for their representatives.

Functions of the Lok Sabha

- Any bill can be introduced and passed in the Lok Sabha (Including Money Bill).
- It has the same power as Rajya Sabha to participate in case of impeachment of president and the judges of Supreme Court.
- It has equal power as Rajya Sabha in passing any bill for constitutional amendment.
- Lok Sabha members have the power to elect the president, vice president.
- Motion of no confidence can only be introduced in Lok Sabha. If it is passed then the prime minister and other council of ministers need to resign from their post.

The Speaker

The Lok Sabha is presided over by the 'speaker' who is elected by its members. The office of the Speaker occupies an essential position in our Parliamentary democracy. The Speaker continues to be in the office even in the houses dissolved, till a new Speaker is elected by the new Lok Sabha. The Speaker presides over a joint sitting of the two Houses of Parliament. He has the power to decide whether a Bill is Money Bill or an ordinary one. The decision of the Speaker on whether a Bill is Money Bill is final. Under the anti defection of 1985, the speaker is empowered to decide whether a member of the Lok Sabha is disqualified or not on the basis of the 10th schedule of the constitution. While the office of speaker is vacant or the speaker is absent from the sitting of the house, the deputy speaker presides, except when a resolution for his own removal is under consideration.

Powers and Functions of the Parliament

- The Parliament of India has the functions of Legislation, overseeing of administration, passing of Budget, ventilation of public grievances, discussion of various subjects like development plans, international relations and internal policies.
- Parliament is also vested with powers to impeach the President and to remove Judges of the Supreme Court and High Courts, Chief Election Commissioner and Comptroller and Auditor-General of India in accordance with the procedure laid down in the Constitution.
- The Parliament exercises control over the executive through asking questions and supplementary questions, moving motions of adjournment, discussing and passing resolutions, discussing and pushing censure motion or vote of no-confidence.
- The Parliament has the power to change the boundaries of the States.

Attorney General of India

The Constitution (Article 76) has provided for office of the Attorney General for India. He is the highest law officer in the country. He is appointed by the President. He must be a person who is qualified to be appointed the Judge of the Supreme Court. In other words, he must be a citizen of India and he must have been a judge of some High Court for five years or an advocate of some High Court for 10 years or eminent jurist, in the opinion of the President. He holds office during the pleasure of the President. This means that he may be removed by the President at any time. He may also quit his office by submitting his resignation to the President.

Duties and Functions of Attorney General of India

To give advice to the Government of India upon such legal matters which are referred to him by the President. To perform such other duties of a legal character that are assigned to him by the President and discharge the functions conferred on him by the constitution are any other law. In the performance of his official duties, Attorney General of India has the right of audience in all courts in the territory of India. Further he has the right to speak and to take part in the proceedings of both Houses of the Parliament or their joint sitting and any committee of the Parliament of which he may be named a member, but without a right to vote. He enjoys all the privileges and immunities that are available to a member of Parliament.

JUDICIARY

Judiciary is the third organ of the government. It plays a vital role in protecting the rights and freedom of the citizens. It also plays an important role in analyzing and interpreting the provisions of laws and the Constitution.

Supreme Court

The "Supreme Court is the Guardian of the Constitution". Our constitution provides for the establishment of an independent and integrated judiciary with 'supreme court' as the uppermost court in the country. Our judiciary is autonomous of the Legislative and Executive wing of the Union and State Government. An integrated judiciary means

a single judicial hierarchy for the whole country. The judiciary plays an important role in defensive the rights and freedom of the citizens. It plays an important role in analyzing and interpreting the necessities of laws and the constitution.

Composition of the Supreme Court

At the commencement of the constitution in 1950 our supreme court consisted of 8 judges including the chief justice. At present, the Supreme Court consists of 28 judges including the chief justice.

Appointment of Judges

The Chief Justice of Supreme Court in India is appointed by the President of India. The other judges are appointed by the President in consultation with the collegiums with Chief Justice Head.

Qualification of Supreme Court Judges

- He must be a citizen of India.
- He should have worked as a Judge of a High Court for at least 5 years.
- He should have worked as an advocate of High Court for at least 10 years.
- He is in the opinion of the President, a distinguished Jurist.

The constitution also provides for the appointment of judges to the Supreme Court on an ad-hoc (temporary) basis. The Chief Justice and other judges of the Supreme Court hold the office up to the age of 65 years. The judges of the Supreme Court can resign before their term by giving their resignation in writing to the President. The Parliament also has power to remove the Judges by invoking impeachment provisions. The Supreme Court has its permanent seat in "New Delhi". It may also sit any other place in India which may be decided by the Chief Justice of India with the approval of the President of India.

Powers and Functions of the Supreme Court

(a) Judicial Functions

The "Supreme Court is the Guardian of the Constitution". The followings are the functions of the Supreme Court.

(b) Original Jurisdiction

The cases which are brought directly in the first instance to the Supreme Court come under original jurisdiction. These may be (i) dispute between the Government of India and one or more States of (ii) Dispute between two or more states (iii) the cases involving fundamental rights (dispute over the enforcement) come under the jurisdiction of the Supreme Court. The writs issued by the Supreme Court for the enforcement of the fundamental rights are, (a) Habeas Corpus (b) Mandamus (c) Prohibition (d) Certiorari (e) Quo Warranto.

(c) Appellate Jurisdiction

The Supreme Court is the final appellate court in the country. As regard the Appellate jurisdiction, the Supreme Court hears appeals against the decisions of High Court in "civil, criminal and Constitutional" cases with a certificate from the High Court that it is fit to appeal in the Supreme Court. Such a case can be brought before the Supreme Court only if the High Court certifies that the case invites a substantial of law as to the interpretation of the Constitution.

(d) Advisory Jurisdiction

The Constitution confers on the President the power to refer to the Supreme Court any question of law or fact which in his opinion is of public importance.

(e) Miscellaneous Jurisdiction

The Supreme Court is

- The law declared by Supreme Court is binding on all courts within the territory of India.
- The Supreme Court is authorized to make rules for regulating, generally the practice and procedure of the court with the approval of the President.
- The Supreme Court has complete control over its own establishment.

(f) Judicial Review

The power of the judiciary to declare a law as unconstitutional is known as “Judicial Review”. The Supreme Court enjoys this power. The Supreme Court of India has Individual Review Power with regard to

1. Dispute between the Centre and the States
2. To interpret and clarify a provision of the constitution about which there are some doubts and differences of opinion.
3. Protecting the fundamental rights,
4. Those laws passed by the legislatures which are not in accordance with the Constitution.

NOTE

- It is a well known fact that the President of India resides at **Rashtrapati Bhavan** in New Delhi. The residence and the office of the President are located in the same building. However he has two other office cum residences where he conducts office at least once a year. They are '**The Retreat Building**' at Shimla and the '**Rashtrapati Nilayam**' at Hyderabad. These locations one in North and other one is South symbolise the unity of the country and unity of the diverse culture of the people.
- **Kerala and Punjab** are the States where the President's Rule was imposed for maximum number of times i.e., **nine times in both States**.
- **Casting Vote**
According to **Article (100)** of the Constitution, the **vice-president can only cast his vote when there is a tie** over the Bill in the **Rajya Sabha**. It means that there is need for one vote only to pass the Bill. So vice-president using his discretion power cast his vote in favour or against the Bill. No members have any right to oppose his decision.
- If the posts of **President and Vice-President lie vacant**, Chief Justice of India works as President. This situation happened in 1969 when **Chief Justice M.Hidayutalla** was appointed as President of India.
- **Money Bill**
Rajya Sabha does not have any power to amend or reject the Money bill. Lok Sabha can only introduce Money bill and once it is approved by the Lok Sabha, it is passed to Rajya Sabha for its approval. If Rajya Sabha fails to pass **it within 14 days** then the bill gets passed without the approval of Rajya Sabha. Also, Lok Sabha does not need to consider the amendments proposed by the Rajya Sabha. Lok Sabha can reject all the proposals and pass it.
- Elected members of the Parliament from Tamil Nadu.
 - ❖ Rajya Sabha - 18 members
 - ❖ Lok Sabha - 39 members
- **Parliament Session**
 - ❖ Budget Session from February to May
 - ❖ Monsoon Session from July to September
 - ❖ Winter Session from November to December
- The Supreme Court of India, New Delhi was inaugurated on January 28, 1950. It succeeded the Federal Court of India, established under the Government of India Act of 1935.

