

Historical Background, Making of the constitution, Preamble of the constitution; Union & Its territory; Citizenship.

Main Topic	Subtopic
Historical Background and Making of Indian Constitution	<p>Colonial Period:</p> <ul style="list-style-type: none">❖ East India Company Rule:<ul style="list-style-type: none">• Introduction of British legal system.❖ Regulating Act of 1773:<ul style="list-style-type: none">• Beginning of codified laws.❖ Charter Acts (1813, 1833, 1853):<ul style="list-style-type: none">• Incremental reforms.• Expansion of legislative power.❖ Government of India Act 1858:<ul style="list-style-type: none">• Transfer of power from Company to Crown.❖ Indian Councils Acts (1861, 1892, 1909):<ul style="list-style-type: none">• Limited introduction of representative government.❖ Morley-Minto Reforms 1909:<ul style="list-style-type: none">• Rise of Indian nationalism. <p>Rise of Indian Nationalism and Demand for Self-Government:</p> <ul style="list-style-type: none">❖ Indian National Congress:<ul style="list-style-type: none">• Demand for swaraj (self-rule).❖ Moderates vs. Extremists:<ul style="list-style-type: none">• Different approaches to freedom struggle.❖ Home Rule Movement:<ul style="list-style-type: none">• Demand for constitutional reforms.❖ Government of India Act 1919 (Montagu-Chelmsford Reforms):<ul style="list-style-type: none">• Dyarchy and limited self-government.❖ Non-cooperation Movement:<ul style="list-style-type: none">• Rise of Mahatma Gandhi.❖ Round Table Conferences:<ul style="list-style-type: none">• Constitutional drafting process. <p>Drafting and Adoption of the Constitution:</p> <ul style="list-style-type: none">❖ Constituent Assembly Composition:<ul style="list-style-type: none">• Diverse representation.

	<ul style="list-style-type: none"> ❖ Dr. B.R. Ambedkar: <ul style="list-style-type: none"> • Role as chairman of the Drafting Committee. ❖ Key Influences on the Constitution: <ul style="list-style-type: none"> • Government of India Act 1935, British parliamentary system, American federalism. ❖ Debates and Compromises: <ul style="list-style-type: none"> • During the drafting process. ❖ Adoption of the Constitution: <ul style="list-style-type: none"> • November 26, 1949, effective January 26, 1950. <p>Post-Independence Constitutional Development:</p> <ul style="list-style-type: none"> ❖ Constitutional Amendments: <ul style="list-style-type: none"> • 42nd, 55th, 73rd, 86th, etc., and their impact. ❖ Landmark Supreme Court Judgments: <ul style="list-style-type: none"> • Kesavananda Bharati case, Minerva Mills case, etc. ❖ Evolution of Judicial Review: <ul style="list-style-type: none"> • Activism vs. restraint, expansion of fundamental rights.
Preamble	<p>Evolution of the Preamble:</p> <ul style="list-style-type: none"> • Drafting Process. • Influences from other constitutions. • Debates on key phrases. <p>Understanding the Core Values:</p> <ul style="list-style-type: none"> ❖ Justice: <ul style="list-style-type: none"> • Social, Economic, and Political Justice. • Affirmative Action. • Challenges in Achieving Justice. ❖ Liberty: <ul style="list-style-type: none"> • Individual Freedoms. • Limitations. • Balance with National Security. ❖ Equality: <ul style="list-style-type: none"> • Social, Economic, and Political Equality. • Eradicating Discrimination. • Affirmative Action Policies. ❖ Fraternity: <ul style="list-style-type: none"> • Promoting National Unity and Integration. • Respect for Diversity.

	<ul style="list-style-type: none"> • Fostering a Sense of Brotherhood. <p>Key Phrases and Concepts:</p> <ul style="list-style-type: none"> ❖ Sovereign Socialist Secular Democratic Republic: <ul style="list-style-type: none"> • Characteristics of the Indian State. ❖ We the People: <ul style="list-style-type: none"> • Citizen Participation. • Democratic Values. ❖ Secure to all Citizens: <ul style="list-style-type: none"> • Guaranteeing Fundamental Rights. • Importance of Individual Rights. ❖ Strive to Promote: <ul style="list-style-type: none"> • State's Role in Social and Economic Justice. ❖ Perfection of Union and Integrity of the Territory: <ul style="list-style-type: none"> • Federalism. • National Unity. <p>Legal Significance and Judicial Interpretation:</p> <ul style="list-style-type: none"> ❖ Is the Preamble a Part of the Constitution? <ul style="list-style-type: none"> • Implications for Fundamental Rights. • Judicial Review. ❖ Landmark Supreme Court Judgments: <ul style="list-style-type: none"> • Interpretations of the Preamble. • Relation to Fundamental Rights and State Policies. ❖ Is the Preamble Enforceable?
Union & Its territory;	<p>Constitutional Framework:</p> <ul style="list-style-type: none"> ❖ Articles 1-4: <ul style="list-style-type: none"> • Legal definition of the Union. • Territory of India. • Power to alter boundaries. <p>Union Territories and their Governance:</p> <ul style="list-style-type: none"> ❖ Types of UTs: <ul style="list-style-type: none"> • UTs with legislatures. • UTs without legislatures. • Administered UTs. ❖ Administration of UTs: <ul style="list-style-type: none"> • Role of Lieutenant Governor. • Role of Administrator.

	<ul style="list-style-type: none"> • Role of Chief Commissioner. ❖ Special Provisions for Certain UTs: <ul style="list-style-type: none"> • Jammu & Kashmir, Ladakh, Delhi. • Unique administrative structures. ❖ Challenges and Demands for Statehood: <ul style="list-style-type: none"> • Representation issues. • Autonomy. • Development concerns. <p>Constitutional Amendments and Territorial Reorganization:</p> <ul style="list-style-type: none"> ❖ Amendment Process: <ul style="list-style-type: none"> • Relating to "The Union and its Territory." ❖ Reorganization of States and Creation of New UTs: <ul style="list-style-type: none"> • Historical examples. • Implications. ❖ Judiciary's Role in Territorial Disputes: <ul style="list-style-type: none"> • Landmark cases. • Impact on territorial governance.
Citizenship	<p>Concepts and Definitions:</p> <ul style="list-style-type: none"> ❖ Meaning and Importance of Citizenship in India. ❖ Distinction Between Nationality and Citizenship. ❖ Types of Citizenship: <ul style="list-style-type: none"> • Birth. • Descent. • Registration. • Naturalization. ❖ Single vs. Dual Citizenship in India. <p>Acquisition of Citizenship:</p> <ul style="list-style-type: none"> ❖ Provisions of the Citizenship Act 1955: <ul style="list-style-type: none"> • Different modes of acquisition. • Specific requirements. ❖ Challenges and Debates Surrounding Acquisition: <ul style="list-style-type: none"> • Illegal immigration. • Statelessness. • Ease of obtaining citizenship. ❖ Case Studies and Landmark Supreme Court Judgments on Citizenship. ❖ The Citizenship (Amendment) Act, 1986.

<p>Loss of Citizenship:</p> <ul style="list-style-type: none"> ❖ Grounds for Termination of Citizenship (Citizenship Act). ❖ Revocation of Citizenship: <ul style="list-style-type: none"> • Implications. ❖ Controversies and Concerns Surrounding Revocation Process. ❖ Comparative Analysis of Citizenship Loss Provisions in Other Countries. <p>Fundamental Rights and Citizenship:</p> <ul style="list-style-type: none"> ❖ Articles 14-21: <ul style="list-style-type: none"> • Equality and fundamental rights for citizens. ❖ Special Provisions for Certain Communities: <ul style="list-style-type: none"> • Scheduled Castes, Scheduled Tribes, and Minorities. ❖ Citizenship as Prerequisite for Holding Public Office and Certain Professions. ❖ Citizenship Rights of People of Indian Origin (PIO) Residing Outside India. <p>Citizenship Amendment Act (CAA) 2019:</p> <ul style="list-style-type: none"> ❖ Key Provisions and Objectives of the Act. ❖ Debates and Controversies: <ul style="list-style-type: none"> • Protests. • Legal Challenges. ❖ Implications of the CAA: <ul style="list-style-type: none"> • For Citizenship Acquisition. • For National Security.
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1. Assertion [A] : Indian Constitution is a rationally deliberated moral document.
Reason [R] : Indian Constituent Assembly was a site where different interest groups debated for a negotiated settlement.

