



## Chapter - 3: Polity

- India is a **sovereign socialist secular democratic republic with a parliamentary system** of government, governed by the Constitution adopted on November 26, 1949, and enforced on January 26, 1950.
- The Constitution establishes a federal structure with unitary features, where the President of India holds the constitutional executive authority, advised by a Council of Ministers headed by the Prime Minister.
- The **real executive power** lies with the **Council of Ministers**, accountable to the **Lok Sabha at the national level** and the **Legislative Assembly at the state level**.
  - Legislative power is **divided** between **Parliament and State Legislatures**, with residual powers vested in Parliament.
- The Constitution **ensures the independence of the judiciary and other key institutions** like the Comptroller and Auditor-General, Public Service Commissions, and the Chief Election Commission.

### Union and Its Territory

- India comprises **28 states and 8 Union Territories (UTs)**. The most recently added names in the UTs are **Ladakh and Jammu & Kashmir**.
- With the **Jammu & Kashmir Reorganisation Act, 2019** the State of Jammu and Kashmir has been **bifurcated into UT of Ladakh and UT of Jammu and Kashmir**.
  - With this Act, the **State Legislature including the Legislative Council** of the state has also been abolished and shall from now onwards be construed as Legislative Assembly of the Union Territory of Jammu and Kashmir.
- The Jammu & Kashmir Reorganisation bill was **introduced under Article 370** of the Indian Constitution that **revoked Jammu and Kashmir's special status**, and mandating, inter alia, that **all the provisions of the Indian Constitution would be applicable to Jammu and Kashmir**.
  - All the provisions of the constitution as amended from time to time have become applicable to the existing Jammu and Kashmir with **effect from August 5, 2019**.

### Citizenship

The Constitution of India provides for a **single citizenship for the whole of India**. The Citizenship Act, 1955, deals with matters relating to acquisition, determination and termination of Indian citizenship after the commencement of the Constitution (January 26, 1950).

### Citizenship (Amendment) Act, 2019

- The Act makes **foreign illegal migrants of six religious communities** i.e., Hindu, Sikh, Buddhist, Jain, Parsi and Christian from Afghanistan, Bangladesh and Pakistan eligible for Indian citizenship.
  - The **Third Schedule** to the Act has been amended to make applicants belonging to the said communities from the **three countries eligible for citizenship by naturalisation**, if they can **establish their residency in India** for **five years** instead of the previous requirement of **eleven years**.
  - It is **applicable** to those who have taken shelter in India **due to persecution on grounds**

**of religion or fear of such persecution in their countries** and have entered into India on or before **December 31, 2014**.

- The provisions of the Act, however, do not apply to **tribal areas of Assam, Meghalaya, Mizoram and Tripura as included in the Sixth Schedule to the Constitution** and the areas where **'The Inner Line Permit'** is applicable including the states of Arunachal Pradesh, Nagaland, Mizoram and Manipur.

## Fundamental Rights

- There are **six** broad categories of Fundamental Rights guaranteed by the **Constitution of India to its citizens** which are further justiciable in the court of law.
- **Articles 12 to 35 contained in Part III** of the Constitution deal with Fundamental Rights which are:
  - **Right to equality; Right to freedom of speech and expression; Right against exploitation; Right to freedom of conscience and free profession, practice and propagation of religion; Cultural and Educational rights, and Right to constitutional remedies.**

## Directive Principles of State Policy (DPSP)

- The Constitution lays down certain DPSP, which though **not justiciable, are 'fundamental in governance of the country'** and it is the duty of the state to apply these principles in making laws.
- These have been contained in **Part IV from Articles 36 to 51** of the Constitution.
- These lay down that **the state shall strive** to promote the welfare of the people, to secure the right of all men and women to an adequate means of livelihood, to secure distribution of ownership and control of material resources of community to subserve the common good and to ensure that operation of economic system does not result in concentration of wealth and means of production to common detriment, etc.

## Fundamental Duties

- The Fundamental Duties were enumerated by the **42nd constitutional Amendment Act of 1976**.
  - **Article 51 'A' contained in Part IV A** of the Constitution deals with Fundamental Duties.
- These enjoin upon a citizen among other things, to abide by the Constitution, to cherish and follow noble ideals.

## The Union Executive

- The Union executive consists of the **President, the Vice-President and the Council of Ministers with the Prime Minister** as the head to aid and advise the President.

### President

- **Election:** The President is elected by members of an electoral college consisting of elected members of **both Houses of Parliament and Legislative Assemblies of the states** in accordance with the system of proportional representation by means of **single transferable vote**.
- **Qualification:** The President must be a **citizen** of India, **not less than 35 years of age** and qualified for election as a member of the **Lok Sabha**.
- **Tenure:** His term of office is **five years** and he is eligible for re-election. His removal from office is to be in accordance with **procedure prescribed in Article 61** of the Constitution. He may, by writing under his hand addressed to the **Vice-President**, resign his office.
- **Powers:**
  - The **executive power of the Union** is vested in the President and is exercised by him either directly or **through officers subordinates to him in accordance with the Constitution**.
  - The **supreme command of defence forces** of the Union also vests in him.