UNIT 3 - STATE GOVERNMENT

Introduction

The Constitution of India envisages for a federal government, having separate systems of administration for the union and the states. There are 29 states, 6 union territories and one national capital territory known as Delhi in India. The constitution contains provisions for the governance of both the union and the states. It lays down a uniform structure for the State Government, in part VI of the constitution from Article 152 to 237, which is applicable to all the states, save only the state of Jammu and Kashmir which has a separate constitution for its government under Article 370. The structure of the State Government, as formed in the Centre, consists of three branches. These are the Executive, the Legislature and the Judiciary.

The Executive

The Governor

The Governor is the constitutional head of the state executive. The administration of a State is carried on in the name of the Governor. Generally, there is a separate Governor in each State but if the situation warrants so, the same person may be appointed as the Governor of two or more States.

Article 154 vests the executive power of the State in the Governor. Article 154(1) holds that the executive power of the State shall be vested in the Governor and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution.

Appointment

The Governor of a State shall be appointed by the President. His usual term of office is five years but he holds office during the pleasure of the President. Generally, the Governor does not belong to the State where he is appointed. He can also be transferred from one state to another by the President. He can also resign any time by addressing his resignation to the President.

The Legislature of a State or a High Court has no role in the removal of a Governor. A person may be appointed as a Governor for any number of terms. Two conventions have been set up in the matter of appointing a person as Governor of a State. He should not be a resident of the State concerned and, the State Government concerned is consulted and its views are sought regarding the proposed choice.

According to Article 158 (3A), where the same person is appointed as Governor of two or more States, the emoluments and allowances payable to the Governor shall be allocated among the States in such proportion as the President may by order determine.

Qualification

Article 157 and Article 158 of the Constitution of India specify eligibility requirements for the post of governor. They are as follows:

- He should be a citizen of India.
- He must have completed 35 years of age.

- He should not be a member of Parliament or of any State Legislature. If he is a member of any of Legislature, he automatically vacates his seat on assuming the office.
- He should not hold any other profitable occupation.

Powers and Functions of the Governor

The Governor is the head of the state executive and he has enormous powers. In the exercise of functions and powers, the Governor, except in certain cases, is to be guided by the aid and advice of the Council of Ministers headed by the Chief Minister (under Article 163). As the executive head in the state level, the Governor has following functions and powers.

Executive Powers

The Constitution vests all executive powers of the State Government in the Governor. He may exercise this power either directly or through officers subordinate to him. He is the constitutional head of the State. All the administration is carried on in his name.

The executive powers and functions of the Governor are:

- He appoints the leader of the majority party in the State Legislative Assembly as the Chief Minister of the State.
- He appoints other members of the Council of Ministers on the recommendation of the Chief Minister.
- He appoints the Advocate - General of the state and determines his remuneration.
- The Advocate General holds office during the pleasure of the Governor.
- He appoints the Chairman and Members of the State Public Service Commission. However, they can be removed only by the president and not by a governor.
- He appoints the state election commissioner and determines his conditions of service and tenure of office.
- However, the state election commissioner can be removed only in like manner and on the like grounds as a judge of a high court.
- He acts as the chancellor of universities in the state. He also appoints the Vice Chancellors of universities in the state.
- He directly rules a State when there is the imposition of the President's rule in the State.

Legislative Powers

The Governor is an integral part of the state legislature. But, he is not a member in the either house of the legislature. In this capacity, he enjoys the following legislative powers and functions:

- He has the right to summon, prorogue the state legislature and dissolve the State Legislative Assembly.
- He can address the state legislature at the commencement of the first session after each general election and the first session of each year.
- He can send messages to the houses of the state legislature relating to a bill pending in the legislature.

- He can appoint any member of the Legislative Assembly to preside over its proceedings when the offices of both the Speaker and the Deputy Speaker fall vacant.
- He can nominate one member to the state legislature assembly from the Anglo-Indian Community.
- He nominates 1/6 of the members of the State Legislative Council from amongst the persons having special knowledge or practical experience in literature, science, art, cooperative movement and social service.
- He decides on the question of disqualification of members of the state legislature in consultation with the Election Commission.
- Every bill passed by the state legislature will become law only after his signature.
- But, when a bill is sent to the Governor after it is passed by the legislature, he has the options to give his assent to the bill or withhold his assent to the bill or return the bill for the reconsideration of the legislature.
- He has to reserve any bill passed by the state legislature which endangers the position of the state High Court, for the consideration of the President.
- He can promulgate ordinances when the state legislature is not in session under Article 213. But, these ordinances must be approved by the legislature within six months. He can also withdraw an ordinance at anytime.
- He has to lay the annual reports of the State Finance Commission, the State Public Service Commission and the Comptroller and Auditor General relating to the accounts of the state, before the state legislature.

Financial Powers

- The Constitution confers on the Governor, the duty to get prepared and introduced to the State Legislature, the annual budget and also the supplementary budgets, if necessary.
- He causes the Annual Financial Statement (Budget) of the State to be presented in the Legislative Assembly.
- He presents through the Minister of Finance of the State the Supplementary Budget of the State to the Legislative Assembly if there be such a need.
- Money Bills can be introduced in the State Legislature only with his the prior recommendation.
- No demand for any grant can be made except on his recommendation.
- He can make advances out of the state Contingency Fund to meet any unforeseen expenditure.
- He constitutes a Finance Commission after every five years to review the financial position of the panchayats and the municipalities.

Judicial Powers

- He appoints the Advocate-General of the State.
- He appoints Judges to the Subordinate Courts in the State.
- He makes appointment, postings and promotions of the District Judges in consultation with the State High Court.
- The Chief Justice of the High Court in the State is appointed by the President in consultation with him.

- He can pardon, commute or reprieve punishment on receipt of appeals for mercy.

Discretionary Powers

- The Governor can reserve a bill for the consideration of the president.
- He recommends for the imposition of the President's rule in the state.
- He seeks information from the Chief Minister relating to the administrative and legislative matters of the state.
- He can call the leader of any party to form ministry in the state when there is no clear-cut majority to any party in the Legislative Assembly after the general elections.
- He can dismiss the Council of Ministers when it is unable to prove the confidence of the Legislative Assembly; and
- He can dissolve the Legislative Assembly if the Council of Ministers has lost its majority.

Emergency Powers

If the Governor is satisfied that the government of the state is not carried on in accordance with the provisions of the Constitution, he may, under Article 356, recommend to the President to impose President Rule in that State. As soon as the President Rule is imposed, the administration of the State is carried on by the Governor as the representative of the President.

Privileges of the Governor

Article 361(1) provides for the following privileges for the Governor;

- The Governor of a State, is not answerable to any court for the exercise and performance of the powers and duties of his office or for any act done or purporting to be done by him in the exercise and performance of those powers and duties.
- No criminal proceedings whatsoever shall be instituted or continued against the Governor of a State, in any court during his term of office.
- No process for the arrest or imprisonment of the Governor of a State, shall issue from any court during his term of office.
- No civil proceedings in which relief is claimed against the Governor of a State.

Chief Minister

In the scheme of Parliamentary system of government provided by the constitution, the governor is the nominal executive authority and the Chief Minister is the real executive authority. In other words, the governor is the head of the State while the Chief Minister is the head of the government.

The appointment of the Chief Minister

The Chief Minister is appointed by the Governor of the State. The leader of the majority party or majority group in the State Legislative Assembly is appointed as the Chief Minister. In case no party commands absolute majority, in the Legislative Assembly or the majority fails to elect its leader, the Governor can use his power and invite the leader of the other largest party to form the ministry. He has to prove the confidence (majority support) in the Legislative Assembly within the period stipulated by the Governor. The term of the

Chief Minister is not fixed. He may remain as the Chief Minister as long as he enjoys the support of the majority of the members of the Legislative Assembly. He has to resign when he loses confidence of the majority in the assembly. It is understood that normally he completes 5 years term like other members in the Legislative Assembly.