A) [A] is true but [R] is false

B) [A] is false, [R] is true.

C) Both (A) and (R) are true; and (R) is the correct explanation is [A]

D) Both (A) and (R) are true; but (R) is not the correct explanation of [A]

E) Answer not known

கூற்று (A) : பகுத்தறிவுடன் விவாதிக்கப்பட்ட ஓர் ஒழுங்கு முறை ஆவணமே இந்திய அரசியலமைப்புச் சட்டம் ஆகும்.

காரணம் [R] : பல்வேறு கருத்துடைய குழுக்கள் கூடிக் கலந்து விவாதித்துத் தங்களுக்குள் ஓர் ஒப்பந்தத்தை எட்டிய இடமே இந்திய அரசியல் அமைப்புச் சபையாகும்.

- A) [A] உண்மை: ஆனால் (R) தவறு
 B) [A] தவறு; ஆனால் (R) உண்மை
 C) [A] மற்றும் (R) இரண்டுமே சரி; அத்துடன் (R) என்பது (A) விற்கான சரியான விளக்கமாகும்.
 D) [A] மற்றும் (R) இரண்டுமே சரி; ஆனால் (R) என்பது (A) விற்கான சரியான விளக்கமாகாது
 E) விடை தெரியவில்லை

2. The 42nd Constitutional Amendment Act added three new words to the Preamble of the Indian Constitution. Which among the following is the incorrect one?

- A) Socialist
 B) Secular
 C) Democratic
 D) Integrity
 E) Answer not known

42 ஆம் அரசமைப்புத் திருந்தச் சட்டம். இந்திய அரசியலமைப்புச் சாசனத்தின் முகவுரையில் மூன்று புதிய சொற்களைச் சேர்த்தது பில்வருவனவற்றில் எது தவறானது?

- A) சோசலிஸ்ட்
 B) மதச்சார்பற்ற
 C) மக்களாட்சியுடைய
 D) ஒருமைப்பாடு
 E) விடை தெரியவில்லை

3. The word 'Secularism' was added into the Preamble by the 42nd Constitutional Amendment Act of

- A) 1950
 B) 1947
 C) 1976
 D) 1956
 E) Answer not known

சமயச்சார்பற்ற என்ற வார்த்தை 42-வது அரசியலமைப்புத் திருத்தச்சட்டத்தின் முகவுரையில் மூலம் சேர்க்கப்பட்ட ஆண்டு

- A) 1950
 B) 1947
 C) 1976
 D) 1956
 E) விடை தெரியவில்லை

4. Which Article and Part of the Constitution of India deals with loss of Indian Citizenship?

- A) Part III
 B) Part II Article 5-11
 C) Part II Article 5-6
 D) Part IV Article-12
 E) Answer not known

இந்திய அரசியல் அமைப்புச் சட்டத்தின் எந்தப் பிரிவு மற்றும் பிரிவுகள் குடியரிமை இழத்தல் பற்றிக் குறிப்பிடுகின்றன?

- A) பிரிவு III
 B) பிரிவு II அரசியல் அமைப்பு சட்டம் 5 முதல் 11 வரை
 C) பிரிவு II அரசியல் அமைப்பு சட்டம் 5 முதல் 6 வரை

- D) பிரிவு IV அரசியல் அமைப்பு சட்டம் ஷ 12
E) விடை தெரியவில்லை

5. The states Reorganisation commission was appointed in the year

- A) 1953 B) 1960
C) 1950 D) 1952
E) Answer not known

மாநிலங்களின் மறு சீர் அமைப்பு ஆணையம் அமைக்கப்பட்ட ஆண்டு

- A) 1953 B) 1960
C) 1950 D) 1952
E) விடை தெரியவில்லை

6. Though the country and the people may be divided into different states for the convenience of administrative activities, the country is one integral whole? - Who said this?

- A) Rajendra Prasad B) Jawaharlal Nehru
C) Bhimrao Ambedkar D) Vallabhbhai Patel
E) Answer not known

நிர்வாகச் செயல்பாடுகளின் வசதிக்காக நாடும் மக்களும் வெவ்வேறு மாநிலங்களாகப் பிரிக்கப்பட்டாலும், நாடு என்பது முழுமையாக ஒருங்கிணைந்த ஒன்று என கூறியது யார்?

- A) இராஜேந்திர பிராசாத் B) ஜவஹர்லால் நேரு
C) பீம்ராவ் அம்பேத்கர் D) வல்லபாய் பட்டேல்
E) விடை தெரியவில்லை

7. Who among the following called the Preamble' of the Indian Constitution as 'Identity Card of the Constitution"?

- A) Jawaharlal Nehru B) Sardar Patel
C) N.A. Palkhivala D) Subhas Chandra Bose
E) Answer not known

இந்திய அரசியலமைப்பின் முகவுரையை "அரசியல் சாசனத்தின் அடையாள அட்டை" என்று கீழ்க்காணப்படுபவர்களில் யார் கூறியது?

- A) ஜவஹர்லால் நேரு B) சர்தார் படேல்
C) என். ஏ. பால்கிவாலா D) சுபாஸ் சந்திர போஸ்
E) விடை தெரியவில்லை

8. Under which circumstances the Indian Citizenship cannot be terminated?

(A) At the time of emergency

(B) At the time of war

(C) At the time of Elections

(D) All of these

(E) Answer not known

எந்த சூழ்நிலையில் ஒருவரது இந்திய குடியரிமையை நீக்க முடியாது?

(A) அவசர நிலை அமலில் உள்ள போது

(B) போர் நடந்து கொண்டிருக்கும் போது

(C) தேர்தல் நடைபெறும் போது

(D) மேலே உள்ள அனைத்தும்

(E) விடை தெரியவில்லை

9. Which of the following statements about the citizenship Amendment Act, (CAA) 2019 are true?

1. Citizenship will be granted to all the foreigners who lived in India for more than six years.

2. Citizenship to members of Hindus, Sikh, Buddhist, Jain, Parsi or Christian communities from Afghanistan, Bangladesh and Pakistan who entered India on or before 31 Dec, 2014.

3. Members of specific communities will be granted citizenship within 6 years instead of 12 years

4. The CAA will help to the preparation of National Register of Citizens

(A) 1 and 2 are true

(B) 2 and 4 are true

(C) 3 and 4 are true

(D) 2 and 3 are true

(E) Answer not known

குடியரிமை திருத்தச் சட்டம் (CAA) 2019 பற்றிய பின்வரும் கூற்றுகளில் எது/எவை உண்மையானவை?

1. இந்தியாவில் 6 ஆண்டுகளுக்கு மேல் வாழ்ந்த அனைத்து வெளிநாட்டினருக்கும் குடியரிமை வழங்கப்படும்

2. ஆப்கானிஸ்தான், பங்களாதேஷ் மற்றும் பாகிஸ்தானில் இருந்து வந்து 31 டிசம்பர் 2014க்கு முன் இந்தியாவிற்குள் நுழைந்த இந்துக்கள், சீக்கியர்கள், பௌத்தர்கள், ஜைனர்கள், பார்சிகள் அல்லது கிறிஸ்துவ சமூகங்களின் உறுப்பினர்களுக்கு குடியரிமை

3. குறிப்பிட்ட சமூகங்களைச் சேர்ந்தவர்களுக்கு 12 ஆண்டுகளுக்கு பதிலாக 6 ஆண்டுகளுக்குள் குடியரிமை வழங்கப்படும்

4. குடிமக்களின் தேசிய பதிவேட்டை தயாரிப்பதில் CAA உதவும்

(A) 1 மற்றும் 2 சரி

- (B) 2 மற்றும் 4 சரி
- (C) 3 மற்றும் 4 சரி
- (D) 2 மற்றும் 3 சரி
- (E) விடை தெரியவில்லை

10. Which of the following is not a condition for becoming the citizen of India?

- (A) By Acquiring property
- (B) By Descent
- (C) By Birth
- (D) By Naturalization
- (E) Answer not known

கீழ்க்கண்டவற்றுள் எந்த ஒன்று இந்திய குடியரிமையைப் பெறும் வழி அல்ல?

