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Revision Series

Polity & Governance

(Week - 1)

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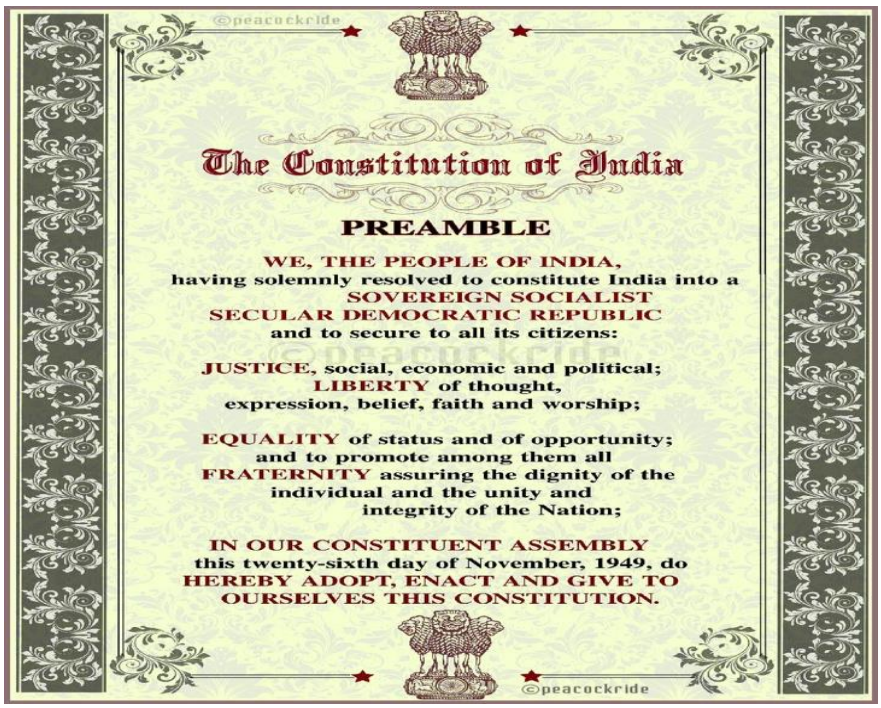
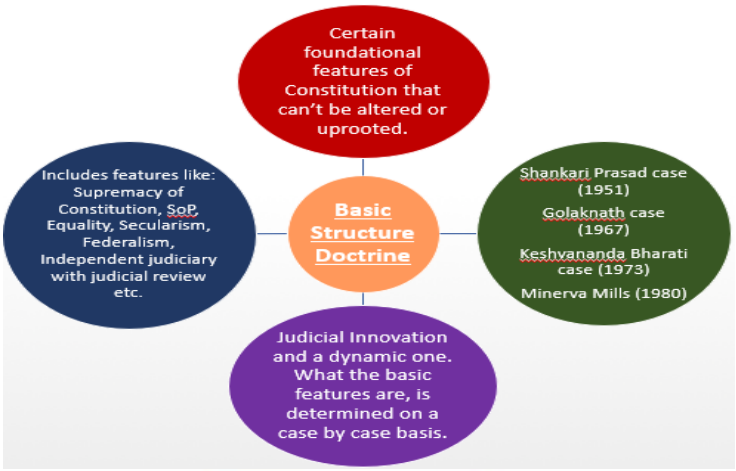
Making of Constitution- Central Executive

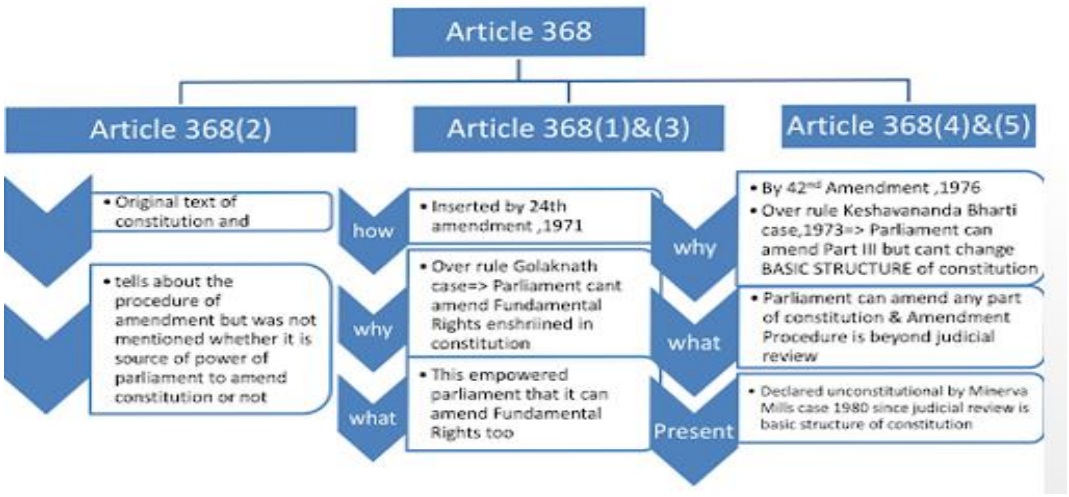
Making of Constitution

- Constitutionalism
- Preamble- Conceptual clarity of all terms stated within it.