Chief Ministers of Tamil Nadu from 1947

Thiru O.P. Ramaswamy	1947-1949
Thiru P.S. Kumaraswamy Raja	1949-1952
Thiru C. Rajagopalachari	1952-1954
Thiru K. Kamaraj	1954 - 1963
Thiru M. Bakthavatsalam	1963 - 1967
Thiru C.N. Annadurai	1967-1969
Thiru M. Karunanidhi	1969-1976
Thiru M. G. Ramachandran	1977-1987
Tmt. Janaki Ramachandran	January 1988
Thiru M. Karunanidhi	1989 -1991
Selvi J. Jayalalithaa	1991 - 1996
Thiru M. Karunanidhi	1996-2001
Selvi J. Jayalalithaa	2001
Thiru O. Panneerselvam	2001 -2002
Selvi J. Jayalalithaa	2002-2006
Thiru M. Karunanidhi	2006-2011
Selvi J. Jayalalithaa	2011-2014
Thiru O. Panneerselvam	2014 - 2015
Selvi J. Jayalalithaa	2015-2016
Thiru O. Panneerselvam	2016-2017
Thiru Edappadi K. Palaniswami	2017- till now

Powers and functions of the Chief Minister

The Chief Minister is the real executive head of the State administration. He has the following powers and functions.

- Relating to the council of ministers
- Relating to the Governor
- Relating to the State Legislature Other functions and powers.

Relating to the Council of Ministers

As the head of the Council of Ministers, the Chief Minister enjoys the following functions and powers.

- The Chief Minister recommends the persons who can be appointed as ministers by Governor.
- He allocates the portfolios among the ministers.

- He shuffles and reshuffles his ministry.
- He can ask a minister to resign or to advise the Governor to dismiss him in case of difference of opinion.
- He presides over the meetings of the Council of Ministers and influences its decisions.
- He can bring about the collapse of the council of ministers by resigning from office.
- He guides, directs, controls and coordinates the activities of all the ministers.

Relating to the Governor

The Chief Minister is the principal channel of communication between the Governor and the Council of Ministers, and he advises the Governor in relation to the appointment of the following officials:

- Advocate General of the State.
- State Election Commissioner.
- Chairman and Members of the State Public Service Commission.
- Chairman and Members of the State Planning Commission.
- Chairman and Members of the State Finance Commission.

Relating to State Legislature

- The Chief Minister advises the Governor with regard to the summoning and proroguing the sessions of the state legislature.
- He announces the government policies on the floor of the house.
- He can introduce the bills in the Legislative Assembly.
- He can recommend for the dissolution of the Legislative Assembly to the Governor anytime.

Other function and powers

- As the leader of the ruling party, the Chief Minister has to control the party and develop the disciplines.
- As the leader of the state, he has to keenly consider the demands of the different sections of the people.
- As the political head of the various services, he has to supervise, control and coordinate the secretaries of various departments in the state level.
- For smooth functioning of the state and for good centre-state relations, he has to develop a rapport with the union government.

Council of Ministers

The Council of Ministers are collectively responsible to the State Legislature. All the members of the Council of Ministers must be the members of the State Legislature. Those who are not the members at the time of their appointment must secure their seats in the Legislature within a period of 6 months. All the ministers work as a team under the Chief Minister. As long as the Chief Minister is in office, the Council of Ministers will also be in power. If a no-confidence motion is passed by the Legislative Assembly, the State Ministry shall resign.

Article 163 provides for a Council of Ministers to aid and advise the Governor. According to Article 163(1) there shall be a Council of Ministers with the Chief Minister at

the head to aid and advice the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion.

Other Provisions relating to Ministers

Article 164(1) holds that the Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor: Article 164(1A) states that the total number of Ministers, including the Chief Minister, in the Council of Ministers in a State shall not exceed fifteen percent of the total number of members of the Legislative Assembly.

The functions and powers of the Council of Ministers

- It formulates and decides the policies of the state and implements them effectively.
- It decides the legislative programmes of the Legislative Assembly and sponsors all important bills.
- It controls the financial policy and decides the tax structure for the public welfare of the state.
- It chalks out programmes and schemes for the socio-economic changes so that the state makes headway in various interrelated fields.
- It makes the important appointments of the Heads of Departments.
- It discusses and takes efforts on the dispute with other states.
- It advises the Governor on the appointment of Judges of the subordinate courts.
- It frames the proposal for incurring expenditure out of state reserves.
- It decides all the bills whether ordinary bills or money bills to be introduced in the Legislative Assembly.
- Each minister of the Council of Ministers supervises, controls and coordinates the department concerned.
- Annual Financial Statement called as the Budget is finalised by the Council of Ministers.

The State Legislature

The Constitution provides a legislature for every state. Most of the States have only unicameral legislature i.e., Legislative assembly. Some State has bicameral legislatures (example Bihar, Karnataka, Maharashtra, Uttar Pradesh, Andhra Pradesh, Telangana and Jammu-Kashmir). The lower house, legislative assembly represents the people of the state the upper house; Legislative Council represents special interests like teachers, graduates and local governments.

The Legislative Assembly (Lower House)

The Legislative Assembly is a popular house. It is the real centre of power in the State. It consists of members directly elected by the people on the basis of adult franchise. The strength of the Assembly varies from State to State depending on the population. However the maximum strength of the Assembly must not exceed 500 or its minimum

strength not below 60. The term of office of the legislative assembly is 5 years. It can be dissolved even before the expiry of its term.

The size of the Legislative Council cannot be more than one-third the membership of the Legislative Assembly (lower house) of that state.

But its size cannot be less than 40, except in Jammu and Kashmir where there are 36 by an act of Parliament. The members draw the salary and allowances passed by the State legislature from time to time.

Composition

The Legislative Assembly of Tamil Nadu consists of 235 members out of which 234 members are directly elected by the people from the constituencies on the basis of adult franchise and one member is nominated by the Governor from the Anglo-Indian community.

However, seats shall be reserved in the house for the scheduled castes and scheduled tribes.

Cabinet and Cabinet Committees

A smaller body called Cabinet is the nucleus of the council of minister. It consists of only the cabinet ministers. It is the real centre of authority in the state government. The cabinet works through various committees called cabinet committees. They are of two types - standing and ad hoc. The former are of a permanent nature while the latter are of a temporary nature.

The Speaker

The Legislative Assembly elects two of its members as the Speaker and Deputy Speaker. The Speaker vacates his office, if he cannot continue to be a member of the Assembly. He may also resign his office at any time. The speaker may be removed from office by a resolution of the Assembly after giving a 14 days' notice. Such a resolution must be passed by a majority of the members present at the time of voting. The speaker does not vacate his office, when the Assembly is dissolved. He continues to be the Speaker until the first sitting of the new Assembly. While the office of the speaker is vacant, the Deputy Speaker performs his functions.

The Legislative Council (Upper House)

The legislative Council is the upper House of the State Legislature. It is constituted as a permanent House. Article 171(1) provides that the total number of members in the Legislative Council of a State shall not exceed one-third of the total number of members in the Legislative Assembly of that State, but not less than 40 members in any case.

The Vidhan Parishads (Legislative Council) forms a part of the state legislatures of India. In Seven of India's 29 states (Bihar, Karnataka, Maharashtra, Uttar Pradesh, Andhra Pradesh, Telangana and Jammu - Kashmir) the Legislative Council serves as the indirectly elected upper house of a bicameral legislature. It is also a permanent house because it cannot be dissolved. Every Member of Legislative Council (MLC) serves for a six-year term, with terms staggered so that the terms of one-third of members expire every two years. MLCs must be citizens of India not under

30 years of age, mentally sound and not bankrupt, and his name should be in the voter's list of the state from which he or she is contesting the election.

Election to Legislative Council

- 1/3 of the members are elected by local bodies.
- 1/12 of the members are elected by Graduates of the universities in the State.
- 1/12 of the members are elected by Graduate teachers.
- 1/3 of the members are elected by the members of the Legislative Assembly.
- 1/6 is nominated by the Governor who is eminent in the field of literary excellence, art, social services or Co-operation.

The Chairman

The Chairman (chair person he / she) is the Presiding Officer of the Upper house. The Members elect a Chairman and a deputy chairman from among themselves. In the absence of the chairman, the deputy chairman officiate the functions of the Legislative Council.

Abolition or Creation of Legislative Councils

Article 169 deals with the creation or abolition of Legislative Council in a State. Article 169 holds that if the state Legislative Assembly passes a resolution by a majority of not less than 2/3rd of the members present and voting and by the majority of total strength of the House, requesting the Parliament to create or abolish the state Legislative Council then the Parliament may by law provide for the abolition and creation of the Legislative Council.

Functions of the State Legislature

The powers and functions of the State Legislature are almost the same as that of Parliament.