- (A) சொத்துரிமை பெறுவதன் மூலம்
- (B) வம்சாவழியின் மூலம்
- (C) பிறப்பின் மூலம்
- (D) இயல்பு குடியரிமை மூலம்
- (E) விடை தெரியவில்லை

11. In a Modern Democratic state, citizenship is a

- (A) Natural right
- (B) Legal Right
- (C) Statutory right
- (D) Fundamental right
- (E) Answer not known

ஒரு நவீன மக்களாட்சி நாட்டில், குடியரிமை என்பது

- (A) இயற்கை உரிமை
- (B) சட்ட உரிமை
- (C) நாடாளுமன்றச் சட்ட உரிமை
- (D) அடிப்படை உரிமை
- (E) விடை தெரியவில்லை

12. Article 5 of the Constitution of India deals with

- (A) Nature of the Indian Parliamentary system
- (B) Formation of States

(C) Indian Citizenship

(D) Amendment procedures

(E) Answer not known

இந்திய அரசியல் அமைப்பு சட்டப்பிரிவு 5 எதை கையாள்கிறது?

(A) இந்திய நாடாளுமன்ற முறையின் தன்மை

(B) மாநிலங்கள் உருவாக்கும் முறை

(C) இந்தியக் குடியரிமை

(D) அரசமைப்புத் திருத்த முறை

(E) விடை தெரியவில்லை

13. "The Right of Citizenship cannot be taken away from a citizen except through an express Parliamentary Legislation". This is related to

(A) Ebrahim Wazir V State of Bombay Case

(B) Hukam Singh V State of Punjab Case

(C) M.C. Mehta V Union of India Case

(D) Ramchandra V Union of India Case

(E) Answer not known

"ஒருவரது குடியரிமையை நாடாளுமன்றச் சட்டத்தின் மூலமேயன்றி வேறு வகையில் பறிக்கக் கூடாது". இக்கூற்று எதனுடன் தொடர்புடையது?

(A) இப்ராகிம் வசீர் V பம்பாய் அரசு வழக்கு

(B) ஹக்கம் சிங் V பஞ்சாப் அரசு வழக்கு

(C) எம்.சி. மேத்தா V இந்திய ஒன்றியம் வழக்கு

(D) ராமச்சந்திரா V இந்திய ஒன்றியம் வழக்கு

(E) விடை தெரியவில்லை

14. The representation of the people Act of 1951, as amended in 2010 gives voting rights to

(A) All the Indian citizens

(B) Migrants from other nations

(C) People deported from India

(D) Overseas Indian passport holders

(E) Answer not known

2010 ல் திருத்தப்பட்ட 1951 ஆம் ஆண்டின் மக்கள் பிரதிநிதித்துவம் குறித்த சட்டம் க்கு வாக்களிக்கும் உரிமையை வழங்குகிறது

- (A) அனைத்து இந்திய குடிமக்களுக்கும்
(B) பிற நாடுகளில் இருந்து குடியேறியவர்கள்
(C) இந்தியாவில் இருந்து நாடுகடத்தப்பட்ட
(D) வெளிநாடுகளில் உள்ள இந்திய பாஸ்போர்ட் வைத்திருப்பவர்கள்
(E) விடை தெரியவில்லை

15. Choose the correct answer from the options given below relating to "citizenship" under the Indian Constitution :

- (A) Articles 1 to 5 under part I
(B) Articles 5 to 8 under part III
(C) Articles 5 to 11 under part II
(D) Articles 8 to 11 under part IV
(E) Answer not known

இந்திய அரசியலமைப்பு சட்டத்தில் "குடியரிமை" என்னும் பகுதி சார்ந்த, சரியான விடையை கீழே கொடுக்கப்பட்டுள்ளவற்றுள் தேர்ந்தெடுக்கவும் :

- (A) விதி 1 - 5 பகுதி I
(B) விதி 5 - 8 பகுதி III
(C) விதி 5 - 11 பகுதி II
(D) விதி 8 - 11 பகுதி IV
(E) விடை தெரியவில்லை

The Company Rule (1773-1858)

Regulating Act, 1773

- ❖ First attempt by the British Parliament to regulate the affairs of the East India Company
- ❖ Centralised the administration of Company's territories in India;
- ❖ Governor of Bengal was designated as the Governor General of Bengal and Council of 4 members was appointed for Bengal;
- ❖ Bombay and Madras Presidencies were subordinated to Bengal Presidency;
- ❖ Supreme Court was set up at Calcutta; and
- ❖ Company's servants were forbidden from accepting bribes or doing private trade.

Pitt's India Act, 1784

- ❖ It was the first effective substitution of Parliamentary Control over East India Company as it transferred the Indian affairs of the Company into the hands of the British Government;

- ❖ Abolished dual system of governance.
- ❖ Board of Control consisting of 6 Parliamentary Commissioners was constituted to control civil, military and revenue affairs of India;
- ❖ Court of Directors had to comply with the orders and directions of the Board;
- ❖ Strength of Governor-General's Council reduced to 3;
- ❖ Control of Governor-General-in-Council on Bombay and Madras Presidency was enlarged and made more effective

Charter Act, 1793

- ❖ East India Company's monopoly over trade was extended for 20 more years
- ❖ Expenses and salaries of the Board of Control to be charged on Indian Revenue; and
- ❖ Governor-General could over-ride his Council.

Charter Act, 1813

- ❖ East India Company was deprived of its trade monopoly in India except in tea and opium trade with China;
- ❖ All Englishmen could trade with India subject to certain restrictions;
- ❖ Rules and procedures were made for use of Indian revenue; and
- ❖ A sum of Rs. 1 lakh was earmarked annually for education.

Charter Act, 1833

- ❖ Governor-General of Bengal became the Governor-General of India;
- ❖ Company was asked to close its business at the earliest;
- ❖ It put an end on Company's trade monopoly even in tea and opium with China;
- ❖ Government of Madras and Bombay was deprived of legislative powers;
- ❖ A fourth member (Law Member) was added to the Council of Governor-General;
- ❖ Government Service was thrown open to the people of India;
- ❖ All laws made by Governor General-in Council, henceforth came to be known as Acts and not regulations;
- ❖ Provision was made for appointment of Law Commission for codification of laws; and
- ❖ Slavery was abolished.

Charter Act, 1853

- ❖ For the first time a separate legislative machinery consisting of 12-member Legislative Council was created;
- ❖ Law Member was made a full member of the Executive Council of the Governor General. Six additional members were added for legislative purposes;
- ❖ Recruitment of Civil Services was based on open annual competitive examination.

Crown Rule (1858-1947)

Government of India Act, 1858

- ❖ Rule of company in India ended and that of the Crown began;
- ❖ System of double government ended as both the Court of Directors as well as the Board of Control was abolished;

- ❖ Secretary of State for India was appointed. He was assisted by a 15-member Council (India Council). He was to exercise the powers of the Crown;
- ❖ Secretary of State was to be a member of the British Cabinet
- ❖ Secretary of State governed India through the Governor General;
- ❖ Governor-General was to be called the Viceroy and was the direct representative of the Crown in India; and
- ❖ A unitary and highly-centralised administrative structure was created.

Indian Councils Act, 1861

- ❖ Policy of Association of Indians in legislation started
- ❖ Portfolio system was introduced;
- ❖ For legislation; Executive Council of Viceroy was enlarged by 6 to 12 members composed of half non-official members. Thus foundation of Indian Legislature was laid down;
- ❖ Legislative powers of the Presidency Governments, abolished in 1833, were restored; and
- ❖ Viceroy could issue ordinances in case of emergency.

Indian Councils Act, 1892:

- ❖ It was the beginning of representative system in India.
- ❖ Though the majority of official members was retained, the non-official members of the Indian Legislative Council were hence forth to be nominated by the Bengal Chamber of Commerce and the Provincial Legislative Councils.
- ❖ Non-official members of the Provincial Council were to be nominated by certain local bodies such as universities, district boards, municipalities, etc.; and
- ❖ Councils were given the power to discuss budget and to question the Executive.

