



1) Explain the importance of a Constitution in the context of a democratic country like India.

→ Constitution of India, adopted on 26 January, 1950 is rightly called a living document for it keeps alive the principles that has shaped our country.

### Features of a 'Democratic' country :-

- 1) Liberty - of individual and group
- 2) Equality - social, economic and political
- 3) Justice - social, economic and political
- 4) Fraternity - between citizens
- 5) Unity - of citizens and states

### Importance of a 'Constitution' in the context of a democratic country like India.

- 1) Constitution upholds the various principles of a democratic country, Eg: (a) Unity - provided for in Article 1 of our constitution.

- (b) Fraternity - provided in fundamental duties of our constitution.
- (c) Equality - provided for in Article 14-18 of our constitution.
- (d) Justice - described in directive principles of state policy.
- (e) Liberty - provided for in fundamental rights.

2) Constitution prescribes the limit of various organs of the government, i.e. Executive, Legislature and Judiciary.

3) Constitution has also provided for division of power between Centre and states.

4) Constitution is important to prevent a country from turning into an autocracy.

5) It is an important tool that people can use while enjoying various rights in a country.

### Conclusion

The constitution of India is the lengthiest written constitution, from which we can infer its importance in the functioning of our country. Vision of our founding fathers is embedded in it.

- 2.) Bring out the differences between 'coming together federations' and 'holding together federations' with examples.

→ Article 1 of our Constitution defines India as a 'Union of States', which means two things:

- 1) Indian states are not joined by an agreement.
- 2) No state has the power to secede from the Union.

Therefore, ours is an example of 'holding together federations'.

On the other hand, 'coming together federations' is one which is operational in United States of America. These 50 states have come together to form a federation after American Revolution (1775)

Major differences between the two are:-

- 1) Level of autonomy is different - American states have greater autonomy.

in their working than states of India.

- 2) Jurisdiction of Judiciary - American judiciary is divided into federal & state judiciary enforcing federal and state laws respectively.

where as

India has an integrated judiciary enforcing both federal and state laws.

- 3) Citizenship - American constitution provides for dual citizenship.

where as

Indian constitution provides for single citizenship.

- 4) Single Constitution - Federation of states provides for dual constitution at state and centre level.  
Eg in America

where as

Union of states provides for single constitution for an entire country like India.

- 5) Power of Centre and States - In a coming together federation centre

cannot override state's laws. Eg -  
Australia

whereas,  
'Holding together federation' provides  
for strong centre with overriding  
powers over states'.

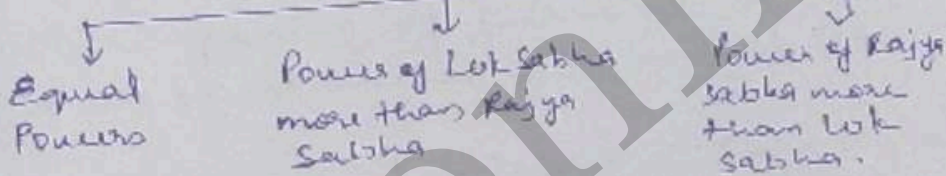
### Conclusion

Both types of federation is a part of  
larger principle of 'federalism' which  
forms a basic feature of constitution  
and therefore should be taken care of.

3) Compare the powers of the Lok Sabha with that of the Rajya Sabha.

→ Lok Sabha and Rajya Sabha are the two houses of our Parliament. dealt with Article 72 - 137.

Powers of the Lok Sabha in comparison to Rajya Sabha:



## 1) Equal Powers

- (a) While drafting an ordinary bill.
- (b) While enacting a constitutional amendment bill.
- (c) While in the election of President.
- (d) While declaration of National, financial and State Emergency.

## 2) Powers of Lok Sabha > Rajya Sabha

- (a) While passing a money bill. (Money bill can be introduced only in Lok Sabha)

- (b) Voting on demands for grants. (Only Lok Sabha can vote on demands for grants)
- (c) Ensuring the responsibility of Executive to the legislature. (Only Lok Sabha can pass a non-confidence motion)
- (d) An adjournment motion can be introduced only in Lok Sabha.
- (e) While passing of financial bill I (it can be introduced only in Lok Sabha)

### 3) Powers of Rajya Lok Sabha < Rajya Sabha

- (a) Only Rajya Sabha can pass a resolution to create an All India Service.
- (b) Only Rajya Sabha can initiate the impeachment of Vice-President.
- (c) Only Rajya Sabha can empower the Parliament to make laws on ~~state~~ subjects included in State List.