Legislative powers

The State Legislature can pass laws on all subjects mentioned in the State List as per the constitution. It can also pass laws on concurrent subjects. The State law in a concurrent subject will become inoperative when the centre also passes a law on the same subject. The passing of Bill into law follows the same procedure, as in the union parliament. Every bill passes through three readings. Then it becomes an Act with the Governor's assent.

Financial Powers

The Legislature controls the finances of the State. The Lower House enjoys greater power than the Upper House in money matters. Money bills can be introduced only in the Lower House or the Assembly. No new tax can be levied without the sanction and permission of the Assembly.

Controls over the Executive

The Legislature controls the Executive. The Council of Ministers is responsible to the Assembly. The Ministers have to answer questions asked by the members of the Legislature. They can be removed from office if the Assembly passes a vote of "no confidence motion" against the Ministry.

Wide powers

In State having two Houses, the Legislative Assembly enjoys more powers than the Legislative Council. The Assembly has complete control over the state finance. The Council cannot vote for grants. The Council of Ministers is responsible only to the Assembly.

JUDICIARY OF STATE

High Courts

The institution of high court originated in India in 1862 when the high courts were set up at Calcutta, Bombay and Madras. In the course of time, each province in British India came to have its own high court. After 1950, a high court existing in a province became the high court for the corresponding state. The High Courts are the highest courts at State level, but being part of integrated Indian judiciary they work under the superintendence, direction and control of the Supreme Court. The Constitution of India provides for a high court for each state, but the Seventh Amendment Act of 1956 authorised the Parliament to establish a common high court for two or more states or for two or more states and a union territory. For example, the States of Punjab and Haryana and the Union Territory of Chandigarh have a common High Court situated at Chandigarh. Similarly, the High Court of Guwahati is common for seven northeastern States of Assam, Nagaland, Manipur, Meghalaya, Mizoram, Tripura and Arunachal Pradesh. Delhi, though not a State, has its own separate High Court. Every High Court has a Chief Justice and a number of judges. The number of judges varies from State to State. The number of judges of each High Court is determined by the President. At present there are 25 High Courts for 29 States (including new Andhra Pradesh High Court established in 1st January 2019 at principal seat in Amravati) and seven Union Territories.

Appointment of the Judges

Every High Court consists of a Chief Justice and such other Judges as appointed by the President from time to time (Article 216).

Jurisdiction and Powers of High Court

At present, a high court enjoys the following jurisdiction and powers:

Original Jurisdiction

In their judicial capacity, the High Courts of the Presidency towns (Bombay, Calcutta and Madras) have both original and appellate jurisdictions, while other High Courts have mostly appellate jurisdiction. Only in matters of admiralty, probate, matrimonial and contempt of Court, they have original jurisdiction. The Presidency High

Courts have original jurisdiction in which the amount involved is more than ₹2000 and in criminal cases which are committed to them by the Presidency Magistrates.

Appellate Jurisdiction

As Courts of appeal, all High Courts entertain appeals in civil and criminal cases from their subordinate Courts as well as on their own. They have, however, no jurisdiction over tribunals established under the laws relating to the Armed Forces of the Country.

Writ Jurisdiction

Under Article 226 of the constitution, the High Courts are given powers of issuing writs not only for the enforcement of the Fundamental Rights, but also for other purposes. In exercise of this power, a Court may issue the same type of writs, orders or directions which the Supreme Court is empowered to issue under Article 32. The jurisdiction to issue writs under this Article is larger in the case of High Courts, for which the Supreme Court can issue them only where a Fundamental Right has been infringed, a High Court can issue them not only in such cases, but also where an ordinary legal right has been infringed.

Habeas Corpus

The writ of habeas corpus is issued to a detaining authority, ordering the detainer to produce the detained person in the issuing court, along with the cause of his or her detention, if the detention is found to be illegal, the court issues an order to set the person free.

Mandamus

The writ of mandamus is issued to a subordinate court, an officer of government, or a corporation or other institution commanding the performance of certain acts or duties.

Prohibition

The writ of prohibition is issued by a higher court to a lower court prohibiting it from taking up a case because it falls outside the jurisdiction of the lower court. Thus, the higher court transfers the case to it.

Quo Warranto

The writ of quo Warranto is issued against a person who claims or usurps a public office. Through this writ the court inquires 'by what authority' the person supports his or her claim.

Certiorari

The writ of certiorari is issued to a lower court directing that the record of a case be sent up for review, together with all supporting files, evidence and documents, usually with the intention of overruling the judgment of the lower court. It is one of the mechanisms by which the fundamental rights of the citizens are upheld.

Supervisory Jurisdiction

High court has the power of superintendence over all courts and tribunals functioning in its territorial jurisdiction (except military courts or tribunals) Thus, it may

- a) Call for returns from them;
- b) Make an issue, general rules and prescribe forms for regulating the practice and proceedings of them.
- c) Prescribe forms in which books, entries and accounts are to be kept by them; and
- d) Settle the fees payable to the sheriff, clerks, officers and legal practitioners of them.

Control over Subordinate Courts

A high court has an administrative control and other powers over them

- a) It is consulted by the governor in the matters of appointment, posting and promotion of district judges and in the appointments of persons to the judicial service of the state (other than district judges).
- b) It deals with the matters of posting, promotion, grant of leave, transfers and discipline of the members of the judicial service of the state (other than district judges).
- c) It can withdraw a case pending in a subordinate court if it involves a substantial question of law that requires the interpretation of the Constitution. It can then either dispose of the case itself or determines the question of law and return the case to the subordinate court with its judgment.
- d) Its law is binding on all subordinate courts functioning within its territorial jurisdiction in the same sense as the law declared by the Supreme Court is binding on all courts in India.

Court of Record

All the decisions and decrees issued by the High Court are printed and are kept as a record for future references by the Court as well as by the lawyers, if such a need arises. Thus, it also acts as a Court of Record.

Power of Judicial Review

Judicial review is the power of a high court to examine the constitutionality of legislative enactments and executive orders of both the Central and state governments. Though the phrase judicial review has nowhere been used in the Constitution, the provisions of Articles

226 and 227 explicitly confer the power of judicial review on a high court

The 42nd Amendment Act of 1976 curtailed the judicial review power of high court. It barred the high courts from considering the constitutional validity of any central law. However, the 43rd Amendment Act of 1977 restored the original position.

NOTE

- The **Constitution of Jammu and Kashmir** was adopted on the **17 November, 1957 and came into force on 26 January, 1957**. The Constitution of India grants special status to Jammu and Kashmir among Indian states, and it is the only state in India to have a separate constitution. The **Directive Principles of the State Policy and fundamental duties of the constitution are not applicable to the state of Jammu and Kashmir. Right to Property**, which is denied as a fundamental right to rest of the India, is still **guaranteed in Jammu and Kashmir**.
- **Sarkaria Commission** on Centre, State relations suggested that the appointment of the Governor should be made:
 - i. From a panel to be prepared by the State Legislature or
 - ii. From a panel to be prepared by the State Government (in effect the Chief Minister) or invariably with the concurrence of the State Chief Minister ; or
 - iii. Invariably in consultation with the State Chief Minister. In Tamil Nadu, according to the strength of Legislative Assembly (234

members), the number of ministers may be up to 36, i.e. 15 percent of 234.

- The **Tamil Nadu Legislative Council was abolished** by Tamil Nadu Legislative Council (Abolition) Bill, 1986. The Act came into force on the **1st November 1986**.
 - The **High Court of Madras is the one of the three High Courts** in India established in the three Presidency Towns of Bombay, Calcutta and Madras by letters patent granted by Queen Victoria, bearing date **26 June 1862**. The High Court building is the second largest judicial complex in the world after London.
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10th civics
Unit 4 India's Foreign Policy

Learning Objectives

After studying this lesson, students will be able to

- Identify the basic principles of India's foreign policy
- Explain the meaning and significance of non-alignment
- Analyse the stages of our foreign policy
- Explain the importance of foreign policy
- Recognise the difference between domestic policy and foreign policy

Introduction

Foreign policy can be defined as a country's policy that is conceived, designed and formulated to safeguard and promote her national interests in her external affairs, in the conduct of relationships with other countries, both bilaterally and multilaterally. It seeks to secure the best interests of the people, territory and economy of the country. It is a direct reflection of country's traditional values and overall national policies, her aspirations and self-perception. Nations have also been interdependent. Interdependence has been an incontrovertible fact of international relations. An objective and goal-oriented foreign policy has the potential to achieve improved relations with other nations and accelerate growth. The main tools of foreign policy are treaties and executive agreements, appointing ambassadors, foreign aid, international trade and armed forces.