Indian Councils Act, 1909: Also known as the Morley-Minto Reforms

- ❖ Introduced, for the first time, an element of elections to the Legislative Councils;
- ❖ In Provincial Legislative Councils, non-official members were to be in majority; and
- ❖ This Act introduced the system of separate electorates (for Muslims).

Government of India Act, 1919: Popularly known as Montague-Chelmsford Reform

- ❖ The idea of "Responsible Government" was stressed;
- ❖ Office of the High Commissioner of India was created in London;
- ❖ Indian Legislature became "bicameral" for the first time
- ❖ Communal representation was extended to Sikhs;
- ❖ Secretary of State for India was now to be paid from British revenue; and
- ❖ Diarchy was introduced in provinces by dividing subjects of administration between official members and elected members.

Government of India Act, 1935

- ❖ It provided for the establishment of an All India Federation consisting of the British Provinces and the Princely States. The joining of Princely States was voluntary. The Federation never came into being.
- ❖ Diarchy was introduced at the Centre. Diarchy in Provinces was replaced by 'Provincial Autonomy' and they were granted separate legal identity. Responsible governments were set up in States under Prime (Chief) Ministers elected by Legislatures.
- ❖ Governor was given special responsibilities (or discretion) in several matters;
- ❖ Three-fold division of powers was done Federal, Provincial and Concurrent Lists. Residuary powers were to be with the Governor-General;
- ❖ The India Council of Secretary of State for India was abolished
- ❖ Principle of separate electorate was extended further to include Anglo-Indians, Indian Christians and Europeans also;
- ❖ A Federal Court was to be constituted with a Chief Justice and 10 other Judges. This was set up in 1937.

Indian Independence Act, 1947:

- ❖ The Indian Independence Act of 1947 partitioned India into two independent dominions, India and Pakistan.
- ❖ The Act also provided for the establishment of a Constituent Assembly for each dominion to draft a constitution.

Sources of Constitution

Seminal Sources

Constituent Assembly Debates

- ❖ The Constituent Assembly debates were an important source of input for the framing of the Constitution.
- ❖ The debates were held in a free and fair manner, and produced an intelligent opinion that helped to shape the Constitution.

Reports of Committees of the Constituent Assembly

- ❖ The Constituent Assembly appointed various committees to make reports on different aspects of the Constitution.
- ❖ The reports of these committees were thoroughly discussed in the Drafting Committee, and helped to shape the final draft of the Constitution.

Nehru Report

- ❖ The Nehru Report was a set of recommendations for the future constitutional set-up of India.
- ❖ The report was prepared by a committee led by Motilal Nehru, and its recommendations were influential in the framing of the Indian Constitution.

Objectives Resolution

- ❖ The Objectives Resolution was moved by Jawaharlal Nehru in the Constituent Assembly.
- ❖ The resolution outlined the basic principles that would be incorporated into the Indian Constitution.

Government of India Act 1935

- ❖ The Government of India Act 1935 was the most important constitutional development before independence.
- ❖ The Act established a federal system of government for India, and its provisions were influential in the framing of the Indian Constitution.

Impact of Various Constitutions

- ❖ The founding fathers of the Indian Constitution borrowed from the experience gained in the working of various other Constitutions.
- ❖ This is why the Indian Constitution is regarded as a "bag of borrowings" from other Constitutions.

Provisions	Sources
President (Nominal Head)	The United Kingdom
Cabinet System of Ministers	
Parliamentary type of Government	
Post of Prime Minister	
Bicameral Parliament	
Council of Ministers	
Provision of Speaker in Lok Sabha	
Legislation	
Citizenship	
Writs	
Rule of Law	The United States
Preamble	
Fundamental Rights	
Independent Judiciary	
Judicial Review	
Impeachment of President	
Removal of Judges (of Supreme Court & High Courts)	
Functions of Vice-President	Canada
Federal System (with strong Center)	
Residuary powers in the Center	
Appointment of Governors (in states) by the Center	
Advisory Jurisdiction of Supreme Court	Australia
Principle of co-operative federalism	

Freedom of Inter-State trade	
Trade and Commerce	
Concurrent List	
Joint sating of the two Houses of Parliament	
Directive Principles of State Policy	Ireland
Presidential Election	
Nominating the members of Rajya Sabha	
Republic	France
Liberty, Equality, and Fraternity in the Preamble	
Fundamental Duties	Russia
Idea of Social, Economic, and Political Justice in Preamble	
Procedure for amendment	South Africa
Election of Rajya Sabha members	
Emergency powers to be enjoyed by the Union	Germany
Suspension of Fundamental Rights during emergency	
Procedure Established by Law	Japan
The federal scheme	Govt. of India Act 1935
Role of federal judiciary	
Office of the Governor	
Emergency provisions	
Public Service Commissions	
Administrative details	

Developmental Sources

Amendments of the Constitution:

- ❖ The Constitution has been amended more than 100 times in 75 years.
- ❖ The 42nd Amendment made the Constitution more flexible than rigid.

Judicial Decisions:

- ❖ Supreme Court's decisions have added new dimensions to the Constitution.
- ❖ Important cases: Gopalan vs. State of Madras, State of Madras vs. Champakam, Golak Nath vs. State of Punjab, Keshavanand Bharti vs. Kerala State.

Parliamentary Statutes:

- ❖ Parliament enacts laws for furnishing details of various Constitution Articles.
- ❖ These statutes are considered as constitutional laws.

Commentaries of Constitutional Experts:

- ❖ Views of constitutional experts like Jennings, D.D. Basu, Palkhiwala, etc., are considered while interpreting the Constitution.
- ❖ Their views help in understanding the true significance of constitutional provisions.

Rules, Regulations, Ordinances, etc.:

- ❖ Each House of Parliament and the President can make rules and ordinances for various constitutional subjects and administration.

Constitutional Practices:

- ❖ Certain practices independent of the Constitution have developed in India.
- ❖ Examples include:
 - Governor should not belong to the state to which he is appointed.
 - One Supreme Court judge must belong to the minority community.
 - The senior most Supreme Court judge becomes the Chief Justice of India.
 - The leader of the majority party in Lok Sabha becomes the Prime Minister.

Framing of the Indian Constitution:

Constituent Assembly of India:

- ❖ Constituted under the Cabinet Mission Plan of 1946.
- ❖ First sitting on Dec. 9, 1946, reassembled on Aug. 14, 1947, as the sovereign Constituent Assembly for the Dominion of India.
- ❖ A separate Constituent Assembly was set up for Pakistan due to partition.
- ❖ Membership reduced to 299 after partition; 284 members were present on Nov. 26, 1949, and signed the Constitution.

Members of the Drafting Committee:

- ❖ Dr. B.R. Ambedkar (Chairman)
- ❖ N. Gopalaswamy Ayyanagar
- ❖ Alladi Krishnaswamy Ayyar
- ❖ K.M. Munshi
- ❖ Mohd. Saadullah
- ❖ B.L. Mitter (later replaced by N. Madhava Rao)
- ❖ Dr. D.P. Khaitan (replaced by T.T. Krishnamachari after death)

Constitution Assembly Election:

- ❖ Elected through indirect election by members of the Provincial Legislative Assembly (Lower House only).
- ❖ Provinces elected 292 members, Indian States allotted a maximum of 93 seats.
- ❖ Seats distributed among Muslim, Sikh, and General committees based on population.
- ❖ Representatives of each community elected their own representatives using proportional representation with a single transferable vote.
- ❖ Representatives of Indian States were nominated.

Acceptance of the Constitution:

- ❖ Drafting Committee appointed on Aug. 29, 1947, under the chairmanship of Dr. Ambedkar.

- ❖ Draft Constitution presented in Feb. 1948.
- ❖ Constituent Assembly met in Nov. 1948 to consider the draft clause by clause.
- ❖ Second reading of clauses completed by Oct. 17, 1949.
- ❖ Third reading on Nov. 26, 1949, when the Constitution was signed by the President of the Assembly and declared passed.
- ❖ Some provisions took immediate effect, while the rest came into force on Jan. 26, 1950, India's Republic Day.
- ❖ The Constituent Assembly became the first provisional parliament, and the first elections were held in 1952.