- The President summons, prorogues, addresses, sends messages to Parliament and dissolves the Lok Sabha; promulgates Ordinances at any time, except when **both Houses of Parliament are in session**; makes recommendations for **introducing financial and money bills and gives assent to bills**; grants pardons, reprieves, respites or remission of punishment or suspends, remits or commutes sentences in certain cases.
- When there is a **failure of the constitutional machinery in a state**, he can assume to himself all or any of the functions of the **Government of that state**.
  - The President can proclaim an emergency in the country if he is satisfied that a **grave emergency exists whereby security of India** or any part of its territory is **threatened whether by war or external aggression or armed rebellion**.

### Vice-President

- **Election:** The Vice-President is **elected by members of an electoral college** consisting of members of **both Houses** of Parliament in accordance with the system of proportional representation by **means of single transferable vote**.
- **Qualification:** He must be a **citizen** of India, **not less than 35 years of age** and eligible for election as a member of the **Rajya Sabha**.
- **Term of Office:** His term of office is **five years** and he is **eligible for re-election**. His removal from office is to be in accordance with **procedure prescribed in Article 67 (b)**.
  - The Vice-President is **ex-officio Chairman of the Rajya Sabha** and acts as **President** when the latter is **unable to discharge his functions** due to absence, illness or any other cause or till the election of a new President (to be held within six months when a vacancy is caused by death, resignation or removal or otherwise of President). While so acting, **he ceases to perform the function of the Chairman of the Rajya Sabha**.

### Council of Ministers

- The Council of Ministers comprises **ministers** who are **members of Cabinet, Ministers of State** (independent charge), **Ministers of State and Deputy Ministers**.
  - The Council of Ministers are headed by the **Prime Minister**, to aid and advise the President in exercise of his functions.
- The Council is collectively responsible to the **Lok Sabha**. It is the duty of the Prime Minister to communicate to the President all decisions of the Council of Ministers relating to **administration of affairs of the Union and proposals for legislation and information relating to them**.

### Union Legislature or Parliament

- The Legislature of the Union which is called Parliament consists of the **President and two Houses**, known as **Council of States (Rajya Sabha), and House of the People (Lok Sabha)**.
- **Rajya Sabha**
  - **Elections:** Elections to the Rajya Sabha are **indirect**; members representing states are elected by the elected members of Legislative Assemblies of the states in accordance with **the system of proportional representation by means of the single transferable vote**, and those representing union territories are chosen in such a manner as **Parliament may by law prescribe**.
    - The Rajya Sabha is not subject to dissolution; **one-third of its members retire every second year**.
  - The Constitution provides that the Rajya Sabha shall consist of **12 members** to be nominated by the President from amongst persons having **special knowledge or practical experience** in respect of such matters as literature, science, art and social service; and **not more than 238 representatives** of the states and of the union territories.
- **Lok Sabha**
  - The Lok Sabha is composed of representatives of people chosen by **direct election** on the basis of adult suffrage. The maximum strength of the House envisaged by the Constitution is now **552 (530 members to represent the states, and 20 members to represent**

### **the union territories.**

- The total elective membership of the Lok Sabha is distributed among the states in such a way that the ratio between the number of seats allotted to each state and the population of the state is, as far as practicable, the same for all states.
  - The Lok Sabha at present consists of **542 members**. Of these, **523 members** are directly elected from the states and **19 from union territories**. Following the **84th amendment to the Constitution in 2001**, the total number of existing seats as allocated to various states in the Lok Sabha on the basis of the **1971 census** shall remain unaltered till the first census to be taken after the **year 2026**.
- The term of the Lok Sabha, unless dissolved earlier, is **five years** from the date appointed for its first meeting.
  - However, while a Proclamation of Emergency is in operation, this period may be **extended by Parliament** by law for a period not exceeding one year at a time and not extending in any case, beyond a period of **six months** after the Proclamation is or has ceased to operate. **Seventeen Lok Sabhas have been constituted so far**.
- **Qualification for Membership of Parliament**
  - To be chosen a Member of Parliament, a person must be a **citizen** of India and **not less than 30 years of age** in the case of **Rajya Sabha** and **not less than 25 years of age** in the case of **Lok Sabha**. Additional qualifications may be prescribed by Parliament by law.
- **Functions and the Powers of the Parliament**
  - The Parliament has the **cardinal functions of legislation**, overseeing the administration, passing of the budget, ventilation of public grievances and discussing various subjects like development plans, national policies and **international relations**.
  - The distribution of powers between the **Union and the states**, followed in the **Constitution**, emphasises in many ways the general predominance of **Parliament in the legislative field**.
  - The Parliament can, under certain circumstances, assume **legislative power** with respect to a subject falling within the sphere exclusively reserved for the states.
  - It can **impeach the President** and **remove the judges of Supreme Court and High Courts**, the Chief Election Commissioner and the Comptroller and Auditor General in accordance with the procedure laid down in the Constitution.
    - All legislation requires **consent of both the Houses of Parliament**. In the case of Money Bills, however, the 'will' of the Lok Sabha prevails. Besides the power to legislate, the Constitution vests in Parliament the power to initiate amendment of the Constitution.