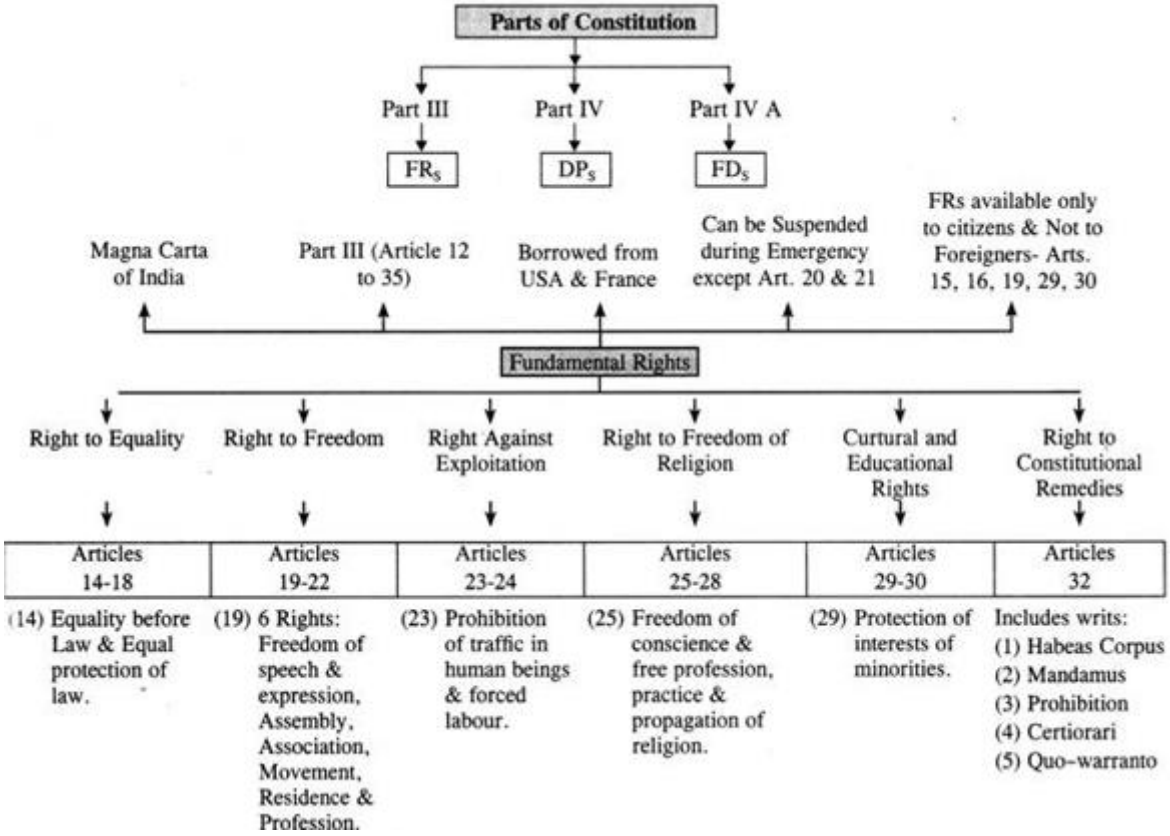
- Basic Structure and its parts, Amendment Process and Judicial Review.



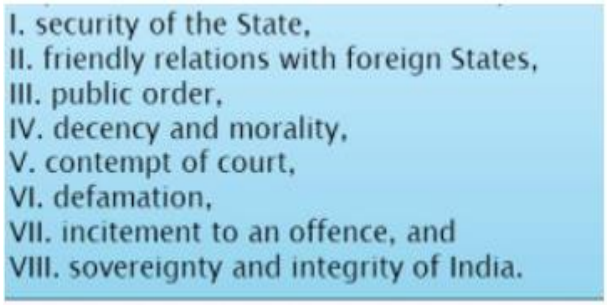


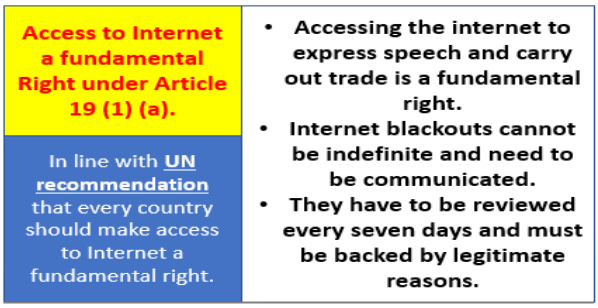
Fundamental Rights

- Categorization of rights into groups.