The Ministry of External Affairs of India also known as Foreign Ministry comes under Government of India is responsible for the conduct of foreign relations of India. The foreign Service Training Institute, New Delhi established in 1986 provides training for officers of Indian Foreign Services (IFS).

The Constitution of India 1950 Article 51

Lays down Directive Principles of India's foreign policy.

The state shall endeavour to

- Promote International peace and security
- Maintain just and honourable relations between nations
- Foster respect for international law and international organisation
- Encourage settlement of international disputes by arbitration

Main Objectives of Our Foreign Policy

- ◆ National security
- ◆ National prosperity
- ◆ Increasing the number of friendly nations

- ◆ Achieving world peace and enable every nation to peacefully co-exist
- ◆ Economic development

The Buddha advocated avoidance of force and adoption of peaceful means to settle disputes between states.

Panchsheel

(derived from Sanskrit words, panch = five, sheel = virtues)

The Five Principles of Peaceful Coexistence (Panchsheel) between India (Prime Minister Jawaharlal Nehru) and China (Premier Chou-En-Lai) was signed on 28 April 1954, which stated that the two governments entered into an agreement based on the following principles:

These principles were incorporated in the Bandung Declaration signed in the Afro-Asian Conference held in 1955 in Indonesia.

Basic Determinants of a Foreign Policy

- ◆ Geographical position and size of territory
- ◆ Nation's history, traditions and philosophical basis
- ◆ Natural resources
- ◆ The compulsion of economic development
- ◆ Political stability and structure of government
- ◆ The necessity of peace, disarmament and non-proliferation of nuclear weapons
- ◆ Military strength
- ◆ International milieu

Foreign Policy in 1950s and 1960s

The period from Independence through 1950s and 1960s constituted the most idealistic phase of India's foreign policy under the guidance of India's first Prime Minister, Jawaharlal Nehru. The new nations that got independence after the long period of colonial struggle found themselves in a very difficult situation with respect to economic development. So it was necessary to align with either of the blocs - United States of America (USA) or Union Soviet Socialist Republic (USSR). Nehru, India's first Prime Minister, was opposed to the rivalry of the two superpowers (America and Russia) who were trying to extend their influence over the newly emerged nations of Asia and Africa. So he chose the path of Non-Alignment (i.e., not aligning with any bloc) in the face of the bipolar order of the Cold War and tried to form a third bloc of nations in international affairs. The aim of India's foreign policy of that time was 'world co-operation, world peace, end of colonial imperialism, racial equality and non-alignment'.

"Broadly, non-alignment means not tying yourself off with military blocs.... It means trying to view things, as far as possible, not from the military point of view, though

that has to come in sometimes, but independently, and trying to maintain friendly relations with all countries”.

– Jawaharlal Nehru

The Non-Aligned Movement (NAM) in 1961

The term ‘Non-Alignment’ was coined by V. Krishna Menon in his speech at the United Nations in 1953. Non-alignment has been regarded as the most important feature of India’s foreign policy. It aimed to maintain national independence in foreign affairs by not joining any military alliance. It was the largest political grouping of countries in a multilateral forum. The Non-Aligned Movement (NAM) was formed with a membership of 120 countries and 17 states as observers and 10 international organisations. Non-aligned countries have been successful in establishing a foundation of economic co-operation among underdeveloped countries. Another noteworthy fact is that it has transformed from a political movement to an economic movement.

The founding fathers of Non-Aligned Movement : Jawaharlal Nehru of India, Tito of Yugoslavia, Nasser of Egypt, Sukarno of Indonesia, and Kwame Nkrumah of Ghana were the founding fathers of NAM.

India's Foreign Policy during Cold War Era

First Nuclear Test at Pokhran (Rajasthan)

The Non-alignment roots did not prevent India from entering into an alignment with the Soviet Union by the Indo-Soviet treaty of 1971 (20-year pact of ‘peace, friendship and co-operation’). Then India embarked on a substantial programme of military modernisation. In 1974, India also conducted its first nuclear test at Pokhran under Subterranean Nuclear Explosions Project, in response to China’s nuclear test in 1964 at Lop Nor.

Changing global conditions determine the foreign policy details, yet India’s foreign policy was based on certain well defined principles.

These principles are not mere idealistic but pragmatist too. India got her political freedom in the aftermath of a disastrous Second World War, and India had to be redeemed from acute poverty, illiteracy, and chaotic socio-economic conditions. Hence our new nation could not afford to military entanglements and military alliances. Independent India had to defend its democratic system, and at the same time evolve and enforce means to salvage the nation from backwardness. Avoidance of military blocs was then not an option but a necessity. Now Alliance did mean neutrality, but the freedom of nations to decide on issues independently. Non-alliance did not mean demilitarisation of nations. It was meant to ensure de-escalation of conflicts and tension. To a large extent, it enabled India to concentrate on socioeconomic development. India withstood two wars with Pakistan during this period. The disastrous Sino-Indian conflict would not make Non-alliance unpragmatic and it revealed inadequacy in military build-up. Even with discarding the ‘Non-Alliance’ India could enormously strengthen her defence system and could become a

nuclear power. Flaws or faults in details of foreign policy executions have been addressed time and again but India's basic policy of non-Alliance is still in force. The NAM is meant for mutual assistance among nations for peace and progress.

The foreign policy stance of India was

- ♦ Supporting the cause of decolonisation
- ♦ Staunch opponent of the apartheid regime in South Africa
- ♦ Accepted the importance of defence preparedness

New Developments: in the 1990s and the 20th Century

During the 1990's along with the fall of the Soviet Union, a new global economic order (Liberalisation, Privatisation, and Globalisation) emerged with the support of the western powers. Unipolar (USA centric) world along with the emerging new economic order compelled the nations including India to revise their foreign and economic policies. India entered into pacts with the global economic forum (GATT) and entered into bilateral, trilateral, multilateral agreements. Its nuclear experiments resulted in intimidating reactions from the western world.

This shift in India's policy manifested in various ways such as

- ◆ Better relations with China - the Look East Policy (1992)
- ◆ The second nuclear test at Pokhran (1998) in Rajasthan
- ◆ Defence procurement relationship with Israel
- ◆ Energy diplomacy with Arab countries and Iran
- ◆ Agreeing to US nuclear missile defence program and
- ◆ India's vote against Iran at the International Atomic Energy Agency

India in the Resurgent 21st Century

The structure of the international system has changed. The foremost task of India's foreign policy is to enable the domestic transformation of India. By this, we mean making possible the transformation of India's economy and society while promoting our values of pluralism. From a foreign policy perspective, economic prosperity is now seen as the key to India's attainment of a Great Power status. At present, our foreign policy acts as a means to generate inward investment, business and technology for domestic growth and development. This will be facilitated by enhancing regional co-operation and stability in South Asia.

India has adjusted to meet the needs of intensified economic engagement with the world, which is designed to meet the needs of an increased inflow of capital, technology, ideas and innovation for our development and our re-emergence as one of the world's leading economies. The consistent high economic growth in this period has not

only helped empower a large number of our citizens but has also led to increased engagement of India with the outside world.

India engages with current global subjects and articulates its international policies in order to gain a prominent place and makes its presence felt in on a global scale. It has joined new global groups like the Group of 20 (G-20), India, Brazil, South Africa (IBSA), and Brazil, Russia, India, China, South Africa (BRICS), which gives more scope for India to play a larger role in global affairs.

India's global security concerns are reflected in its military modernisation, maritime security and nuclear policies.

India has emerged as a major voice in global decision-making and management, and as a bridge and balancing power in the emerging global strategic architecture. The response of our policymakers at economic, political and strategic level have enabled India to emerge as a potential great power though it faces enormous developmental challenges. These challenges include sustaining the country's economic growth rate, ensuring energy and security. Non-military issues like climate change, energy security, competition for scarce resources, food and water security, pandemics and migration. Though numerous and formidable, these challenges are not beyond the reach of India's policy establishment.