## **Parliamentary Committees**

- Both Houses of Parliament have a similar committee structure with few exceptions. Parliamentary Committees are of two kinds – **Standing Committees and Ad Hoc Committees**.
  - The **Standing Committees** are elected or **appointed every year** or periodically and their work goes on, more or less, on a continuous basis whereas the **Ad Hoc committees** are **appointed on an ad hoc basis as need arises** and they cease to exist as soon as they complete the task assigned to them. Standing Committees
- Among the Standing Committees, the **three financial committees** mentioned below constitute a distinct group as they keep an unremitting vigil over government expenditure and performance.
- While the members of the Rajya Sabha are associated with Committees on Public Accounts and Public Undertakings, the members of the Committee on Estimates are **drawn from the Lok Sabha**.
  - **The Committee on Estimates:** It reports on what economies, improvements in organization, efficiency or administrative reform consistent with policy underlying the estimates may be effected. It also examines whether the money is well laid out within limits of the policy implied in the estimates and suggests the form in which estimates shall be presented to the Parliament.
  - **The Committee on Public Accounts:** It scrutinizes appropriation and finance accounts of the Government and reports of the Comptroller and Auditor-General. It ensures that public

money is spent in accordance with the Parliament's decision and calls attention to cases of waste, extravagance, loss or nugatory expenditure.

- **The Committee on Public Undertakings:** It examines reports of the Comptroller and Auditor-General, if any. It also examines whether public undertakings are being run efficiently and managed in accordance with sound business principles and prudent commercial practices.
- Besides these three financial committees, **the Rules Committee** of the Lok Sabha recommended setting-up of **17 Department Related Standing Committees (DRSCs)** which further **increased to 24 after the amendments** of the rules in 2004.
- The functions of these committees are:
  - to consider the **demands** for grants of various ministries/departments of Government of India and make reports to the Houses;
  - to **examine such bills** as are referred to the committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha, and make reports thereon;
  - to **consider annual reports** of ministries/departments and make reports thereon; and
  - to **consider policy documents presented to the Houses**, if referred to the committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha, and make reports thereon.
- Other Standing Committees in each House, divided in terms of their functions, are Committees to Inquire, Committees to Scrutinize, Committees relating to the day-today business of the House, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, Committees concerned with the provision of facilities to members, Joint Committee on Salaries and Allowances of Members of Parliament, Joint Committee on Offices of Profit, the Library committee, Committee on women empowerment and the Ethics committee.
- **Ad hoc Committees:** Such committees may be broadly classified under **two heads** which are as follows:
  - Committees which are **constituted from time to time**, either by the two Houses on a motion adopted in that behalf or by Speaker/Chairman to **inquire** into and **report** on specific subjects, (e.g., Committees on food management in Parliament House Complex, Committee on installation of portraits/statues of National leaders and Parliamentarians in Parliament House Complex, Committee on Security in Parliament Complex, Committee on MPLADS, Committee on Railway convention, etc.) and
  - **Select or Joint Committees** on Bills which are appointed to consider and report on a **particular bill**.

## Leaders of Opposition in Parliament

- The Leaders of Opposition in the Rajya Sabha and the Lok Sabha are accorded **statutory recognition**.
  - Salary and other suitable facilities are extended to them through a **separate legislation brought into force on November 1, 1977**.

## Youth Parliament Competition

- In order to develop democratic ethos in the **younger generation**, the Ministry conducts **Youth Parliament Competitions** in various categories of schools and colleges/universities.
  - The **'Youth Parliament Scheme'** was first introduced in the **schools in Delhi in 1966-67**. Kendriya Vidyalayas located in and around Delhi were incorporated into the ongoing scheme in **1978**.
  - Subsequently, a separate scheme of Youth Parliament for Kendriya Vidyalayas **at the national level was launched in 1988**.
- **In 1997-98**, two new Youth Parliament Schemes at the national level, one for **Jawahar Navodaya Vidyalayas and the other for universities/colleges were launched**.

## All India Whips' Conference

- The Ministry of Parliamentary Affairs, organises All India Whips' Conference from time to time with the purpose of establishing suitable links among the whips of various **political parties at the centre and the states/union territories** who are concerned with the practical working of the

legislatures **to discuss matters of common interest and to evolve high standards to strengthen the institution of parliamentary democracy.**

- Eighteen All India Whips' Conferences have been organised so far **since 1952.**

## Matters under Rule 377 and Special Mentions

- The Ministry of **Parliamentary Affairs** handles matters raised under **Rule 377 in Lok Sabha and Special Mentions in Rajya Sabha.**
- Administrative Ministers must reply to concerned members promptly, preferably **within a month.**
- Members need to provide notice to the **Secretary-General in the prescribed format, including the Special Mention text within 250 words.**
- Unless directed otherwise, a member can raise only **one matter per week** under this rule. The total number of Special Mentions admitted per day **should not usually exceed seven.**
- Members can associate themselves with a specific Special Mention with the Chairman's permission.

## Implementation of Assurances

- The Ministry collects **assurances, promises, and undertakings** made by Ministers in both Houses of Parliament from the daily proceedings.
- Extracts of these assurances are uploaded onto the **Online Assurance Monitoring System (OAMS) portal.**
- Respective Ministries initiate action to fulfill these assurances once they appear on the OAMS portal.
  - Periodic reviews of the implementation stages are conducted by the Ministry.
  - Concerned ministries are reminded **to expedite the fulfillment of assurances.**
- Upon receiving implementation reports from ministries, **statements outlining the government's actions are scrutinized.**
- Statements demonstrating the government's actions in implementing assurances are periodically presented to the respective Houses by the Minister or Minister of State for Parliamentary Affairs.