Important Committee of the Constitution

Sr. No.	Name of the Committee	Chairman
1	Committee on the Rules of Procedure	Rajendra Prasad
2	Steering Committee	Rajendra Prasad
3	Finance and Staff Committee	Rajendra Prasad
4	Credential Committee	Alladi Krishnaswami Ayyar
5	House Committee	B Pattabhi Sitaramayya
6	Order of Business Committee	KM Munshi
7	Ad-hoc Committee on the National Flag	Rajendra Prasad
8	Committee on the Functions of the Constituent Assembly	GV Mavalankar
9	States Committee	Jawaharlal Nehru
10	Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas	Vallabhbhai Patel
11	Minorities Sub-committee	HC Mookherjee
12	Fundamental Rights Sub-Committee	JB Kripalani
13	North-East Frontier Tribal Areas and Assam, Excluded and Partially Excluded Areas Sub-Committee	Gopinath Bardoloi
14	Excluded and Partially Excluded Area (other than those in Assam) Sub-Committee	AV Thakur
15	Union Powers Committee	Jawaharlal Nehru
16	Union Constitution Committee	Jawaharlal Nehru
17	Drafting Committee	BR Ambedkar

PREAMBLE

The PREAMBLE to the Indian Constitution (as amended in 1976) reads:

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 twenty-sixth day of November, 1949, do hereby ADOPT, ENACT and GIVE TO OUR SELVES this Constitution.

Facts

- ❖ Identity card of the Constitution: N A Palkhivala
- ❖ Preamble is based on the 'Objectives Resolution', drafted and moved by Pandit Nehru, and adopted by the Constituent Assembly
- ❖ Preamble is not a source of power to legislature not a prohibition upon the powers of legislature
- ❖ It is non-justiciable
- ❖ The Preamble has been amended only once so far, in 1976, by the 42nd Constitutional Amendment Act, which has added three new words— Socialist, Secular and Integrity—to the Preamble

Purposes of the Preamble:

- ❖ The Preamble sets out the main objectives of the Constitution.
- ❖ It establishes India as a Sovereign, Democratic, Republic.
- ❖ It aims to secure justice - social, economic, and political; liberty of thought, expression, faith, and worship; equality of status and opportunity; and promote fraternity, ensuring dignity, unity, and integrity of the nation.
- ❖ The Preamble serves as a legitimate aid in interpreting the Constitution and elucidating vague aspects.

Sovereign Republic:

- ❖ The Preamble establishes the ultimate sovereignty of the people of India on whose authority the Constitution rests.
- ❖ India is a Republic, with the President as the head of the Union, elected indirectly by the people's representatives for a fixed term.
- ❖ India's membership in the Commonwealth does not compromise its independent and sovereign status.

Democracy:

- ❖ India adopted representative parliamentary democracy, with universal adult franchise for participation in governance.
- ❖ Political democracy is complemented by the pursuit of social and economic democracy, aiming to bridge the gap between rich and poor.

Socialism:

- ❖ The word 'socialist' was added to the Preamble through the 42nd Amendment.
- ❖ Socialism in India aims at eliminating inequality in income, status, and standard of living, and promoting a mixed economy.
- ❖ 1991 reforms: Diluted socialist character of state

Secularism:

- ❖ The term 'secular' was inserted in the Preamble in 1976, although the Constitution always upheld the idea of a secular state.
- ❖ India's secularism ensures equal treatment of all religions, freedom of faith, and protection against discrimination based on religion.

Justice:

- ❖ The Preamble seeks social, economic, and political justice.
- ❖ Social justice aims to eliminate discrimination based on birth, caste, race, sex, or religion and provide equal opportunities for all citizens.
- ❖ Economic justice focuses on bridging the gap between the rich and poor, ensuring equitable distribution of wealth and resources.
- ❖ Political justice ensures equal opportunity for all citizens to participate in the political system.
- ❖ Social Justice + Economic Justice = distributive justice

Liberty:

- ❖ Democracy in India is closely connected with the idea of liberty.
- ❖ The Preamble guarantees freedom of thought, expression, belief, faith, and worship, protected by the Fundamental Rights.

Equality:

- ❖ The Preamble calls for equality among citizens, regardless of caste, race, sex, or religion.
- ❖ Political equality is ensured through universal adult franchise, while social and economic equality is promoted through various provisions.

Fraternity:

- ❖ Fraternity signifies a spirit of brotherhood, unity, and integrity among the people of India.
- ❖ The Constitution seeks to promote fraternity by ensuring equal rights for all and preserving the dignity of each individual.
- ❖ Dimensions: Civic, Economic and Political
 1. Civic: Art. 14, 15, 16, 17 and 18
 2. Political: Art. 320 (UAF) and Art. 325
 3. Economic: Art. 39 (DPSP)

Significance of the Preamble:

- ❖ The Preamble specifies the source of authority, system of government, objectives of the political system, and the date of the Constitution's adoption.
- ❖ It is not directly enforceable in a court of law but aids in interpreting the Constitution and understanding its spirit and intent.

Explanations of the Preamble:

- ❖ Sovereign Republic: Establishes the ultimate sovereignty of the people of India, making it a Republic with elected leadership.
- ❖ Democracy: India adopts a representative parliamentary democracy with universal adult franchise.
- ❖ Socialism: Aims at economic justice, equitable distribution, and the elimination of inequality in income and status.
- ❖ Secularism: India is a secular state, guaranteeing freedom of religion and impartiality towards all religions.
- ❖ Justice: Social, economic, and political justice are sought to ensure equality and fairness.
- ❖ Liberty: The Constitution guarantees freedom of thought, expression, belief, faith, and worship.
- ❖ Equality: Ensuring equal rights and opportunities for all citizens, irrespective of caste, race, sex, or religion.
- ❖ Fraternity: Promoting a sense of unity, dignity, and oneness among the people of India.

Is Preamble a Part of the Constitution?

- ❖ The preamble of an Act is not recognized as part of the Act because it is not enacted and adopted in the same manner as the acting provisions.
- ❖ However, the preamble of the Indian Constitution was enacted and adopted by the same procedure as the rest of the Constitution.
- ❖ In the Berubari Union and Exchange of Enclaves case, the Supreme Court observed that "the preamble is not part of the constitution."
- ❖ Later, in the Keshavananda Bharti v. State of Kerala case, the court recognized the preamble as part of the Constitution, and the observations in the Berubari Union case were deemed incorrect.

Significance of Preamble:

- ❖ The preamble serves as a valuable aid in the construction of the provisions of the Constitution, occupying the same position as other enacting words or provisions.
- ❖ It provides the source of authority, system of government, objectives, and the date of the Constitution's adoption.
- ❖ While not directly enforceable in a court of law, the preamble aids in interpreting the Constitution and understanding its spirit and intent.

Cases related to Preamble:

- ❖ **Berubari Union Case (1960):** The Supreme Court held that the preamble is not part of the constitution and is not enforceable in a court of law. It can be used to interpret the provisions of the constitution, though.
- ❖ **Golaknath Case (1967):** The Supreme Court held that the basic structure of the constitution cannot be amended by the parliament. The preamble is considered part of the basic structure and thus cannot be amended.
- ❖ **LIC of India Case (1995):** The Supreme Court held that the preamble is an integral part of the constitution, but it is not directly enforceable in a court of law. It can be used for interpreting provisions but cannot strike down valid laws.
- ❖ **S R Bommai and Others v Union of India, 1994:** The court clarified that the secularism mentioned in the Preamble means the state will have no religion of its own, and all individuals are entitled to freedom of conscience and the right to practice and propagate their chosen religion equally.

The Union and Its Territory

- **India's Structure:** India is a Union of States, emphasizing the central government's authority, rather than a Federation where states hold more power.
- **Parliamentary Power:** Parliament has the authority to admit new states or create new states within the Union of India.
- **Composition:** India currently consists of 28 states and 8 Union Territories.
- **Historical Formation:** India's current form emerged after the integration of former British-Indian Territories and Princely States following independence.

Articles 1 to 4 under Part-I of the constitution

Article	Description
1	Articles Related to States and Union Territories
2	Admission or establishment of new States
3	Empowers the Parliament to 'admit into the Union of India' or establish new states on such terms and conditions as it thinks fit.
4	Empowers the Parliament to make laws relating to the formation of new states and alteration of existing states.