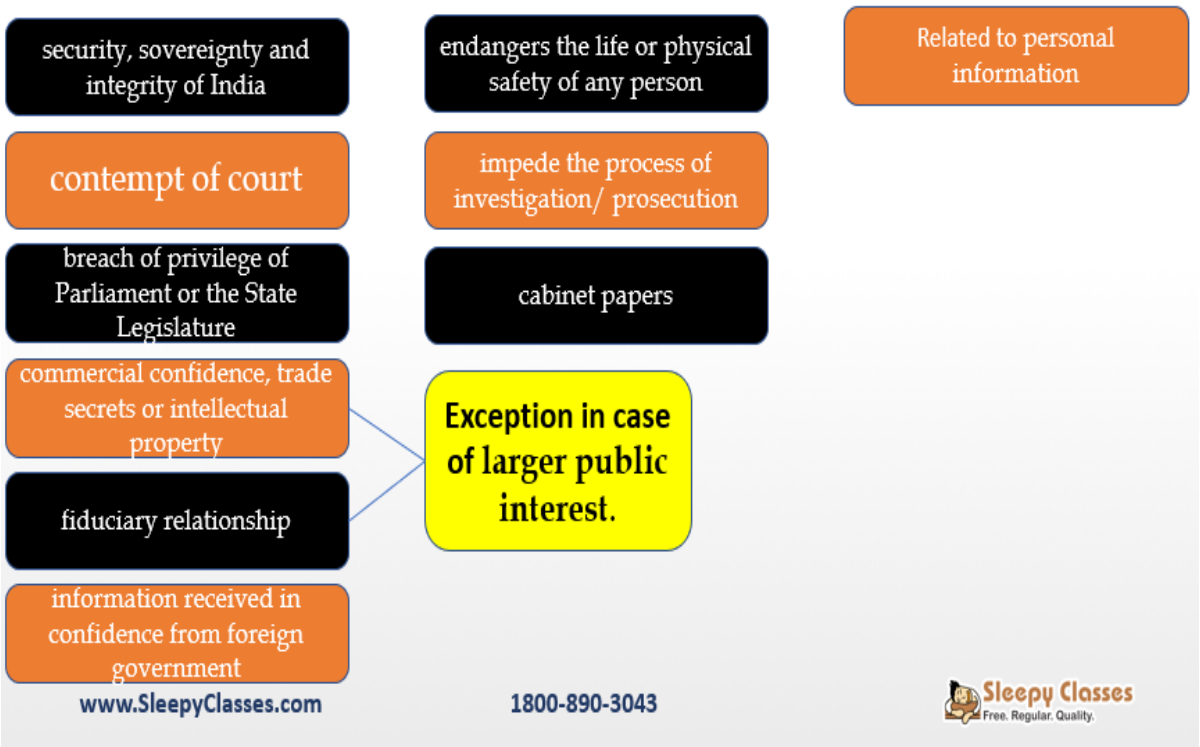


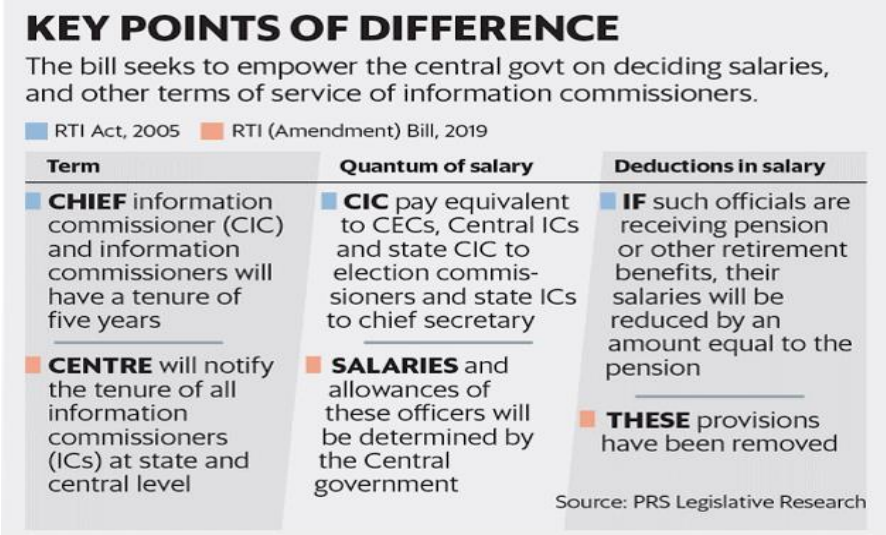
- Right to Freedom and its limitations- Right to Protest, Internet Access, Issue of Hate Speech, Right to Strike, Right to Information v/s Official Secrets Act.