## Consultative Committees

- Functioning of **Consultative Committees of Members of Parliament (MPs)** for various ministries falls under the Ministry of Parliamentary Affairs according to the **Government of India (Allocation of Business) Rules, 1961.**
  - The Ministry forms these committees and organizes their meetings.
- The primary goal of these committees is to facilitate **informal discussions between MPs, Ministers, and senior government officers regarding government policies, principles, and programs, as well as their implementation.**
- The Minister/Minister of State in charge of the relevant Ministry serves as the **Chairman of the Consultative Committee** associated with that Ministry.
- Each Consultative Committee must have a **minimum membership of 10 and a maximum of 30 members.**
  - The Consultative Committee disbands upon the dissolution of every Lok Sabha and is reconstituted with the formation of each new Lok Sabha.

## National e-Vidhan Application

- e-Governance is a **global trend** aimed at **enhancing effective governance.**
- India's Digital India Programme aims to **transform the nation into a digitally empowered society and knowledge economy.**
  - The programme includes **44 Mission Mode Projects (MMPs)**, among which e-Vidhan is significant. e-Vidhan is designed to modernize legislative processes within India.
- The **National e-Vidhan Application (NeVA)** is a crucial component of the e-Vidhan MMP.
- NeVA operates based on the '**One Nation-One Application**' principle.
  - Its primary objective is to digitize operations of all state legislatures, transforming them into "Digital Houses."

- NeVA facilitates **paperless transactions** for government departments and real-time publication of approved content on a public portal.
- Key outcomes of the NeVA project include **delivering all House papers in an e-book format** for efficient access by Members, **enabling swift communication** with citizens for grievance redressal and **public service delivery improvement**, and **promoting transparency** in legislative services and information delivery, **fostering openness in governance**.

## Goodwill Delegation

- The parliamentarians of a country play a significant role in **determining the policy** of the country and **strengthening relations with other countries**.
- More particularly, it is indeed useful and necessary for a democratic and developing country like India **to select some Members of Parliament and distinguished personalities and utilize their services in projecting our policies**, programme and achievement in different fields with their counterparts and other opinion makers in other countries and secure their support in favour of India.
- With these objectives, the Ministry of Parliamentary Affairs **sponsors Government Goodwill Delegation** of Members of Parliament to other countries and receives similar delegations of parliamentarians under the exchange programme from other countries through the Ministry of External Affairs.

## Women Reservation

- The Women Reservation Bill has been enacted as the **106th Constitutional Amendment Act**.
- The Act mandates the reservation of **one-third of seats in Parliament, state legislatures, and the legislative assembly of the National Capital Territory of Delhi for women**.
- A notable aspect of the Act is the provision for the rotation of reserved seats for women.
- Following **each delimitation exercise**, a new set of constituencies will be reserved, ensuring representation for women from **diverse backgrounds and regions**.
  - Implementation of the law will occur after the next census and subsequent delimitation exercise, determining which specific seats will be reserved for women.

## Comptroller and Auditor General (CAG)

- **CAG of India is appointed by the President**. The duties, powers and conditions of service of the CAG have been specified by the Comptroller and Auditor General's **(Duties, Powers and Conditions of Service) Act, 1971**.
  - The procedure and the grounds for his removal from office are the **same as for a Supreme Court judge**. He is not eligible for further office under the union or a state government after he ceases to hold his office.
  - The accounts of the Union and of the states shall be kept in such form as the **President may, on the advice of the CAG, prescribe**.
- However, the reports of India relating to the accounts of the union shall be submitted to the President, who shall cause them to be laid before each House of Parliament whereas the reports of the CAG of India relating to the accounts of a state shall be submitted to the Governor of the state, who shall cause them to be laid before the legislature of the state.
- **Sixth schedule of the constitution** provides for audit of accounts of district and regional councils of autonomous regions.

## Attorney-General

- The **Attorney-General** for India is appointed by the **President of India**.
  - Any person **qualified to be a judge of the Supreme Court** can be appointed for the post.
  - The duties of the Attorney-General is **to give advice to the Government of India** upon such legal matters, and to perform such other duties of a legal character, as may from time to time be referred or assigned to him by the President, and to discharge the functions

conferred on him by or under the Constitution or any other law for the time being in force.

- In the performance of his duties, the Attorney General shall have the **right of audience in all courts in the territory of India.**
- The Attorney-General shall hold office during the pleasure of the President, and shall receive such remuneration as the President may determine.

## Solicitor General of India

- The Solicitor General of India is the **government's chief legal advisor**, and its primary lawyer in the Supreme Court of India.
  - The Solicitor General of India is the **secondary law officer of the country**, assists the Attorney-General, and is himself assisted by several additional Solicitors General of India.
- Like the Attorney-General for India, the Solicitor General and the Additional Solicitors General advise the government and appear on behalf of the Union of India in terms of the **Law Officers (Terms and Conditions) Rules, 1972.**
- However, unlike the post of Attorney-General for India, which is a Constitutional post under **Article 76**, the posts of the Solicitor General and the Additional Solicitors General are merely statutory.
  - Appointments Committee of the Cabinet appoints the Solicitor General.