Law made for admission or establishment of new states formation of new states and alteration of areas, boundaries, or names of existing states (under Article 3) are not to be considered amendments of the Constitution under Article 368.

Article 1: The Constitutional Structure of India

- India is defined as a Union of States, emphasizing a unitary system with a strong central government.
- The constitution grants significant powers to the central government, overshadowing state autonomy.

- States do not have the right to secede from the Union, ensuring the indivisibility of the nation.
- The First Schedule of the Constitution meticulously lists all states and Union Territories, providing a clear legal framework for their governance.
- The term 'Territory of India' encompasses any land under Indian sovereignty, extending beyond just states and Union Territories.

Article 2: Parliamentary Powers over State Formation

- The Parliament of India holds the authority to admit new states into the Union, showcasing its central role in territorial administration.
- It also possesses the power to restructure the Union by establishing new states, allowing for flexible responses to political, social, and economic needs.
- A notable example of parliamentary authority in action is the admission of Sikkim as the 22nd state in 1975, illustrating the dynamic nature of India's territorial organization.

Article 3: Powers of Parliament

- **Reorganizing States:** Parliament can increase/decrease the area of a state, change boundaries, or rename states.
- **Conditions:**
 - President must recommend a bill before introduction in Parliament.
 - President consults the affected state legislature(s).
 - Parliament is not bound by the state legislature's opinion.
- **Simplified Process:** These changes don't require full Constitutional amendment procedures (like Article 368), just a simple majority in Parliament.

Creating a New State

- **Requires Parliamentary Law:** A new state can only be created by an act of Parliament.
- **Presidential Role:**
 - The President must recommend any such bill.
 - The President asks the affected state legislature(s) for their views.
- **State Opinion Not Binding:** Parliament can ultimately decide whether or not to create the state, even if the state(s) disagree.

Article 4:

- **Simplified Process:** Laws made under Article 2 (admitting/establishing new states) and Article 3 (altering existing states) are NOT treated as full Constitutional amendments (under Article 368).
- **Parliamentary Power:** These changes can be passed with a simple majority, like regular laws.

Ceding Territory

- **Limitation:** The Supreme Court ruled that Parliament CANNOT cede Indian territory to a foreign country simply by diminishing a state's area under Article 3.
- **Case:** This was established in the Berubari Union case.

Sikkim

- **35th Amendment (1974):** Sikkim became an 'Associate State' (unique status) with the introduction of Article 2A.
- **36th Amendment (1975):** Sikkim became a full state of India, repealing the 35th Amendment.

What is an Associate State?

- **Partial Statehood:** A territory with some, but not all, rights of a full state.
- **Free Relationship:** Associate Statehood is established by a formal agreement with another nation.

Reorganization of States:

- **Post-Independence Composition of India:**
 - Initially consisted of British Provinces and Princely States.
 - Most Princely States opted to join India, while a few resisted before eventually integrating.
- **Indian Independence Act of 1947:**
 - Established India and Pakistan as independent dominions.
 - Offered Princely States three choices: join India, join Pakistan, or remain independent.
- **Integration of Princely States into India:**
 - Varied integration methods post-independence, with some states joining immediately and others through specific processes.
- **Notable Integrations:**
 - **Junagadh Princely State:**
 - Merged with India following a plebiscite.
 - **Hyderabad Princely State:**
 - Annexed into India through military action, known as Operation Polo.
 - **Jammu and Kashmir:**
 - Acceded to India after its ruler, Hari Singh, signed a letter of accession in response to an invasion by Pakistani tribals.
- **Role of Sardar Vallabhbhai Patel:**
 - His visionary policy and diplomatic efforts were instrumental in the successful merger of Princely States into the Indian Union.
- **Post-Independence State Classification:**

- States in India were categorized into four groups based on the integration of British Provinces and Princely States: A, B, C, and D.
- **Classification Breakdown:**
 - **Part A:** Included former Governor's provinces of British India.
 - **Part B:** Consisted of former Princely States that had legislatures.
 - **Part C:** Encompassed certain Chief Commissioner provinces and some Princely States.
 - **Part D:** Solely comprised the Andaman and Nicobar Islands.
- **Constitutional Framework:**
 - The Constitution of India, effective from January 26, 1950, established India as a sovereign democratic republic.
 - It formed a Union of States, reorganizing them under a new constitutional framework.

Part-A States	Part-B States	Part-C States	Part-D States
1. Assam	1. Hyderabad	1. Ajmer	1. Andaman and Nicobar Islands
2. Bihar	2. Jammu and Kashmir	2. Bhopal	2. Delhi
3. Bombay	3. Madhya Bharat	3. Bilaspur	3. Himachal Pradesh
4. Madhya Pradesh	4. Mysore	4. Cooch Behar	4. Manipur
5. Madras	5. Patiala and East Punjab	5. Coorg	5. Tripura
6. Orissa	6. Rajasthan		
7. Punjab	7. Saurashtra		
8. United Provinces	8. Travancore Cochin		
9. West Bengal	9. Vindhya Pradesh		

Committees and Commissions for State Reorganization

- **British India:** Provinces were formed for administrative purposes, not based on language or culture.
- **Post-Independence:** Demands for states based on language grew, especially in South India.

The Dhar Commission (1948)

- **Purpose:** Assess the idea of organizing states along linguistic lines.

- **Conclusion:** Rejected language as the basis, favored administrative convenience instead.

The JVP Committee (1948)

- **Purpose:** Formed in response to dissatisfaction with the Dhar report, focus on the language aspect.
- **Members:** Jawaharlal Nehru, Vallabhbhai Patel, and Pattabhi Sitaramayya.
- **Conclusion:** Also rejected language as the sole basis for state organization.

The Fazl Ali Commission (1953)

- **Purpose:** Created after the formation of Andhra Pradesh fueled more linguistic-based demands.
- **Members:** Fazl Ali, Hriday Nath Kunzru and KM Panikkar.
- **Conclusion:** Largely endorsed language as a key factor in state reorganization.
- **Other Factors Considered:**
 - Cultural similarity
 - National unity and security
 - Financial and administrative concerns
 - Overall welfare of people

Outcomes

- **Fazl Ali's recommendations were widely accepted.**
- **States Reorganization Act of 1956:**
 - Ended the distinction between different types of states (Part-A, Part-B, etc.)
 - 14 states and 6 Union Territories were created.

Linguistic Statehood Movements:

- **Early 1950s:** India sees a rise in movements demanding states based on shared language.
- **Key Figure: Potti Sriramulu** His hunger strike for a Telugu-speaking state fueled the Andhra movement.
- **Formation of Andhra (1953):**
 - Telugu-speaking districts of Madras state become Andhra Pradesh.
 - Kurnool was the initial capital.
- **Hyderabad as Capital (1956):** Hyderabad is declared the state capital.
- **Andhra Pradesh Reorganisation Act (2014):** Telangana is carved out of Andhra Pradesh.

Significance

- **First Linguistic State:** Andhra Pradesh marks the first Indian state created primarily due to a language-based movement.
- **Other Movements:** The success in Andhra inspired similar movements in Mysore, Bombay, and Kerala.

Formation of states – Chronological Wise

No.	States	Formation Details
1	Uttar Pradesh	United Province was created in 1937 and renamed Uttar Pradesh in 1950.
2	Assam	Became a constituent state in 1950.
3	Odisha (Orissa)	Separate province in 1936, became a state in 1950, renamed Odisha in 2011.
4	Bihar	Separated from the Bengal Presidency in 1912, became a state in 1950.
5	Tamil Nadu	Formerly Madras Presidency was reorganized as a state in 1950 and renamed Tamil Nadu in 1969.
6	Andhra Pradesh	Formed by the State of Andhra Pradesh Act, 1953, carving out areas from Madras.
7	Kerala	Formed by the State Reorganisation Act, 1956, comprising Travancore and Cochin areas.
8	Rajasthan	Princely States united in 1948, renamed United States of Greater Rajasthan in 1949, and became Rajasthan in 1956.
9	Madhya Pradesh	Central Provinces and Berar merged with Madhya Bharat, Vindhya Pradesh, and Bhopal in 1956.
10	West Bengal	Became a state in 1950.
11	Karnataka	Formed from the Princely State of Mysore in 1956, renamed Karnataka in 1973.
12	Gujarat and Maharashtra	Bombay State was divided into Maharashtra and Gujarat in 1960.
13	Nagaland	Created by the State of Nagaland Act, 1962.
14	Haryana	Carved out from Punjab by the Punjab (Reorganisation) Act, of 1966.
15	Punjab	Merged with Patiala and East Punjab States Union in 1956, Haryana separated in 1966.
16	Himachal Pradesh	Union Territory was elevated to state status in 1970.
17	Manipur and Tripura	Became states in 1971 under the North-Eastern Areas (Reorganisation) Act, 1971.
18	Meghalaya	Carved out as a sub-state in 1969, achieved full statehood in 1971 under the North-Eastern Areas (Reorganisation) Act, 1971.
19	Sikkim	Associate state in 1974, became a full state in 1975.
20	Mizoram	Attained statehood in 1986 under the State of Mizoram Act, 1986.