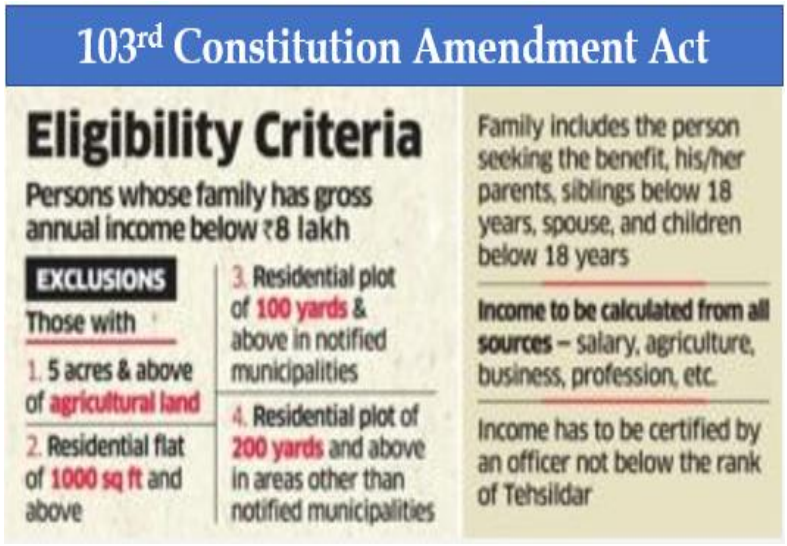


- RTI's workings are listed out in Right to Information Act 2005. Bodies covered by the RTI Act are referred to as **"Public Authorities".** Section 2(h) of the Central Act clarifies the term "Public Authorities" mean any authority or body or institution of self- government established or constituted:
    - by or under the Constitution;
    - by any other law made by Parliament;
    - by any other law made by State Legislature;
    - by notification issued or order made by the appropriate Government – and includes any (i) body owned, controlled or substantially financed; (ii) non-Government Organisation substantially financed, directly or indirectly by funds provided by the appropriate Government.
- In a historic ruling in 2019, **Chief Justice of India is now a public authority** under the Right to Information (RTI) Act.
- The SC clarified that `information' not presently available or held by the public authority but which can be accessed by the public authority from a private body under any other law for the time being in force' is also public information. Thus, **all private Organisations** come within the ambit of the RTI Act.
- In the RTI Act, 2005, **Section 8(1)** lists all of the exemptions:

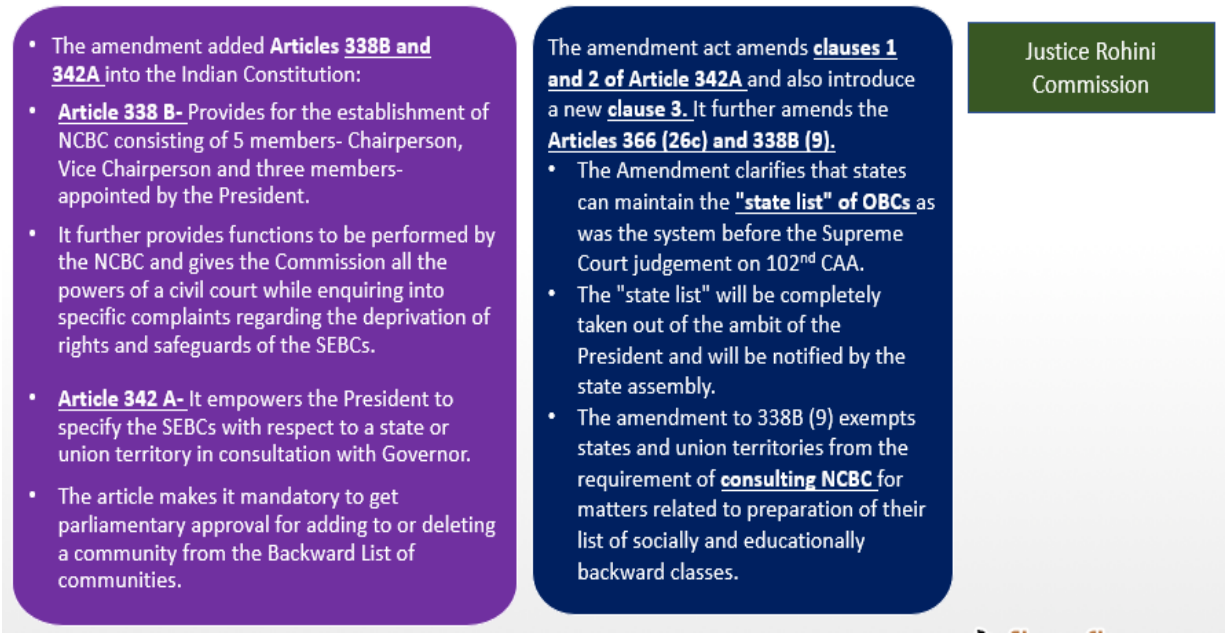


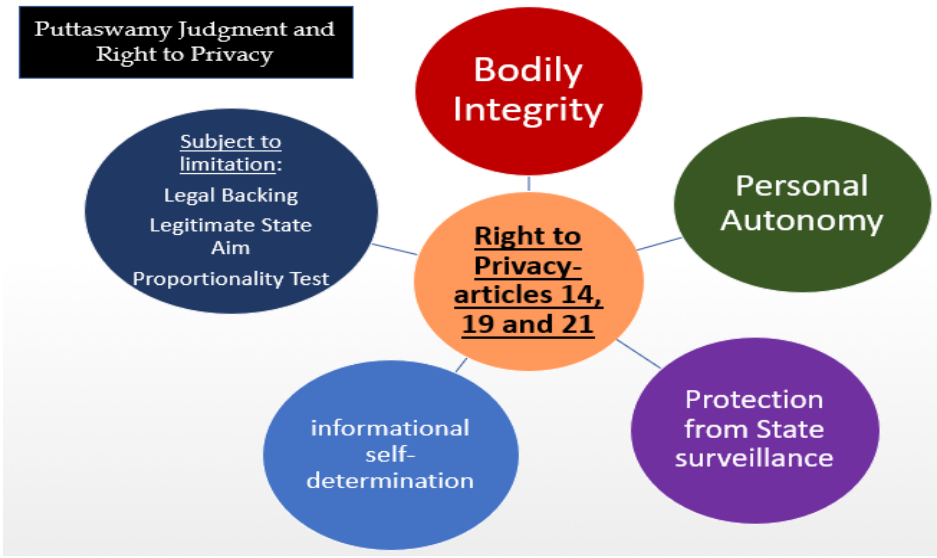


- Affirmative Action- Impact of EWS.



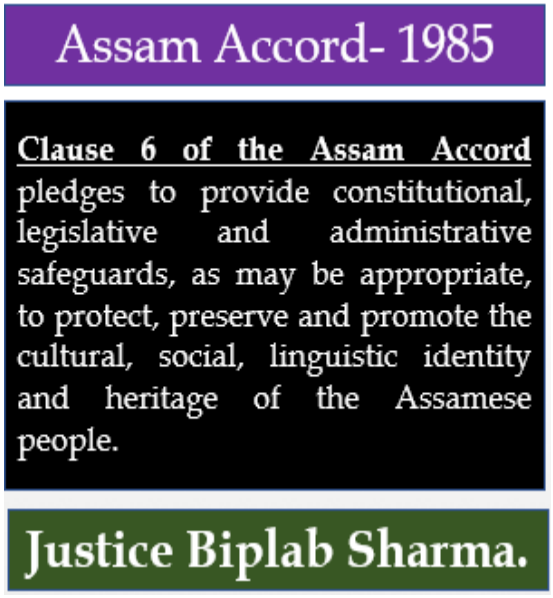
- OBCs and 102nd + 105th amendment acts+ Issue of Creamy Layer.