## Administrative Set-up

- The Government of India (Allocation of Business) Rules, **1961** is made by the President of India under **Article 77 of the Constitution** for the allocation of business of the Government of India.
- The ministries/department of the government are created by the President on the advice of the Prime Minister under these rules.

## Cabinet Secretariat

- The Cabinet Secretariat functions directly **under the Prime Minister**. The administrative head of the Secretariat is the Cabinet Secretary who is also the **ex-officio Chairman of the Civil Services Board.**
  - The business allocated to Cabinet Secretariat are secretarial assistance to the Cabinet and Cabinet Committees; and rules of business.
- The Cabinet Secretariat is responsible for the administration of the Government of India (**Transaction of Business) Rules, 1961** and the Government of India (**Allocation of Business) Rules, 1961**, facilitating a smooth transaction of business in ministries/ departments of the government by ensuring adherence to these rules.
  - It **assists in decision-making** by ensuring inter-ministerial coordination, ironing out differences amongst ministries/departments and evolving consensus through the instrumentality of the standing and **ad hoc Committees of Secretaries.**
- The Cabinet Secretariat ensures that the President, the Vice-President and ministers are kept informed of the major activities of all ministries/departments by means of monthly summary of their activities.
- Management of major crisis situations in the country and coordinating activities of various ministries in such a situation is also one of the functions of the Cabinet Secretariat.
- The Secretaries keep the Cabinet Secretary informed of developments from time to time. The **Transaction of Business Rules** also requires them **to keep the Cabinet Secretary informed, especially if there are any departures from these rules.**

## National Authority for Chemical Weapons Convention

- The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons is a **multilateral international treaty which outlaws the production, stockpiling, and use of chemical weapons and their precursors.**
  - The **Chemical Weapons Convention (CWC)** came into force with effect from **1997.**
  - The **Organisation for the Prohibition of Chemical Weapons (OPCW)**, an **intergovernmental organisation** based in The Hague, Netherlands is the 'treaty organisation' for the CWC.



- The OPCW bagged the **Nobel Peace Prize of 2013** in recognition of the Convention as a very effective Disarmament Treaty.
- The **National Authority for Chemical Weapons Convention (NACWC)** was set up as an office of the Cabinet Secretariat, Government of India to fulfil the obligations under the CWC.
  - **In 2000**, Chemical Weapons Convention Act was passed by the Parliament, which came into force in **2005**. India is one of the **4 non-elected members of the Executive Committee (consisting of 41 members from all over the world) of the OPCW**.
- India has representation in the **Advisory Body on Administrative and Finance (ABAF)**, the Confidentiality Commission, Network Committee on Assistance and Protection, **Scientific Advisory Body (SAB)** and the newly created **Advisory Body on Education and Outreach (ABEO) of the OPCW**.
- India is an active collaborator with the OPCW and all other state parties in the implementation of the provisions of the Convention.

## Public Grievances

- The **Directorate of Public Grievances (DPG)** was set up in the Cabinet Secretariat in **1988** to entertain grievances from the public after they fail to get a satisfactory redress from the ministry/department concerned within a reasonable time. It is, thus, an office of the last resort for redress of grievances relating to the sectors in its purview.
  - Those concerning the sectors outside the purview of DPG are forwarded to the **Department of Administrative Reforms and Public Grievances for appropriate disposal**.
    - The concerned department or organisation is expected to examine the matter and give a reply **within 30 days**.
- The **Public Grievance Redress and Monitoring System (PGRAMS)**, an exclusive automation programme for DPG was adopted in **1999**.
  - The PGRAMS is integrated with the **Centralized Public Grievance Redress and Monitoring System (CPGRAMS)**, the operating system for Public Grievances Portal covering all the ministries/departments of Government of India.
    - With a view to improving further the redressal system, a number of measures like the launch of the **Hindi version of PGRAMS to widen its coverage**, incorporation of features like e-mail/SMS for **better communication** with the complainants, press advertisements to increase awareness about DPG in public, etc. were implemented during the **year 2016-17**.
    - With a view to further ease the process of lodging of grievances, the services of DPG have been made available on **UMANG also in 2020**. UMANG provides an additional platform to the public for lodging and also for keeping track of their complaints through their mobile.

## National Disaster Management Authority (NDMA)

- In 2005, the government enacted the **Disaster Management Act**, which envisaged the **creation of National Disaster Management Authority, under the Ministry of Home Affairs**, headed by the **Prime Minister**, and **State Disaster Management Authorities (SDMAs)** headed by respective **Chief Ministers**, to spearhead and implement a holistic and integrated approach to disaster management in the country.
  - NDMA, as the apex body, is mandated to lay down the policies, plans and guidelines for disaster management to ensure timely and effective response to disasters.
- Towards this, it has the responsibilities which include - **lay down policies on disaster management; approve the National Plan; lay down guidelines to be followed by the state authorities in drawing up the State Plan; etc.**

## Administrative Reforms and Public Grievances

- The **Department of Administrative Reforms and Public Grievances (DARPG)** is the **nodal agency** of the Government of India for administrative reforms as well as redressal of public grievances relating to the states in general and those pertaining to central government agencies in

particular.