21	Arunachal Pradesh	Became a state in 1986 under the State of Arunachal Pradesh Act, 1986.
22	Goa	Separated from the Union Territory of Goa, Daman and Diu, became a state in 1987.
23	Chhattisgarh	Created in 2000 by dividing Madhya Pradesh.
24	Uttarakhand	Formerly Uttaranchal, formed in 2000 by dividing Uttar Pradesh, officially renamed in 2007.
25	Jharkhand	Created in 2000 by dividing Bihar.
26	Telangana	Formed in 2014 by separating from Andhra Pradesh.

Union Territories

Formation and Background:

- **States Reorganisation Act, 1956:** Introduced the concept of Union Territories (UTs) by merging Part-C and Part-D states.
- **Constitution (Seventh Amendment) Act, 1956:** Formally added the concept of UTs to the Indian Constitution.
- **Federal Territories:** Union Territories are directly governed by the Union Government of India.
- **Lieutenant Governors:** The President of India appoints Lieutenant Governors (LGs) to serve as UT administrators.

Exceptions with Partial Statehood:

- **Delhi:** Initially a state, then a UT, later granted partial statehood as the National Capital Territory of Delhi (1991).
- **Puducherry:** Gained partial statehood in 1963 after French rule.
- **Jammu and Kashmir:** Before 2019, enjoyed statehood; later reorganized into two UTs.

Specific Union Territory Formation:

- **Chandigarh:** UT status in 1956.
- **Lakshadweep:** UT status in 1956.
- **Goa, Daman, and Diu:** First a UT, Goa achieved statehood in 1987.
- **Dadra and Nagar Haveli, and Daman and Diu:** Merged in 2020 into a single UT.
- **Andaman and Nicobar Islands:** A UT governed by Parts VII of the Constitution.

Jammu and Kashmir Reorganisation Act, 2019

- **Reorganization:** The state of Jammu and Kashmir was split into two Union Territories:
 - Jammu and Kashmir (with a legislature)
 - Ladakh (without a legislature)
- **Effective Date:** October 31st, 2019

- **Legislation:** Jammu and Kashmir Reorganisation Act, 2019

Article 370 Changes:

- **Presidential Order:** Most provisions of Article 370, which granted Jammu and Kashmir special status, were revoked on August 5th, 2019.
- **Consequence:** Article 35(A) became automatically void.
- **Historical Context:**
 - Jammu and Kashmir joined the Indian Union in 1947 under Article 370
 - Article 370 had provided a temporary special status, later solidified in a separate constitution for J&K.

Changing of Names

Year	Changes
1950	United Provinces was officially renamed as 'Uttar Pradesh'.
1969	Madras was rechristened as 'Tamil Nadu' pursuant to the Madras State (Alteration of Name) Act, 1968.
1973	Mysore was redesignated as 'Karnataka' in accordance with the Mysore State (Alteration of Name) Act, 1973.
1973	Laccadive, Minicoy, and Amindivi Islands were collectively renamed 'Lakshadweep' by the enactment of the Laccadive, Minicoy, and Amindivi Islands (Alteration of Name) Act, 1973.
1992	The Union Territory of Delhi was redesignated as the National Capital Territory of Delhi by virtue of the 69th Constitutional Amendment Act, 1991.
1992	Pondicherry underwent a nomenclature revision to 'Puducherry'.
2006	Uttaranchal was renamed 'Uttarakhand'.
2011	Orissa was officially renamed as 'Odisha' by the Orissa (Alteration of Name) Act, 2011.
2020	Dadra and Nagar Haveli and Daman and Diu were amalgamated under the Union Territories (Merger) Act 2019, forming a singular Union Territory on 26th January 2020.

UNION GOVERNMENT or CENTRAL GOVERNMENT?

Original Intent of Founding Fathers:

- ❖ Article 1 of the Indian Constitution states that India, known as Bharat, shall be a Union of States.
- ❖ The Constitution's original intent emphasized the concept of a Union of States.
- ❖ B.R. Ambedkar, Chairman of the Drafting Committee, used the term "Union of States" deliberately to emphasize that India's federation was not a result of an agreement and that no State had the right to secede from it.

- ❖ The idea of an "indestructible" Indian Union was emphasized to prevent secession of States.

Absence of "Central Government" Terminology:

- ❖ The term "Centre" or "Central government" is not used in any of the 395 Articles, 22 Parts, or 8 Schedules of the original Constitution.
- ❖ The Constitution only refers to the "Union" and the "States," each with its executive powers.

Union Government Structure:

- ❖ The executive powers of the Union are exercised by the President, acting on the aid and advice of the Council of Ministers led by the Prime Minister.

Usage of "Centre" Terminology:

- ❖ Despite the Constitution's lack of reference to the "Central government," the courts, media, and States commonly use the term "Centre" to denote the Union government.

Definition in the General Clauses Act:

- ❖ The General Clauses Act, 1897, provides a definition for the "Central government."
- ❖ For practical purposes, the "Central government" is considered to be the President after the Constitution's commencement.

Constitutional Implications:

- ❖ The use of the term "Central government" as defined in the General Clauses Act raises questions about the constitutionality of centralizing power.
- ❖ The original Constitution intended a Union of States, and the absence of the term "Central government" reflects a focus on decentralized governance

Citizenship

- **Full Membership:** Citizenship denotes full and equal membership within a political state or community.
- **Rights and Duties:** Citizenship involves a set of legal rights and responsibilities granted by the state.
- **T.H. Marshall's Definition:** Citizenship in a broad sense means the status of being a citizen with all the accompanying rights and duties.
- **First Citizen:** In republics, the head of state is often referred to as the first citizen, symbolizing their position within the nation.
- **Citizens vs. Aliens:** Citizens enjoy full rights within a state, while aliens are residents who do not hold full citizenship status.

Key Principles of Citizenship

- **Jus Soli:** The right of the soil, granting citizenship based on where a person is born.
- **Jus Sanguinis:** The right of blood, granting citizenship based on their parentage or ancestry.

Citizenship in India

- **Single Citizenship:** India has a single form of citizenship, which is the citizenship of the Union of India.
- **Constitutional Basis:** Articles 5 to 8 of the Indian Constitution establish provisions for citizenship, starting from its commencement on January 26, 1950.

Constitutional Provisions related to Citizenship

Provision	Article	Description
Person Domiciled in India	Article 5	A person born in the Territory of India, or either of whose parents was born in the Territory of India, irrespective of parental nationality or place of birth. Additionally, those ordinarily residing in the Territory of India for at least five years immediately preceding the commencement of the Constitution.
Person Migrated from Pakistan	Article 6	Persons who migrated to the Territory of India from the territory now included in Pakistan shall be deemed citizens of India at the Constitution's commencement if they, their parents, or grandparents were born in India as defined by governmental provisions. Further conditions apply based on the migration date.
Persons Migrated to Pakistan but later Returned to India	Article 7	Persons who migrated to Pakistan from India after March 1, 1947, but later returned to India for resettlement can become Indian citizens upon fulfilling specific criteria, including residing in India for six months preceding the registration application.
Person of Indian Origin Residing Outside India	Article 8	Individuals, or their parents or grandparents, born in India and ordinarily residing in any other country, shall be deemed citizens of India if registered by the diplomatic or consular representative of India in the
Loss of Citizenship	Article 9	Voluntary Acquisition: Anyone previously considered an Indian citizen under Articles 5 or 6 loses their citizenship if they voluntarily acquire citizenship in another country.
Continuation of Citizenship	Article 10	Existing Citizens: Individuals who were citizens of India under prior provisions continue to hold that status. Subject to Parliament: Parliament has the power to create laws that may modify or alter existing citizenship provisions.
Parliamentary Authority	Article 11	Legislative Power: Parliament retains the authority to create laws governing citizenship, including how it's acquired, lost, and other related matters.