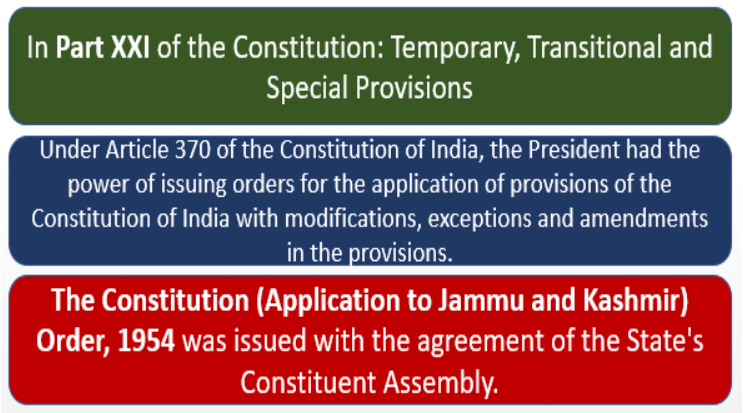


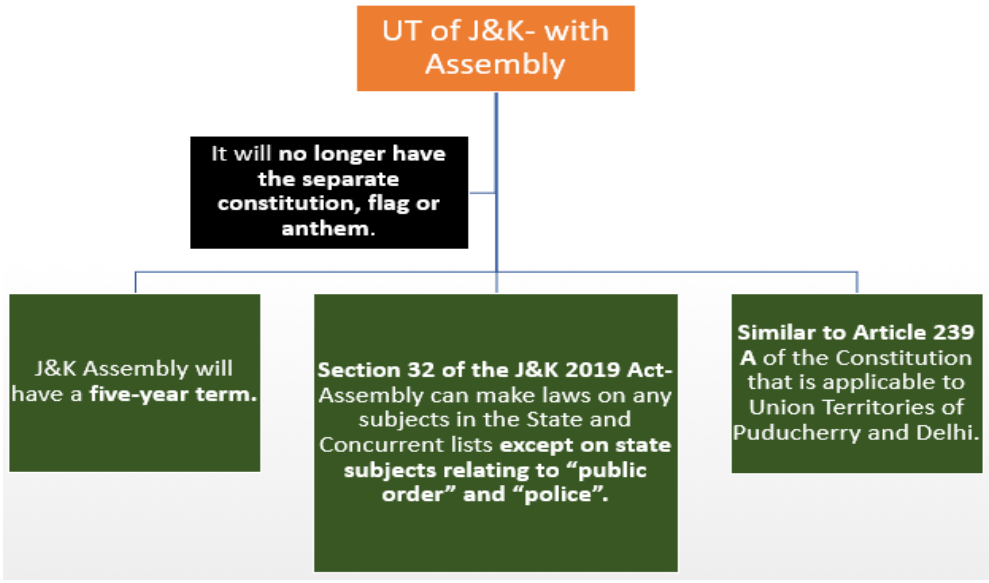
Union and Territories

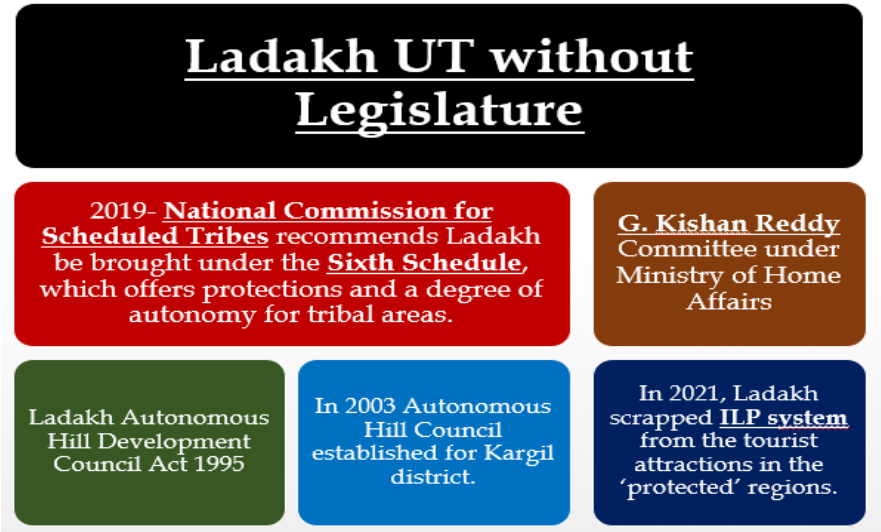
- Fifth and Sixth Schedules of Constitution.



- Reorganization of J&K + abrogation of special status of J&K.
- Special Provisions in Constitution- Article 371.







Part XXI of the Constitution, 'Temporary, Transitional and Special Provisions', includes, apart from Article 370 (Temporary Provisions with respect to the State of Jammu and Kashmir) Articles 371, 371A, 371B, 371C, 371D, 371E, 371F, 371G, 371H, and 371J, which define special provisions with regard to other states of the Indian Union.

Like Article 370 (dealing with Jammu and Kashmir), each of these other constitutional provisions too, is rooted in historical reasons. There is, however, one important difference between Articles 370 and 371 on the one hand, and Articles 371A-H and 371J on the other.

Articles 370 and 371 have been part of the Constitution from the time of its commencement on January 26, 1950. Articles 371A-H and 371J, however, were incorporated into the Constitution by Parliament through amendments under Article 368.

371 B- President creates committee in Assam's assembly of members elected from Tribal Areas.

371- Power to Governors of MH and GJ to set up development boards for Vidarbha, Marathwada and rest of MH; Saurashtra, Kutch and rest of GJ

371 A- Certain Parliamentary Acts concerning social, religious practices, customary law of Nagas including civil and criminal justice and land ownership don't apply without approval of legislature.

Special responsibility of Governor for law and order in Nagaland. Regional Council for Tuesang district of 35 members.

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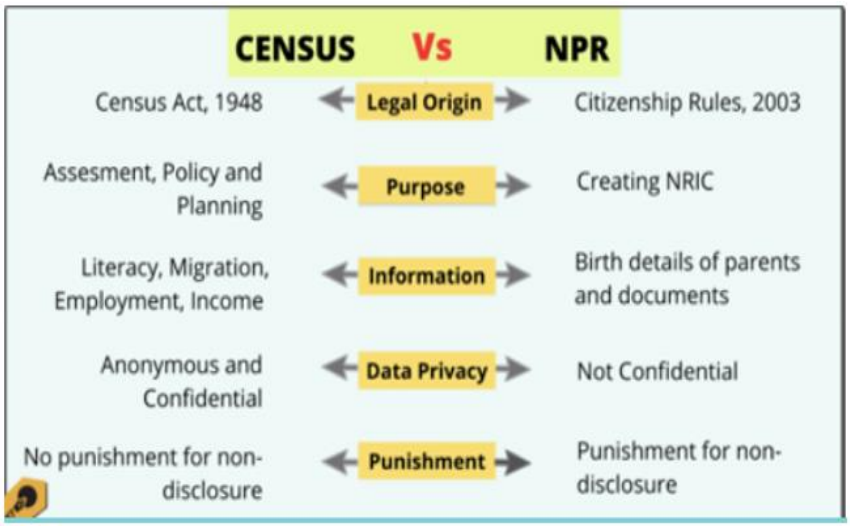
- Citizenship Amendment Act.

