

TEST: 1**FEATURES OF
INDIAN POLITY &
CONSTITUTION****10 AUGUST, 2019****UPSC Syllabus**

- Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure
- Separation of powers
- Fundamental Rights, Preamble, DPSP, Fundamental Duties, etc.
- Comparison of the Indian constitutional scheme with that of other countries
- Salient features of RP Act

Sub-Topic Listing**CONSTITUTIONAL
FRAMEWORK****(1) Historical underpinning**

- Constitution: Why and How?
- Historical Background

(2) Evolution

- Constituent Assembly and its vision of future
- Making of the Constitution
- Constitution as a living document
- Democracy and diversity
- Outcomes of democracy
- Crisis of Democratic order
- National Commission to Review the Working of the Constitution
- Comparison of the Indian Constitutional scheme with that of other countries

(3) Features

- Sources of the Constitution
- Salient features of the Constitution
- The Philosophy of the Constitution
- System of Government: Parliamentary & Presidential System
- Role of Convention under the Constitution
- Comparison between Judicial Review and Parliamentary Supremacy

(4) Amendments

- Amendment of the Constitution

- ▶ KeshvanandBharti Case Judgement
- ▶ 42nd and 44th Amendment to the Constitution
- ▶ The Constitution (103rd Amendment) Act, 2019 (124th Constitution Amendment Bill) to provide 10% reservation in government jobs and educational institutions to the economically weaker sections (EWS)
- ▶ The Constitution (125th Amendment) Bill, 2019

(5) Significant Provisions

- Preamble of the Constitution
 - ▶ Debate : Is Preamble part of the Constitution and its amendment
- Citizenship
 - ▶ National Register of Citizens
- Fundamental Rights
 - ▶ Rule of Law
 - ▶ Procedure Established by Law vs Due Process of Law
 - ▶ Exceptions to Fundamental Rights
 - ▶ Amenability of Fundamental Rights
 - ▶ Rights following from other provision of the Constitution
- Major Debates/ Issues around Fundamental Rights:
 - ▶ Limitations upon the Freedom
 - ▶ Freedom of Press and Censorship
 - ▶ Free Speech: Rights & Limits and Hate speech
 - ▶ Data protection: Privacy Vs. Innovation
 - ▶ RTI amendments
 - ▶ Sedition-Law- Comprehensive public

- discussion regarding Section 124A of the Indian Penal Code 1860
- ▶ Right To Information Act 2005.
- ▶ 'Living wills'/ Euthanasia
- ▶ Restriction on the entry of women in places of worship
- ▶ Reservation in India – Explained in Layman's Terms
- ▶ Reservation in promotion
- ▶ Aadhaar and Privacy issues
- ▶ Constitutionality of article 35A
- Directive Principles of the State Policy
 - ▶ Scope of DPSP: Economic and Social Democracy
 - ▶ Implantation of Directives
 - ▶ Conflict between Fundamental Rights and role of judiciary in harmonizing them
 - ▶ Challenge of implementing Uniform civil code
- Fundamental Duties
- Union Territories
 - ▶ Chief Minister Vs Lieutenant Governor: Rules, Rights And Responsibilities
- Special Status of Jammu and Kashmir
 - ▶ Kashmir Unrest
- Special Provisions for some States
- Scheduled and Tribal areas
- Official Language
 - ▶ Reasons for the 58th Amendment
- ▶ Freebies Politics in India
- ▶ Issues Related to the Working of Political Parties
- ▶ Inner Party Democracy
- ▶ Significance of Strong Opposition in Democracy
- Elections
 - ▶ Role of Civil Society in Free and Fair Election
 - ▶ What is Tactical Voting and Proportional Representation?
 - ▶ What is Absentee Ballot?
- Voting Behaviour
- Election Laws
 - ▶ Representation of People (Amendment) Bill 2010- Voting rights to NRI
 - ▶ Introduction of NOTA
 - ▶ Bill on Right to Recall Legislators
- Electoral reforms
 - ▶ Demand For A Hybrid Electoral System
 - ▶ Simultaneous Elections
 - ▶ About Paper Trail units
 - ▶ Election Funding (Electoral bonds)- Corporate funding laws
 - ▶ State Funding in elections
 - ▶ Women voices in elections
 - ▶ Law Commission Report on Electoral Reforms
- Anti-Defection Law
 - ▶ Anti-Defection Law: Is it time for reconsideration?