- It also **undertakes activities in the field of international exchange** and cooperation **to promote public service reforms.**

## Right to Information

- The **Right to Information Act, 2005** aims **to empower citizens, promote transparency, and ensure government accountability.**
  - It grants citizens the **right to request information** from any government authority, body, or institution.
    - This right includes the ability to inspect documents, take notes, obtain certified copies, and access information held by private bodies under relevant laws.
- Public authorities are required to proactively publish certain categories of information.
- Requests for information can be made to the **Public Information Officer (PIO)** either by post, in person, or via email, in Hindi, English, or the official language of the area.
- If the **information is not provided within 30 days or the response is unsatisfactory**, the applicant can appeal to the appellate authority, who must respond within **30 days.**
- If the appellant is still dissatisfied, a **second appeal** can be filed with the Central Information Commission or State Information Commission within **90 days.**
- The Central Information Commission handles appeals related to central government offices, financial institutions, and public sector undertakings, while the State Information Commission deals with **appeals concerning state government entities.**

## Bench-Marking Governance

### National e-Governance Service Delivery

- **National e-Governance Service Delivery Assessment (NeSDA)** was started in **2019** to boost e-government endeavours and drive digital government excellence.

### Good Governance Index

- Good Governance Index (**GGI**) is a comprehensive and implementable framework to assess governance across the states and UTs.
  - The key objective is **to create a tool which can be applied uniformly across the states** to assess impact of various interventions made by the central and state governments including UTs.

### District Good Governance Index (DGGI)

- The District Good Governance Index (**DGGI**) is a crucial tool for evaluating and planning the development of districts. It benchmarks governance at the district level through extensive stakeholder consultations, ranking districts on various indicators in different sectors.
  - This **fosters healthy competition, encourages gap-bridging, and aids decision-making for overall regional development.**

## Official Language

- **Article 343 (1)** of the Constitution provides that **Hindi in Devanagari** script shall be the **official language of the Union.**
- **Article 343 (2)** also provides for continuing the use of **English** in the official work of the Union for a period of **15 years (i.e., upto January 25, 1965)** from the date of commencement of the Constitution. **Article 343 (3)** empowered the Parliament to provide by law for continued use of English for official purposes even after **January 25, 1965.**
- The **Official Languages Act, 1963 (amended in 1967)** also lays down under **Section 3 (3)** **that both Hindi and English shall compulsorily** be used for certain specified purpose such as resolutions, general orders, rules, notifications, press communiques; administrative and other reports and official papers to be laid before a House or the Houses of Parliament; contracts,

agreements, licences, permits, tender notices and forms of tender, etc.

- With a view to ensuring compliance with the constitutional and legal provisions regarding official language and to promote the use of Hindi for the official purposes of the Union, the **Department of Official Language was set up in 1975** as an independent department of the Ministry of Home Affairs. Since then, this Department has been making efforts for accelerating the progressive use of Hindi for the official purposes of the Union.
- **In 1976**, Official Language Rules were framed under the provisions of **Section 8 (1)** of the **Official Languages Act, 1963 as amended in 1967**.
- **Salient features of the rules are as under:**
  - They apply to all **central government offices**, including any office of a Commission, Committee or Tribunal appointed by the central government and corporation or company owned or controlled by the central government **except Tamil Nadu**;
  - Communications from a central government office to state/union territories or to any person in the region **'A' comprising Uttar Pradesh, Uttarakhand, Himachal Pradesh, Madhya Pradesh, Chhattisgarh, Bihar, Jharkhand, Rajasthan, Haryana and union territories of Andaman and Nicobar Islands and Delhi, shall be in Hindi**;
  - Communications from a central government office to states/union territories in region **'B' comprising Punjab, Gujarat, Maharashtra and the union territory of Chandigarh, Daman and Diu and Dadra and Nagar Haveli shall ordinarily be in Hindi** and if any communication is issued to any of them in English, it shall be accompanied by a Hindi translation thereof;
  - Communications from a central government office to state or union territory in **Region 'C' or to any office (not being a central government office) or person in such state shall be in English**; and
  - Communications between central government offices in **region 'C' to a state or union territory of Region 'A' or Region 'B'** or to any office (not being a central government office) or persons in such state may be **either in Hindi or English**.

### Committees/Samitis

- The **Kendriya Hindi Samiti was constituted in 1967**. Chaired by the Prime Minister, it is the apex policy making body which lays the guidelines for the propagation and progressive use of **Hindi as the official language of the Union**.
- The Committee of Parliament on official language was constituted in **1976** to periodically **review the progress** in the use of Hindi as the official language of the Union and to submit a report to the **President**.

### Award Schemes

- **Rajbhasha Keerti Puraskar Yojana**: For awarding the outstanding achievements in the implementation of Official Language Policy of the Union.
- Under the **Rajbhasha Gaurav Hindi Book Writing Scheme**, cash awards, shields and certificates are awarded to the working/retired employees of the central government, banks, financial institutions, universities, training institutions and autonomous bodies of the central government **for writing original books in Hindi. At zonal level, Zonal Official Language Awards are also given annually**.