- NPR v/s Census.



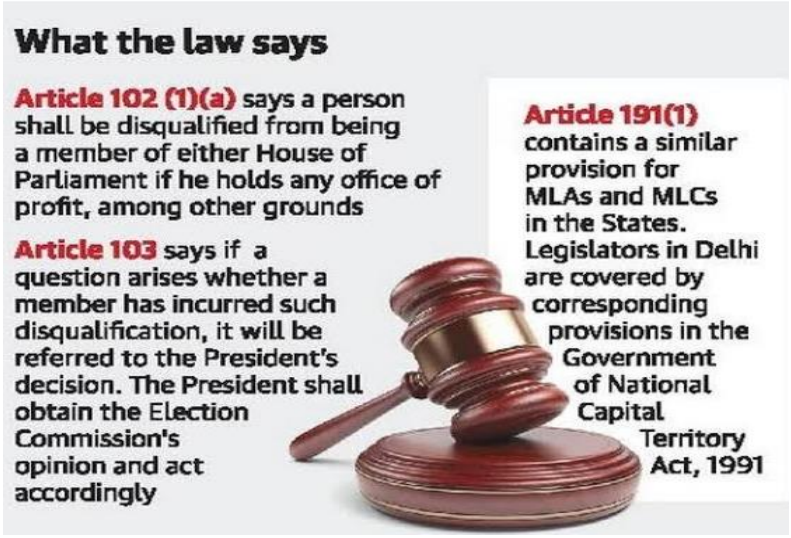
- Inter-State River Waters Dispute.

Federal Relations

- Inter-State coordination institutions- ISRWD, Inter State and Zonal Councils, GST Council.
- Financial relations between Centre and states.
- Eighth Schedule.

Central Executive

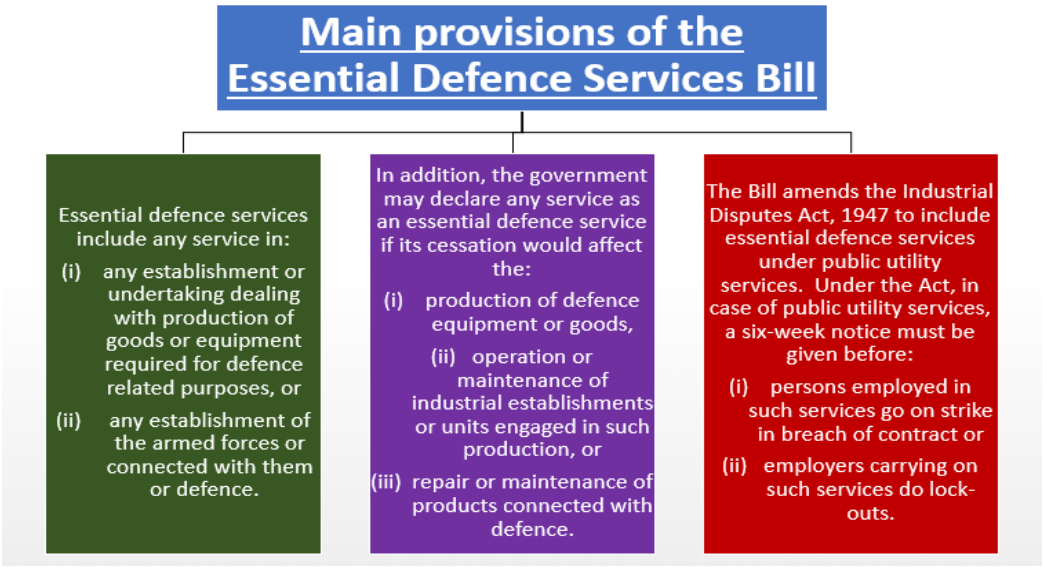
- Impeachment of President.
- Emergency and Pardoning powers of President.
- Council of Ministers- Size, powers and functions.
- Office of Profit, Attorney General.