Basic Concepts of India's Foreign Policy

- ◆ Preservation of national interest
- ◆ Achievement of world peace
- ◆ Disarmament
- ◆ Fostering cordial relationship with other countries
- ◆ Solving conflicts by peaceful means
- ◆ Independence of thought and action as per the principle of NAM
- ◆ Equality in conducting international relations
- ◆ Anti-colonialism, anti-imperialism, anti-racism

Policy of Disarmament

Our tradition and national ethos is to practice disarmament. As a peace-loving nation, India champions the cause of qualitative and quantitative disarmament right from the beginning. Since independence, global non-proliferation has been a dominant theme of India's nuclear policy. So India supported UN disarmament programme. Indian nuclear programme in 1974 and 1998 is only done for strategic purposes.

The two themes of India's nuclear doctrine are

- ◆ No first use
- ◆ Credible minimum deterrence

It has decided not to use nuclear power for 'offensive purposes' and would never use against any non-nuclear state. Indo-US civilian nuclear deal marks a significant progress in India's foreign policy.

SAARC - South Asian Association for Regional Cooperation

SAARC is an economic and geopolitical organisation of eight countries that are primarily located in South Asia. The SAARC policies aim to promote welfare economics, collective self-reliance among the countries of South Asia and to accelerate socio-cultural development in the region. SAARC Disaster Management Centre was set up at New Delhi. The Centre is a sleek body of professionals working on various dimensions of disaster risk reduction and management in South Asia.

SAARC satellite is a proposed communication-cum-meteorology satellite by Indian Space Research Organisation (ISRO) for the SAARC region.

The member countries are Afghanistan, Bangladesh, Bhutan, India, Nepal, Maldives, Pakistan and Sri Lanka.

Foreign Policy is a combination of strategies carefully formulated by a nation for maintaining relationship with other nations.

Diplomacy is the instrument for implementing foreign policy of a state.

Contemporary context: change and continuity in India's Foreign Policy

a) Prioritising an integrated neighbourhood: Neighbourhood First policy

India's foreign policy has always regarded the concept of neighbourhood as one of widening concentric circles, around the central axis of historical and cultural commonalities. India gives political and diplomatic priority to her immediate neighbours and the Indian Ocean Island states such as Maldives. This centrality of neighbours in India's foreign policy stems from the clear understanding that a peaceful periphery is essential for India to achieve her multifarious developmental goals. India provides neighbours with support as needed in the form of resources, equipment and training. Greater connectivity and integration is provided so as to improve the free flow of goods, people, energy, capital and information.

b) Bridging diplomacy and development

One of the major objectives of India's foreign policy has been to leverage international partnership for India's domestic development. This includes improving technological access, sourcing capital, gaining market access and securing natural resources.

c) A gradual transition from 'Look East' to 'Act East' policy

South East Asia begins with North East India. Myanmar is our land bridge to the countries of the Association of the Southeast Asian Nations (ASEAN). The purpose is

to ensure a stable and multipolar balance of power in the Indo-Pacific and to become an integral part of Asia. This policy emphasises a more productive role for ASEAN and East Asian countries. The three big elements in our eastern policy are stronger emphasis on physical connectivity, commercial and security-related.

d) Economic development

Currently India's political moves are being influenced by economic imperatives. Many nations are moving to forge better relationship with India. Accelerated, balanced and inclusive economic development is India's primary goal. India achieves this by ensuring peace and security and by leveraging the nation's international partnership, to obtain all that is needed to fuel economic development, markets, investment, technology, linkage, mobility of personnel, fair global governance and a stable and fair environment conducive for growth.

e) India as a leading power

India is a member of the G20, the East Asia Summit and the BRICS coalition, a testament to its status as a large country with a fast-growing economy. India aspires for permanent membership on the UN Security Council. And India now has an increasing range of interests, which are anchored in different parts of the world and which stem from a wide range of factors such as the need to secure energy, vital natural resources, the imperative of maintaining open shipping lanes, seeking investments and trade opportunities overseas and the need to secure trade access.

Conclusion

Today India has formal diplomatic relations with most of the nations, besides being the world's second most populous country, largest democracy and one of the fastest growing country. Though India is not in any major military alliance, our relations with the major powers have acquired a strategic depth. Our common fight against terrorism is a particular element of strength. India has sought to achieve its security and socio-economic advancement while at the same time working for peace, freedom, progress and justice to all nations and peoples. Thus India adheres to the foreign policy principle that 'in international relations there is no permanent friend and no permanent foe, only the interests are permanent'. New challenges forced India to adjust to new realities. Even then, basic framework of its foreign policy remained more or less the same

Difference between Domestic Policy and Foreign Policy

Domestic Policy	Foreign Policy
<ul style="list-style-type: none"> ◆ Domestic policy is the nation's plan for dealing issues within its own nation. ◆ It includes laws focusing on domestic affairs, social welfare, health care, 	<ul style="list-style-type: none"> ◆ Foreign policy is the nation's plan for dealing with other nations. ◆ Trade, diplomacy, sanctions, defence, intelligence and global

education, civilrights, economic issues and social issues.	environments are thetypes of foreign policy.
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10th civics
Unit – 5 India’s International Relations

Learning Objectives

After studying this lesson, students will be able to

- become familiar with our policies with the neighbouring countries
- understand the importance of India’s policy towards developed nations
- gain knowledge about India’s relationships with international organisations
- recognise the achievement of BRICS and OPEC
- imbibe the value of India’s position among world countries

Introduction

Independent India has been consistently fostering world peace and international cooperation. India abjured military alliances, but has been active in cooperating and coordinating with other nations for peace and economic development. As the first Prime Minister of India Jawaharlal Nehru stated “We can neither be absolutely dependent or independent, but we live in a world of interdependence.”

India would prefer a peaceful, wealthy neighbourhood responsive to its own needs and wishes. India has always been known as a peace-loving country and has strived hard to champion the cause of peace in the world. For the country to progress in an adequate manner, the maintenance of international relations has been regarded as an important area. Being a country with a huge population, India is surrounded by many neighbouring countries with whom she has traditionally tried to maintain friendly and good neighbourly relations.

India and Its Neighbours

India’s position is unique in its neighbourhood. India’s neighbours had been a part of a homogenous culture prevailing in the Indian subcontinent for last five thousand years.

- ◆ India is a vast country with Pakistan and Afghanistan to the north-west
- ◆ China, Nepal, Bhutan to the north
- ◆ Bangladesh to the east
- ◆ Myanmar to the far east

Sri Lanka (from south-east) and Maldives (from south-west) are two countries that lie close to India separated by the Indian Ocean. India has cordial historical, religious, economic, ethnic and linguistic relationship with all of these countries. Let us know about India’s relations with its neighbours.

The countries that share the most number of neighbours touching its borders are China and Russia.

India and Afghanistan

Indo-Afghan relation was strengthened by the Strategic Partnership Agreement (SPA). SPA provides assistance to re-build Afghan's infrastructure, institutions, agriculture, water, education, health and providing duty-free access to the Indian market. India helped Afghans in the construction of Salma Dam in the Herat Province. India announced 500 scholarships for the children of the martyrs of Afghan Security Forces in school and colleges both in Afghanistan and in India. India is also supporting Afghanistan to improve its public health and small-scale industries. India is at the forefront of the promotion of investment in Afghanistan and a consortium of public and private Indian companies has been selected to make one of the biggest investments in the mining sector. To harness India's sports potential, India has built Kandahar International Cricket Stadium. India's Self Employed Women's Association impart training on sustainable livelihood and to be self-reliant. Thus India is contributing proactively to the development of Afghanistan in the form of monetary aids and funds.

From the Indus Civilisation to the kingdom of Chandragupta Maurya, India and Afghanistan have a deep-rooted multi-faceted relationship. During the reign of Kanishka, a large number of Indian missionaries went to China, Central Asia and Afghanistan to preach their religion. Khan Abdul Ghaffar Khan of Baluchistan (a border province in today's Pakistan) was a prominent leader of the Indian Independence movement and active supporter of the Indian National Congress.