#### Conclusion

Though the power of Rajya Sabha is less comparable to Lok Sabha, it plays an important role in scrutinising the government bills and

4) What do you understand by Judicial activism and overreach? Also discuss the associated concerns.

→ The concept of Judicial Activism was introduced in India in 1970s by <sup>Justices</sup> O Chinnappa Reddy, D A Desai, V. R. Krishna Iyer, P N Bhagwati

Judicial Activism - It is referred to the power of Supreme Court to entertain PILs for something that affects the interest of larger public and to take suo moto cognizance of certain situations and give directions to both Centre and State governments in this regard.

Judicial Overreach - This is when judiciary oversteps its mandate and encroaches in the territory of legislature and executive.

Concerns regarding Judicial Activism and Judicial Overreach:-

D It can disturb the delicate principles of separation of Powers and checks and

balances:

- 2) It limits the functioning of government.
- 3) Judicial activism can harm the public at large as the judgement may be influenced by personal or selfish motives.
- 4) It erodes the faith of the people in the integrity, quality and efficiency of the government.
- 5) It clearly violates the limit of power set to be exercised by the Constitution.

## Role of Judicial Activism and Judicial Overreach:-

- 1) Sets out a system of balance and controls on other branches of Government.
- 2) Judges can use their personal wisdom in where laws fail.
- 3) Helps to keep a check <sup>on</sup> ~~for~~ misuse of power.

### Conclusion

- 1) Though Judicial Activism reaches out to be extraconstitutional it has always helped the nation as in the case of *Visakha vs State of Rajasthan*, *Keshvananda Bharati vs*

5) What do you understand by rule of law. Explain how this idea is reflected in the Constitution of India.

→ 'Rule of law' doctrine has originated in ~~classical~~ <sup>British</sup> Constitutions and we have adapted its provisions in our constitution.

The basic feature of Rule of law is:-

- 1) No person can be punished except for breach of Law (Absence of arbitrary power).
- 2) No person is high as Law in front of law i.e. equal punishment for equal offense, equal subjection of all citizens to the ordinary law of the country. (Equality before law)
- 3) ~~Constitution is created by some state individuals and these individuals~~
- 4) The Constitution is the result of the rights of the citizens individuals. (Supremacy of the People)

Reflection of the idea in the Indian Constitution:-

1) Article 20 → this article provides for protection of individuals in case of conviction for offences.

→ this article prevents the arbitrary use of power by providing certain rights to convicted persons such as no double jeopardy, no self-incrimination etc.

2) Article 22 → this article provides for protection in case of arrest and detention.

3) Article 14 → this article embodies the concept of equality before law and adds the concept of equal protection before law to it.

4) The concept of supremacy of people is not true in case of Indian Constitution as Indian Constitution does not derive its power from people rather people derive their rights from the constitution.

### Conclusion

The British jurist AV Dicey's efforts led to the establishment of the concept of 'Rule of law' which is necessary for protection of individual liberties.

6) Explain the concept of Separation of Powers. What are the provisions in the Indian Constitution which reflect separation of Powers?

→ Separation of Powers is a principle which reflects the division of Power between different organs of a government so as to avoid abuse of Power.

The features of this concept:-

- 1) It refers determines the role of different organs of government i.e.  
Executive - to make laws.  
Legislature - to implement these laws.  
Judiciary - to interpret these laws.
- 2) It ensures independent functioning of different organs.
- 3) It has emerged as a counter balance to the principle of checks and balances.
- 4) It has democratising influence.

Provisions of Indian Constitution which reflect separation of Powers:-

- 1) Article 50 - It is a part of Directive principles of State policy and states that 'the state should take steps to separate executive from judiciary from executive.'
- 2) Article 121 & 211 - these articles deal with the provision that the conduct of judges cannot be discussed in either house of Parliament and State legislature.
- 3) Article 122 - & 212 - these articles deal with the provision that the proceedings of Parliament & State legislature cannot be discussed in any court of law.
- 4) Provision of Independent Judiciary - which is ensured through security of tenure and ban on practice after retirement.
- 5) Provision of Civil services and judicial services - which has separated executive institutions from judicial functions.