### Inter-State Council

- The provision for setting up an Inter-State Council is mentioned in **Article 263** of the Constitution. In pursuance of the recommendation made by the **Sarkaria Commission on CentreState Relations, the Inter-State Council was set up in 1990**.
- The Inter-State Council (ISC) is a recommendatory body and has been assigned the duties of investigating and discussing such subjects, in which some or all of the states or the union territories and one or more of the states have a **common interest, for better coordination of policy and action with respect to that subject**. It also deliberates upon such other matters of general interests to the states as may be **referred by the Chairman to the Council**.
- **The Prime Minister is the Chairman of the Council**
  - Chief Ministers of all the states and union territories having legislative assemblies,

administrators of union territories not having legislative assemblies, governors of states under President's rule and six ministers of cabinet rank in the Union Council of Ministers **nominated by the Chairman of the Council, are members of the Council.**

## Zonal Council

- Five zonal councils viz., **Northern Zonal Council**, Central Zonal Council, Eastern Zonal Council, Western Zonal Council and Southern Zonal Council were set up vide **Part-III of the States Re-organisation Act, 1956** with the objectives of **bringing out national integration; arresting the growth of acute state consciousness, regionalism, linguism and particularistic tendencies**; enabling the centre and the states to cooperate and exchange ideas and experiences; and establishing a climate of co-operation amongst the states for successful and speedy execution of development projects.

### Composition of Zonal Councils

- The **Union Home Minister is the Chairman of all the zonal councils.**
  - The Office of the **Vice-Chairman** is held by the **Chief Minister** of the Member State of the respective zonal council by **annual rotation**, each holding office for a period of **one year at a time. Two other ministers of each member state are also members of each Zonal Council.**
  - The Chief Secretary of the Member State function as the Secretary of respective Zonal Council by **annual rotation** and another officer/Development Commissioner and one officer nominated by the Planning Commission for each of the Zonal Councils as Adviser for a period of **one year.**

## The States

- The system of government in states **closely resembles that of the Union.**

## Executive

### Governor

- A state executive comprises the **Governor** and **Council of Ministers**, with the Chief Minister as its head.
  - The **Governor** is appointed by the **President for a five-year term** and must be an Indian citizen **above 35 years of age.**
- Executive power of the state is **vested in the Governor**, who is aided and advised by the Council of Ministers, except when the Constitution requires the Governor to act at their discretion.
  - In **Nagaland**, under **Article 371 A** of the Constitution, the Governor holds **special responsibility for law and order.** Although consultation with the Council of Ministers is necessary, the Governor can exercise individual judgment.
  - Similarly, in **Arunachal Pradesh**, under **Article 371 H**, the Governor has special responsibility for law and order and can exercise **individual judgment** after consulting the Council of Ministers. These provisions are temporary.
- The President can revoke the Governor's special responsibilities if deemed unnecessary based on a report from the Governor or other sources.
- In the **Sixth Schedule** applicable to **tribal areas** of Assam, Meghalaya, Tripura, and Mizoram, Governors have discretionary powers, particularly regarding sharing royalties between district councils and the state government.
  - Governors of **Mizoram and Tripura** have additional discretionary powers in almost all functions except for specific exclusions since **December 1998.**
  - In **Sikkim**, the Governor has **special responsibilities for peace and social and economic advancement.**
- Governors exercise their judgement in constitutional functions like appointing Chief Ministers, reporting to the President about the failure of constitutional machinery, and giving assent to bills passed by the legislature.

## Council of Ministers

- The **Chief Minister** is appointed by the **Governor** who also appoints other ministers on the **advice** of the Chief Minister.
- The Council of Ministers is collectively responsible to the Legislative Assembly of the state.

## Legislature

- Each state in India has a legislature comprising a **Governor** and **either one or two Houses**.
  - In Andhra Pradesh, Bihar, Karnataka, Maharashtra, Telangana, and Uttar Pradesh, **there are two Houses**: the **Legislative Council** and **Legislative Assembly**.
  - In the **other states**, there is **only one House, known as the Legislative Assembly**.
- **Parliament** has the authority to **pass laws** to abolish existing Legislative Councils or create new ones based on resolutions supported by the concerned Legislative Assembly.

## Legislative Council

- The Legislative Council (Vidhan Parishad) of a state has specific composition criteria:
  - It comprises **not more than one-third** of the total number of members in the Legislative Assembly.
  - It must have at **least 40 members**.
- Members are elected through various methods:
  - About **one-third** are elected by **members of the Legislative Assembly**.
    - Another one-third are elected by **electorates** consisting of members of municipalities, district boards, and other local authorities.
  - **One-twelfth** are elected by an electorate consisting of persons engaged in teaching in educational institutions within the state for at least three years.
    - A further one-twelfth are elected by registered graduates with more than three years of standing.
  - The **remaining members** are nominated by the **Governor** from among those who have excelled in literature, science, art, cooperative movement, and social service.
- Legislative Councils do not undergo dissolution like Legislative Assemblies. However, **one-third** of their members **retire every second year**.