India and Bangladesh

India was the first nation to acknowledge Bangladesh (the former East Pakistan) as an independent country. India and Bangladesh share the longest land boundary of 4096.7 kilometres. India has plans to implement the proposed rail connectivity between Agartala (India) and Akhaura (Bangladesh). Bangladesh has granted India road transit facility through its territories from Kolkata to Agartala via Dhaka under BBIN-MVA (Bangladesh, Bhutan, India, Nepal Motor Vehicle Agreement). The Farakka accord on sharing of Ganga waters signed in 1977 is a historic agreement. India and Bangladesh share 54 common rivers and a bilateral Joint River Commission is working to maximise benefits from common river systems. The Government of India provides grant assistance for project under 'Aid to Bangladesh' for the construction of buildings, laboratories, dispensaries and deep tube wells. In addition, scholarships are granted by ICCR (Indian Council for Cultural Relations) every year to students from Bangladesh and it has initiated a Tagore Chair in University of Dhaka. Both the countries jointly inaugurated the construction of 130-kilometre Bangladesh-India Friendship Pipeline between Siliguri in West Bengal and Parbatipur (Bangladesh).

The Teen Bigha Corridor is a strip of land belonging to India on the West Bengal-Bangladesh border, which was leased to Bangladesh in 2011.

India and Bhutan

Bhutan, a small Himalayan kingdom, popularly known as a land of thunderbolt, is one of the poorest countries of the world. The diplomatic relations between India and Bhutan were established in 1968 with the appointments of a resident representative of India in Thimphu. Bhutan is a landlocked nation. So it is highly dependent on India for access to sea. India is the principal contributor in the economic development of Bhutan. India declared the bilateral trade relation known as 'Bharat to Bhutan' (B2B). India provides scholarship to Bhutanese students to study in prestigious institutions of higher learning and offered help in setting up a digital library in Bhutan. The prestigious Nehru-Wangchuk Scholarship is being awarded to deserving and talented Bhutanese nationals to undertake studies in selected premier Indian educational institutions. The hydel power sector represents one of the main indicators of bilateral co-operation between India and Bhutan. So far, Government of India has constructed three hydroelectric projects in Bhutan (Chukha, Kurichchu and Tala). India has helped Bhutan in developing that country's infrastructure by establishing telecommunication and in the construction of hospitals, roads and bridges.

Gur Padmasambhava, a Buddhist saint who went to Bhutan from India, played an influential role in spreading Buddhism and cementing traditional ties between people of both nations.

India and China In terms of geographic and demographic dimension, skilled manpower and civilisational depth, China is the only country in the region which qualifies for comparison with India. China, being the manufacturing hub of the world, is strategically very important to India. India and China share similarity of view on many fronts like World Trade Organisation, international climate change talks and reforms of the World Bank. Shanghai Cooperation Organisation, which was China's initiative, has granted the observer status to India, while SAARC had granted the observer status to China. Both sides have established more dialogue mechanisms covering diverse sectors. Bilateral trade has registered enormous growth. India and China have signed an educational exchange programme. Under this agreement, scholarships are awarded to 25 students, by both sides, in recognised institutions of higher learning in each other's country.

McMahon Line: This is the boundary line between India and China, east of Bhutan. It was determined in 1914 at a conference of representatives of British India, Tibet and China. The Secretary of State for India (in British Cabinet), Arthur Henry McMahon, represented British India at the Conference.

India and Maldives

Maldives is located south of Lakshadweep Islands in the Indian Ocean. The relationship with Maldives is important for India given its strategic location and geographical proximity. India and Maldives share ethnic, linguistic, cultural, religious and commercial links steeped in antiquity and enjoy cordial and multi-dimensional relations. Trade and tourism are being developed between the two countries. Both countries have

agreed to strengthen cooperation to enhance maritime security in the Indian Ocean Region through coordinated patrolling and aerial surveillance and exchange of information.

India and Myanmar

India's second largest border is shared with Myanmar (known as Burma till 1989). Four North-Eastern Indian states – Arunachal Pradesh, Nagaland, Manipur and Mizoram – also share their borders with Myanmar. Myanmar is India's gateway to South East Asia. India is building the Kaladan Multi-Modal Transit Transport, a road-river-port cargo transport project to link Kolkata to Sittwe in Myanmar. A project aiming to connect Kolkata with Ho Chi Minh City on the South Sea for the formation of an economic zone will have a road pass through Myanmar, Cambodia and Vietnam and work on the first phase connecting Guwahati with Mandalay is currently underway. Myanmar is an important partner in our energy needs for petroleum and natural gas. Some of the Indian companies such as Essar, GAIL and ONGC Videsh Ltd. have invested in Myanmar's energy sector.

India and Nepal

Nepal is a natural buffer between India and China. Being a small landlocked country, Nepal depends on India for economic support and transit facilities. India shares borders in five Indian states – Sikkim, West Bengal, Bihar, Uttar Pradesh and Uttarakhand – with Nepal. People residing in the border districts on both sides share deeper cultural bonds. Indian firms are the biggest investors in Nepal. India provides substantial financial and technical development assistance with the focus on infrastructure, irrigation, health, energy projects and community development. India built the 204-kilometre long Mahendra Raj Marg to link Kathmandu and India. Nepal is endowed with fast-flowing rivers and its terrain is ideal for hydroelectric power generation. India has taken up the work of 5600 MW Pancheshwar project, which remained stalled for 18 years after agreement. Nepali and Indian people visit each other's country for religious pilgrimage. Pashupati and Janakpur are traditional centres in Nepal whereas Varanasi and the four Dhaams (Badrinath, Puri, Dwaraka and Rameshwaram) are important pilgrimage destinations in India. The bond of friendship further increased when India included Nepalese language in the VIII schedule of the Constitution. A joint hydropower project is being built on the Sharda River. This power plant helps both India and Nepal with respect to electricity production and irrigation facilities. From the environmental perspective, there are a number of tiger reserves along Indo-Nepal border. The governments of India and Nepal have signed three sister-city agreements for twinning of Kathmandu-Varanasi, Lumbini-Bodhgaya and Janakpur-Ayodhya.

India and Pakistan

Since the bifurcation of territory, which demarcated India and Pakistan in 1947, the two nations have had strained relations due to disagreements over a number of key issues. Terrorism remains our core concern in the relationship with Pakistan. Pakistan has been antagonistic when maintaining relations with India. But India has made extreme efforts to improve and stabilise relations with Pakistan. The cross-border

firing between India and Pakistan and the terrorist attacks combined have taken its toll on the Kashmiris, who have suffered poor living standards and an erosion of human rights. Kashmir is the bone of contention between India and Pakistan, which has brought the two countries into an open clash many times. Cross-border terrorism is a major irritant. India tried to bring a positive change in the relationship of the two countries through bilateral agreements such as Shimla Agreement and Lahore Declaration.

India and Sri Lanka

India has cultural, historical and religious ties with Sri Lanka. Separated by the narrow expanse of the Palk Strait, India and Sri Lanka have shared excellent trade relations committing to each other in both bilateral free trade agreements as well as developing interactions through SAARC. The relationship between India and Sri Lanka can generally be termed as friendly, except for the brief spell in which the Tamil ethnic problem cast its shadow on the relations between the two countries. India and Sri Lanka has conventionally close to each other. India is among the top investors in Sri Lanka and its investments are in diverse areas including petroleum retail, IT, real estate, telecommunication and tourism. On the other hand, the Sri Lankan investments in India include Brandix (garment city in Vishakhapatnam), MAS Holdings, John Keels, Hayleys, apart from the other investments in the freight servicing and logistic sector. India offers scholarship slots annually to deserving Sri Lankan students. Sri Lanka is also a partner in Nalanda University Project of India.

Ashoka had sent his son Mahinda and daughter Sangamitra to Ceylon (Sri Lanka) for the propagation of Buddhism. Chola kings Rajaraja I and Rajendra I conquered the northern part of Ceylon.

India's Relationships with Developed Countries

A developed country is a sovereign state that has a highly developed economy and advanced technological infrastructure relative to other less industrialised nations.

India has been balancing the superpowers with great care and had been trying to reap the maximum benefit for its domestic development.

a. USA

India and the United States of America has signed a Communications Compatibility and Security Agreement (COMCASA) that will lead to a new generation of bilateral military partnership. It is valid for a period of 10 years. COMCASA gives India access to advanced communication technology used in U.S. defence equipment and allows real-time information sharing between the militaries of the two countries.

b. European countries

There has been a significant progress in all areas particularly the growing cooperation and exchanges include defence, counterterrorism, nuclear energy and space. French space launch pads are used by ISRO. India and France are cooperating on developing smart cities Chandigarh, Nagpur and Puducherry. India and France launched the International Solar Alliance, which brings together countries between Tropic of Cancer and Tropic of Capricorn for cooperation on solar energy.

c. Australia

India and Australia have built strategic trust over the years slowly yet steadily. Australia and India are committed to working together to enhance maritime co-operation with India's bilateral naval exercise (AUSINDEX). The Australia India Council broadens the relationship between Australia and India raising awareness and promoting exchanges.

d. Japan

India decided to introduce the Japan's Shinkansen system. It is a highest class of high-speed railway system with safety and accuracy. Delhi Metro is one of the most successful examples of Japanese co-operation. Mumbai-Ahmedabad High Speed Railway (MAHSR) is another area of co-operation. The Government of Japan has offered 20 seats per year to Indian nationals for a master's degree course in the University of Japan for serving the Indian Railways.