(6) Major Doctrines

- Doctrine of Basic Structure of the Constitution
- Doctrine of Harmonious Construction
- Doctrine of Eclipse
- Doctrine of Pith and Substance
- Doctrine of Incidental or Ancillary Powers
- Doctrine of Colourable Legislation
- Doctrine of Severability
- Doctrine of Territorial Nexus
- Doctrine of Laches

(7) Pressure groups and formal/informal associations and their role in the Polity

- Pressure Groups
- Popular Struggles and Movements
- Rise of Popular movements

(8) Election & The Representatives of People's Act

- Political Parties
 - ▶ Criminalisation of politics

(9) Development processes and the development industry

- The role of NGOs
 - ▶ NGOs and Development/ Crackdown on NGOs
 - ▶ Accountability and transparency in NGOs
- SHGs, various groups and associations, donors, charities, institutional and other stakeholders

(10) Major Issues

- Dalit assertion and Politics of reservation
- Should India spend more on science or Social welfare?
- Protection of Women from Domestic Violence Act 2005
- Agrarian crisis: Issues in farmer economy
- Issues related to Social Media
- Media freedom and Responsible reporting
- Marital rape

- Section 377: Constitutionality Vs Morality
- Legalising Sports Betting In India

(11) Mechanism, laws, Institutions and Bodies constituted for the protection and betterment of these vulnerable sections

- Special Provisions relating to Certain Classes
 - ▶ Muslim Personal law: Polygamy/ Triple talaq
- Scheduled and Tribal Areas
 - ▶ SC/ST Act judgment: Protecting the innocent or diluting the Protection?

- National Commission for STs
- Special Officer for Linguistic Minorities
- Comptroller and Auditor General of India (CAG)
 - ▶ Functioning and Autonomy of CAG
- National Commission for Backward Classes
- Attorney General of India
- Advocate General of the State
- Co-operative Societies
- Tribunals
 - ▶ Problems with Tribunals, Problems arising out of sidestepping the HC

CONSTITUTIONAL/NON-CONSTITUTIONAL BODIES

(1) Constitutional Bodies

- Election Commission
- Union Public Service Commission
- State Public Service Commission
- Finance Commission
 - ▶ 14th Finance Commission and Local Governments
 - ▶ 15th Finance commission: Issues with Term and Refrences
- State Finance Commission
- Law Commission
 - ▶ 268th Report of Law Commission on Bail Reforms
 - ▶ Law Commission report on Hate Speech
- Pay Commission
 - ▶ 7th Pay Commission
- National Commission for SCs

(2) Statutory, regulatory and various quasi-judicial bodies

- Rationalization Of Autonomous Bodies
- National Human Rights Commission
- National Commission for Women
- State Human Rights Commission
- Central Information Commission
- State Information Commission
- Central Vigilance Commission
 - ▶ Preventive Vigilance
- Central Bureau of Investigation
 - ▶ Autonomy of CBI
- Lokpal and Lokayuktas
 - ▶ Issues related to the appointment of Lokpal
- Quasi judicial bodies
- NITI Aayog
 - ▶ NITI Aayog's Report on Rationalization of Centrally Sponsored Schemes (CSS)
 - ▶ Model Land leasing Law prepared by NITI Aayog

CONTEMPORARY ISSUES

(1) Recent Bills & Acts

- 103rd Constitutional Amendment Act
- Fugitive Economic Offenders Bill, 2018
- Triple Talaq Ordinance
- Citizenship (Amendment) Bill
- Draft Emigration Bill, 2019
- Consumer Protection Bill, 2018
- Prevention of Corruption (Amendment) Act, 2018
- Lokpal & Lokayukta Amendment Act, 2016
- The Right of Children to Free & Compulsory Education (Amendment) Act, 2019

- Data (Privacy & Protection) Bill, 2017
- The Transgender Persons (Protection of Rights) Bill, 2016
- The Indian Institute of Information Technology (Amendment) Bill , 2017 (autonomy of institutes)

(2) Elections

- Criminalization of Politics
- Issues Related to the Working of Political Parties

- Enact Strong Laws to Cleanse Politics, says Supreme Court
- How effective is Election Commission in Ensuring Fair Elections
- Freebies Politics in India
- Election Commission Proposal for Countering Bribe-for-Votes
- Law Commission Report on Electoral Reforms
- State Funding in Elections
- Role of Civil Society in Free and Fair Election

- Women Voices in Elections
- Electronic Voting Machine (EVM) Issue
- About Paper Trail Units
- Anti-Defection Law
- Office of Profit & RPA

(3) Miscellaneous

- Revisiting Section 124-A of IPC
- Adultery No More Criminal Offence in India

(4) Etc.