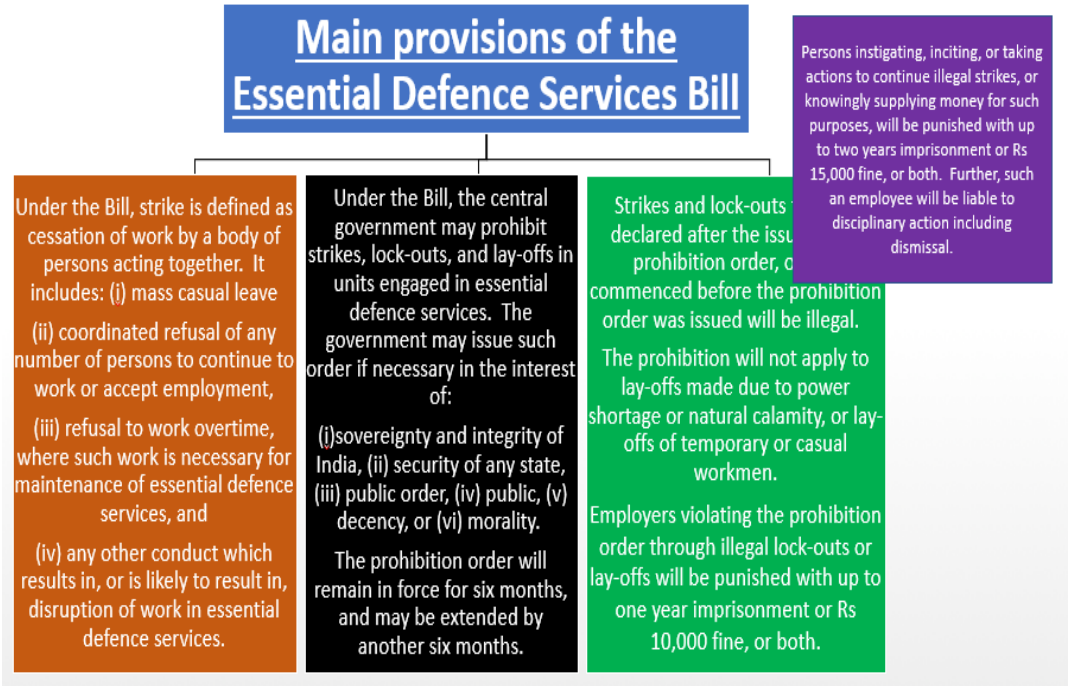


Name of the Bill:	Essential Defence Services Bill, 2021
Ministry:	Defence
Parent Act amended:	The Bill seeks to replace the Ordinance promulgated in June 2021.
Focus of the Act:	The Bill allows the central government to prohibit strikes, lock-outs, and lay-offs in units engaged in essential defence services to secure the security of nation and the life and property of the public at large.
Constitutional and Legal Provisions:	While right to protest has been recognized, there is no fundamental right to strike under Article 19(1)(a) of the Constitution. Under Article 33 of the Constitution, Parliament, by law, can restrict or abrogate the rights of the members of the armed forces or the forces charged with the maintenance of public order. Even the fundamental right to form an association can be restricted under Article 19(4) for armed forces and police.

Legal Status of Strikes and Lockouts in India:

- Right to strike is not a fundamental right but a legal right and with this right statutory restriction is attached in the industrial dispute Act, 1947.
- While article 19 (4) provides there is a guaranteed fundamental right to form association or Labour unions but there is no fundamental right to go on strike or lockout. Under the Industrial Dispute Act, 1947 the ground and condition are laid down for the legal strike and if those provisions and conditions are not fulfilled then the strike will be illegal.
- **Section 22** of the Act deals with the prohibition of Strikes and lockouts in industries carrying **public utility service**. The Strikes and lockouts in public utility services are not absolutely prohibited but certain conditions are to be fulfilled by the workmen before resorting to strike or by the employers before resorting to a lockout.





Revision and Booster Strategy for UPSC Prelims 2021- Week Wise Plan

- Week 1 Polity and Governance: Historical Underpinnings and Constitutional Framework
- Week 2 Polity and Governance: Preamble, Union and Territories, Citizenship.
- Week 3 Polity and Governance:
- Week 4 Polity and Governance:
- Week 5 Polity and Governance:
- Week 6 Polity and Governance:
- Week 7 Polity and Governance:
- Week 8 Polity and Governance:

Syncing Revision with our Prelims Crash Course

- **Part 1**- Static + Updates on Constitutional Framework.
- **Part 2-** Static + Updates on Preamble, Union and Territories and Citizenship.
- **Part 3-** Static + Updates on Fundamental Rights, DPSPs and Fundamental Duties, Amendments and Basic Structure.
- **Part 4-** Static + Updates on central and state governments.
- **Part 5-** Static + Updates on Federal relations and working.
- **Part 6-** Static + Updates on Important Acts and Amendments.
- **Part 7–** Static + Updates on Constitutional and non-constitutional bodies in news.
- **Part 8-** Static + Updates on RPA laws and important welfare schemes and programmes.

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