In the manufacturing sector Japan announced its co-operation of training 30,000 Indian people in the Japan India Institute of Manufacturing (JIM) providing Japanese style manufacturing skills to enhance India's manufacturing industry base and contribute to 'Make in India' and 'Skill India' initiatives.

In 2017, the first four JIMs were started in the states of Gujarat, Karnataka, Rajasthan and Tamil Nadu and JEC (two Japanese Endowed Courses in engineering colleges) was established in Andhra Pradesh.

Recent initiatives include the establishment of three India-Japan Joint Laboratories in the area of information and communication technology (Internet of Things, Artificial Intelligence and Big Data Analytics).

India and West Asia

West Asia includes Egypt, the Arabian Peninsula, Turkey and Iran. India and West Asia enjoy pre-historical ties. Trade relations were established between the civilisations of Mesopotamia and the Indus Valley.

West Asia stands as a region of considerable significance for India, economically as well as strategically. West Asia is gateway to landlocked and energy rich Central Asia. With

the advent of the new millennium, there has been extraordinary turnaround in the relationship between the Gulf Cooperation Council (GCC) countries and India.

A trilateral agreement called the Chabahar Agreement was signed between India, Afghanistan and Iran, which has led to the establishment of transit and transport corridor among three countries using Chabahar port. This port is seen as a golden gateway for India to access landlocked markets of Afghanistan and Central Asia by passing Pakistan.

One of the oldest maritime trading routes ran from ancient Sumeria via Bahrain to the Indus Civilisation called Meluha.

In medieval times, comments a noted scholar M.S. Agwani, “the Indian expertise in medicine, mathematics and astronomy was highly valued by Arab and Iranian scholars who eventually made it part of their own intellectual traditions.”

India and International Organisations

India is a potential superpower and has a growing international influence all around the world. Being a newly industrialised country, India has a great history of collaboration with several countries. It has acted as a prominent member of several international organisations and has been a founding member of some. India is a member of formal groupings like UNO, NAM, SAARC, G20 and the Commonwealth.

India has been extending a helping hand to the UNO, in all her efforts in ending military conflicts, and in promoting peace and progress among the nations.

BRICS

Brazil, Russia, India, China and South Africa are leading emerging economies and political powers at the regional and international level. The BRICS organisation's headquarters is in Shanghai, China. BRICS opened up a possibility for countries of the Global South to challenge the Global North. India is an active member and this collaboration paves way for India to build its global profile.

India is actively engaged in general economic diplomacy, which is evident in the country being part of several economic coalitions, as listed in the table below.

Name of the global groupings	Name of the member countries	Objectives
IBSA	India, Brazil, South Africa	To focus on agriculture, education, energy, trade, culture and defence among others
BCIM	Bangladesh, China, India, Myanmar	To respond to threats such as natural disasters and data breaches and protect

		business interests
MGC (Mekong Ganga cooperation)	India, Cambodia, Laos, PDR Myanmar, Thailand, Vietnam	To create necessary infrastructural facilities in the Ganga-Mekong basin
BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation)	Bangladesh, India, Myanmar, Sri Lanka, Thailand, Bhutan and Nepal	To strengthen and improve the technological economic cooperation, international trade and foreign direct investment cooperation
RCEP (Regional Comprehensive Economic Partnership)	Australia, Brunei, Cambodia, China, India, Indonesia, Japan, Korea, Laos, Malaysia, Myanmar, New Zealand, Philippines, Singapore, Thailand, Vietnam	To achieve modern high quality and mutually beneficial agreement that covers trade in goods, trade in service, investments, technical cooperation dispute settlement and other issues
EAS (East Asia Summit)	10 ASEAN nations + 8 strategic partners including US, China, India, Japan	To promote peace and stability
GCC Gulf Cooperation Council	Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates, India	To achieve unity based on their common objectives and their similar political and cultural identities
BBIN	Bangladesh, Bhutan, India, Nepal	For energy development
SCO (Shanghai cooperation organization)	India, Kazakhstan, China, Kyrgyzstan, Pakistan, Russia, Tajikistan and Uzbekistan	For security-related concerns, resolving border issues, intelligence sharing and countering terrorism

Reason for the formation of BRICS

To be an alternative to World Bank and IMF to challenge U.S. supremacy

To provide self-owned and self-managed organisations to carry out developmental and economical plans in its member nations

Objectives of BRICS

- ◆ To achieve regional development
- ◆ It acts as a bridge between developed and developing countries
- ◆ To contribute extensively to development of humanity
- ◆ To establish a more equitable and fair world
- ◆ Boost intra BRICS trade in their local currencies to increase trade cooperation and cope with the current international financial crisis
- ◆ To promote the technological information exchange among the member states
- ◆ To enhance inclusive economic growth that will lead to an increase in the creation of jobs, fight against poverty and accelerate the economic transformation of members.

The financial architecture of BRICS

The New Development Bank (NDB) is a multilateral development bank. Its primary focus is lending for infrastructure projects. It aims to contribute to development plans established nationally through projects that are socially, environmentally and economically sustainable. It gives priority to projects aimed at developing renewable energy sources.

The acronym BRICS was coined by Jim O'Neill, a famous British economist. He predicted that by year 2050 Brazil, Russia, India and China would become bigger than the six most industrialised nations in dollar terms and would completely change the power dynamics of the last 300 years.

The Contingent Reserve Arrangement (CRA) is a framework for providing protection against global liquidity pressures, which includes currency issues.

BRICS payment system

At the 2015 BRICS Summit, ministers from the BRICS nations initiated consultations a payment system that would be an alternative to the Society for Worldwide Interbank Financial Telecommunication (SWIFT) system.

The factors that bolster co-operation among members

First, the common need among developing countries to construct an economic order that reflects the current situation will drive the BRICS efforts. In this matter, the idea of NDB and CRA are defining changes and will have huge geo-economic and geopolitical impact.

Second, the BRICS alternative idea in the landscape of global governance will attract support from other countries. Third, the expansion of BRICS interaction to other sector will make it more strong partnership.

OPEC

OPEC, the Organisation of the Petroleum Exporting Countries (a group of oil producing nations), is an intergovernmental organisation founded in Baghdad, Iraq, and headquartered in Vienna, Austria. Iran, Iraq, Kuwait, Saudi Arabia and Venezuela are the OPEC's Founder Members.

There are three categories of memberships: Founder Members, Full Members and Associate Members. At present there are 15 member nations (two are located in South America, six in the Middle East and seven in Africa). OPEC membership is open to any country that exports crude oil and which shares the ideals of the organisation.

OPEC's mission

- ◆ To coordinate oil policies in its member countries
- ◆ Help stabilise oil markets
- ◆ To secure fair and stable income to petroleum producers
- ◆ An efficient, economic and regular supply of oil to consuming nations
- ◆ A fair return on capital to those investing in the petroleum industry

How does OPEC help other countries?

The OPEC Fund for International Development (OPID) is an institution that helps finance projects with low interest loans. It also provides grants to social and humanitarian projects.

OPEC has an Information Centre with over 20,000 volumes including books, reports, maps and conference proceedings related to petroleum, energy and the oil market. The Information Centre is open to the public and is often used by researchers and students.

India's relationship with OPEC

India is one of the biggest consumers of crude oil. OPEC obviously has vested interest in India's economic growth. We import 86% of crude oil, 70% natural gas, 95% of cooking gas from OPEC countries. India has been identified as a great partner for OPEC mainly because of its high oil demand. India doesn't have enough oil reserves. India can't produce oil. Devoid of necessary oil reserves India strongly focuses on agriculture, and industrial production.

Conclusion

Apart from economic and trade cooperation, India also aspires to have a warm relationship with its neighbours and extended neighbours in the field of education, health, fighting terrorism, disaster management, employment for its citizens, curbing organised crimes, technology development and so on.