Exclusive Privileges for Indian Citizens:

- Protection against discrimination on the grounds of religion, race, caste, sex, or birthplace under Article 15.

- Equality of opportunity in matters of public employment as per Article 16.
- Freedom of speech and expression, assembly, association, movement, residence, and profession guaranteed by Article 19.
- Cultural and educational rights protected under Articles 29 and 30.
- The right to vote in Lok Sabha and state legislative assembly elections.
- Eligibility to contest for membership in Parliament and state legislatures.
- Exclusive eligibility for holding high public offices including President, Vice-President, Supreme Court and High Court Judges, Governor of States, Attorney General, and Advocate General of States.

Rights and Duties of Citizens:

- Distinct rights not extended to aliens include Articles 15, 16, 19, 29, and 30 rights, along with electoral rights and eligibility for public office.
- Article 16 and Article 326 rights are inaccessible to Overseas Citizens of India (OCI).
- Non-Residents of India (NRIs) have the right to vote but must be physically present in their constituency on polling day; postal ballots are not allowed.
- Constitutional posts are reserved strictly for Indian citizens, excluding foreigners or OCI/PIO holders.
- Duties unique to citizens include paying taxes, respecting national symbols, and defending the country.
- Both citizens by birth and naturalization in India are eligible for the office of President, contrasting with the U.S. where only natural-born citizens can become President.
- Enemy aliens are not protected against arrest and detention as outlined in Article 22.

The Citizenship Act of 1955

- **Purpose:** The core legislation in India defining citizenship rights and how citizenship can be acquired or lost.
- **Key Provisions:**
 - Citizenship by birth
 - Citizenship by descent
 - Citizenship by registration
 - Citizenship by naturalization
 - Provisions for the termination or loss of citizenship

Amendments

The Citizenship Act of 1955 has been significantly modified through amendments in the following years:

- **1957:** Minor adjustments and clarifications.
- **1960:** Incorporation of Dadra, Nagar Haveli, Goa, Daman, and Diu into India.
- **1986:** Measures to address illegal migration.

- **1992:** Provisions to grant equal rights to women regarding the nationality of their children.
- **2003:** Introduction of the Overseas Citizen of India (OCI) scheme.
- **2005:** Tightening of rules for citizenship by birth.
- **2015:** Further facilitation of the OCI scheme.
- **2019:** Controversial amendment (Citizenship Amendment Act or CAA) granting a path to citizenship for certain religious minorities from neighboring countries.

Acquisition of Indian Citizenship

- **By Birth**
 - Born in India between Jan 26, 1950 - July 1, 1987: Automatic citizenship if at least one parent is an Indian citizen.
 - Born in India after Dec 3, 2004: Citizenship if both parents are Indian citizens, or one is a citizen and the other is not an illegal migrant.
 - Exemptions: Children of foreign diplomats and enemy aliens.
- **By Descent**
 - Born outside India after Jan 26, 1950: Citizenship if at least one parent is an Indian citizen at the time of birth.
- **By Registration**
 - Available to:
 - Persons of Indian origin residing in India for 7 years.
 - Persons of Indian origin residing outside of India.
 - Women married to Indian citizens.
 - Minor children of Indian citizens.
- **By Naturalization**
 - Qualifications:
 - Full age and capacity.
 - Renunciation of any other citizenship.
 - Residency/government service in India (specific timeframes).
 - Oath of allegiance.
 - Good character.
 - Language proficiency (Constitutionally recognized language).
- **By Incorporation of Territories**
 - When new territory becomes part of India, the government determines citizenship rights for residents of that territory.

Citizenship Amendment Acts

- **Citizenship Amendment Act, 1986:** Addressed illegal immigration, particularly from Bangladesh, Sri Lanka, and some African countries.

- **Citizenship Amendment Bill, 2015:** Approved by Parliament to extend facilities similar to Indian citizenship to individuals of Indian origin living abroad, targeting provisions related to migrant citizens within the Civil Rights Act of 1955.
- **Citizenship Amendment Act of 2019:**
 - Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians from Afghanistan, Bangladesh, and Pakistan, entering India on or before December 31, 2014, are not considered illegal migrants.
 - Reduced the naturalization period for these communities from 11 years to 5 years.
 - Empowers the Central Government to cancel OCI registration for violations of this Act or specified laws.

Loss of Citizenship

- **Article 10:** Affirms citizenship can only be revoked through parliamentary legislation.
- **Modes of Loss:**
 - **Renunciation:** Voluntary relinquishment of Indian citizenship upon acquiring another citizenship. Minor children lose citizenship but can reapply at age 18.
 - **Termination:** Automatic loss of citizenship upon voluntarily acquiring foreign citizenship, as per Article 9.
 - **Deprivation:** Citizenship can be terminated by the Central Government for disloyalty, unlawful communication with enemies, imprisonment abroad, continuous residence outside India, and other specified conditions.

Indian Citizenship for Foreign Nationals

- **2000 LM Singhvi Committee:** Aimed at enhancing relations with the Indian Diaspora, recommending dual citizenship for individuals of Indian origin, excluding specific countries.

Person of Indian Origin (PIO)

- **Definition:** Excludes citizens of Pakistan, Afghanistan, Bangladesh, China, Iran, Bhutan, Sri Lanka, and Nepal.
- **Eligibility:** Includes those who've ever held an Indian passport, or whose ancestors (up to great-grandparents) were born and resided in India, and spouses of Indian citizens or PIOs.
- **Benefits:** 15 years of visa-free travel within India from the date of PIO card issuance.

Overseas Citizens of India (OCI)

- **Criteria:** For individuals who were Indian citizens on or after January 26, 1950, or eligible for citizenship at that time, including descendants.
- **Ineligibility:** Applicants with any ancestry from Pakistan or Bangladesh are excluded.
- **Initiated:** December 2005, merging with PIO category in 2015 through the Citizenship (Amendment) Act of 2015.

- **Privileges:** Includes multiple entry, lifelong visa, exemption from FRRO registration, eligibility to apply for Indian citizenship after five years, and rights to open bank accounts, purchase non-agricultural property, and obtain a PAN card.
- **Limitations:** No voting rights, government job eligibility, or ability to purchase agricultural land. Restricted area travel requires permission.

Non-Resident Indians (NRI)

- **Definition:** Indian passport holders residing abroad.
- **Criteria:** Not residing in India for more than 182 days in a financial year, including those deported by international organisations or appointed by the Government of India.
- **Rights:** Enjoy the same rights as Indian citizens.

National Population Register (NPR)

- **Definition:** A comprehensive record of usual residents in India.
- **Legislative Basis:** Compiled under the Citizenship Act, 1955, and the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003.
- **Mandatory Registration:** Applies to all usual residents of India.
- **Data Collected:** Includes demographic and biometric information.

National Register of Citizens (NRC)

- **Purpose:** Lists all genuine Indian citizens residing within India.
- **Origin:** Initially prepared following the 1951 Census of India.
- **Assam Update:** Aimed at including individuals listed in the NRC of 1951, electoral rolls up to March 24, 1971, or possessing other admissible documents proving residency in Assam or any part of India by the specified date.
- **Context:** Addresses illegal migration issues, especially from erstwhile East Pakistan (now Bangladesh), which ignited the Assam Movement (1979-1985).
- **Assam Accord:** The protest led to the Assam Accord in 1985, an agreement between movement leaders and the Government, laying the groundwork for the NRC update.
- **Supreme Court Oversight:** The update process, starting in 2013, was closely monitored by the Supreme Court.
- **Draft Releases:** Part Draft NRC released on December 31, 2017, followed by the complete draft on July 30, 2018.