## Legislative Assembly

- The Legislative Assembly (Vidhan Sabha) of a state comprises a **minimum of 60** and a **maximum of 500 members**.
  - Members are elected through **direct elections** from territorial constituencies within the state.
- Each territorial constituency is demarcated to maintain a **consistent ratio** between its population and the number of seats allotted to it.
- The **term** of an Assembly is **five years**, unless it is dissolved earlier.

## Powers and Functions

- State legislature has exclusive powers over subject, enumerated in List II of the Seventh Schedule of the Constitution and concurrent powers over those enumerated in List III.
- Financial powers of the legislature include authorisation of all expenditure, taxation and borrowing by the state government. Legislative Assembly alone has power to originate money bills.
- Legislative Council can make only recommendations in respect of changes it considers necessary within a period of 14 days of the receipt of money bills from Assembly. The Assembly can accept or reject these recommendations.

## Reservation of Bills

- The **Governor of a state** has the **authority to reserve any bill** for the consideration of the President.
  - Bills concerning **certain subjects** such as compulsory acquisition of property, measures

affecting High Courts' powers and positions, and taxation on water or electricity in inter-state river projects must be reserved for the President's consideration.

- Without **prior sanction** from the **President, state legislatures cannot introduce** bills that impose restrictions on inter-state trade.

### Control over Executive

- State legislatures exercise **financial control** along with **employing parliamentary tools** such as questions, discussions, debates, adjournments, and no-confidence motions to oversee the executive's daily operations.
  - They establish committees on **estimates and public accounts** to ensure the proper utilization of grants sanctioned by the legislature.
- The use of these mechanisms allows state legislatures to **effectively monitor and hold** the executive branch accountable for its actions.

### Union Territories

- Union territories are administered by the **President** through an appointed administrator.
- Administrators of Andaman and Nicobar Islands, Delhi, Puducherry, Jammu and Kashmir, and Ladakh hold the **designation of Lieutenant Governors**.
  - The Governor of Punjab also serves as the administrator of Chandigarh.
  - **Lakshadweep** has its own **separate administrator**.

### Local Government

#### Municipalities

- Municipal bodies have a long history in India, with the first Municipal Corporation established in **Madras in 1688**, followed by **Bombay** and **Calcutta in 1726**.
  - The Constitution of India ensures **protection of democracy** in Parliament and state legislatures, but does not clearly mandate local self-government in urban areas.
  - While the **Directive Principles of State Policy** mention **Village Panchayats**, there is no specific mention of municipalities except implicitly in Entry 5 of the State List.
- The **Constitution (74th Amendment) Act, 1992**, also known as the **Nagarpalika Act**, was enacted by Parliament to provide a common framework for **urban local bodies and strengthen** their functioning as democratic units of self-government.
  - The Act came into effect in **1993** and introduced **Part IX-A**, which includes provisions for the constitution of **three types of municipalities**: Nagar Panchayats, Municipal Councils, and Municipal Corporations, based on the size of the urban area.
- Other provisions include **fixed durations** for municipalities, appointment of State Election Commissions, appointment of State Finance Commissions, and the constitution of metropolitan and district planning committees.
- All state and union territory administrations have established their **State Election Commissions** and **Finance Commissions**.

#### Panchayats

- **Article 40** of the Constitution emphasizes **the establishment of village panchayats with self-government powers**.
  - A **new Part IX** was **added** to the Constitution, addressing various aspects of panchayats.
  - **Part IX** includes provisions for Gram Sabha formation, constitution of panchayats at different levels, direct elections to all panchayat seats, reservation of seats for scheduled castes and tribes, **reservation of one-third of seats for women**, and a **fixed five-year tenure** for panchayats.
- In case of panchayat **supersession**, elections must be held within **six months**.

#### Election Commission

- The Election Commission of India (ECI) was **established in 1950** with its **headquarters in New**

**Delhi**, functioning as a **permanent independent** constitutional body.

- It is responsible for supervising, directing, and controlling the entire electoral process in India, including **elections to Parliament, state legislatures, union territories, and the offices of President and Vice-President** as per the Constitution.
- The ECI **decides election schedules** for general elections and bye-elections, maintains electoral rolls, supervises candidate nominations, registers political parties, monitors election campaigns, and oversees funding and expenditure of candidates.
- It facilitates **media coverage of elections**, conducts voter education and awareness campaigns, organizes polling stations, and supervises the counting of votes and declaration of results.
- The ECI **employs** Electronic Voting Machines (**EVMs**) for polling and has **introduced** Voter Verifiable Paper Audit Trail (**VVPAT**) on a pilot basis. It also mandates compulsory identification through Electors' Photo Identity Cards (EPICs) and other photo identity cards.
- Elections are conducted based on **constitutional provisions** and supplemented by laws enacted by **Parliament**, including the Presidential and Vice-Presidential Elections Act, 1952, the Representation of the People Act, 1950, and the Representation of the People Act, 1961.
  - At the state level, election activities are overseen by the **Chief Electoral Officer**, appointed by the ECI from senior civil servants of the state government.
  - **Field administration** at the district and sub-divisional levels is managed by officials such as District Magistrates, Sub-Divisional Magistrates, Revenue Divisional Officers, and Tehsildars.
- The ECI established the **India International Institute of Democracy and Election Management (IIIDEM)** as a **center** for learning, research, training, and extension in electoral democracy and election management, currently operating from **New Delhi**.

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