Conclusion

P.T.O

The principle of Separation of Powers is not enshrined specifically in our Constitution but necessary provisions have been made in this regard whenever necessary.

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7) Discuss the veto powers of the President of India.

→ The veto powers of the president of India is dealt in Article 111 of the Constitution.

President of India enjoys 3 types of veto namely :-

1) Absolute Veto - This type of veto is ~~exercised~~ exercised by President when he/she withholds his assent of to a bill.

- This type of veto is exercised in two cases :-

(i) in the case of private members' bill

(ii) in the case when a bill is presented to him after which the Lok Sabha which passed it dissolves and the new Lok Sabha advises him to not give his assent.

2) Suspensive Veto - This type of veto is exercised by President when he returns the bill presented to him ~~back~~ back to the parliament for reconsideration.

→ However, this veto can be easily overridden by the Parliament itself because if the Parliament again passes the same bill, <sup>with simple majority</sup> without any changes then it is required for the President to give his assent to the bill. (as provided in constitution)

3) Pocket Veto - This type of veto is enjoyed by President when he does not take any action against when a bill is presented to him.

→ Constitution has not specified the days within which a president has to give his take action with respect to a bill.

→ This veto power of President is very large and covers almost all parliamentary legislation except the constitutional amendment bill.

### Conclusion

The veto power of a President is an important tool to check into the arbitrariness of Parliament as well as state legislation and therefore should be preserved.

8) Discuss the role of the Departmentally Related Standing Committees in strengthening parliamentary democracy in India.

→

At present, there are 24 departmentally related Standing Committee. They consist members from both Lok Sabha and Rajya Sabha.

Role of Departmentally Related Standing Committee in strengthening parliamentary democracy.

- 1) They review the functioning of various ministries.
- 2) They report make reports on the demand of grants of various ministries.
- 3) They examine the bills pertaining to different ministries.
- 4) They review the annual reports of the ministries.
- 5) They ensure the accountability and transparency of various ministries.

- 6) Since, these committees have membership of both the houses of parliament excluding the ministers. It ensures the parliamentary control over executive which in return strengthens the parliamentary democracy.

## Issues with Departmentally Related Standing Committees :-

- 1) They do post-mortems i.e. review the accounts after an expenditure has taken place.
- 2) Their advices are not binding on the ministries.
- 3) They do not have the power to amend a bill pertaining to a ministry.
- 4) They lack from technical knowledge which is required for efficient scrutiny of bills.
- 5) Their recommendations are mostly ignored.

## Way forward

- 1) The review of reports by these committees should be sufficiently

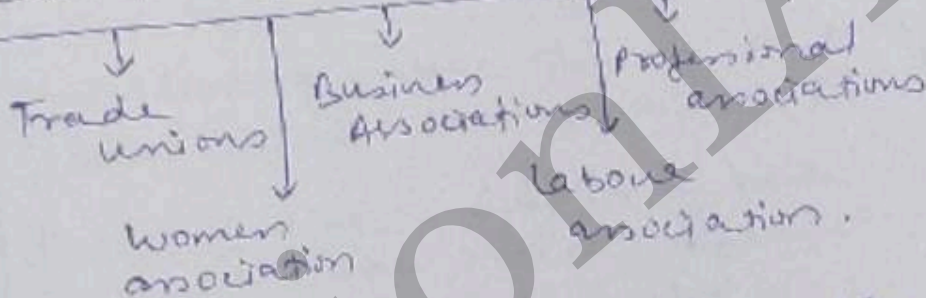
- deliberated upon by the Parliament.
- 2) Their powers with regard to scrutiny should be increased.
  - 3) Their recommendations should not be ignored unless there is a compelling reason.
  - 4) They should be made accountable.

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Q) What do you understand by Pressure groups? Citing examples, state the different types of techniques used by pressure groups.

→ A pressure group is an organised group of people that aims to influence public opinions or policies / actions of government.

### Examples of Pressure groups



### Features of Pressure Groups

- External to Govt
- Narrow domain
- Shared beliefs/interest
- Use of modern as well as traditional means.
- driven by a specific ideology.

## Different types of techniques used by Pressure Groups :-

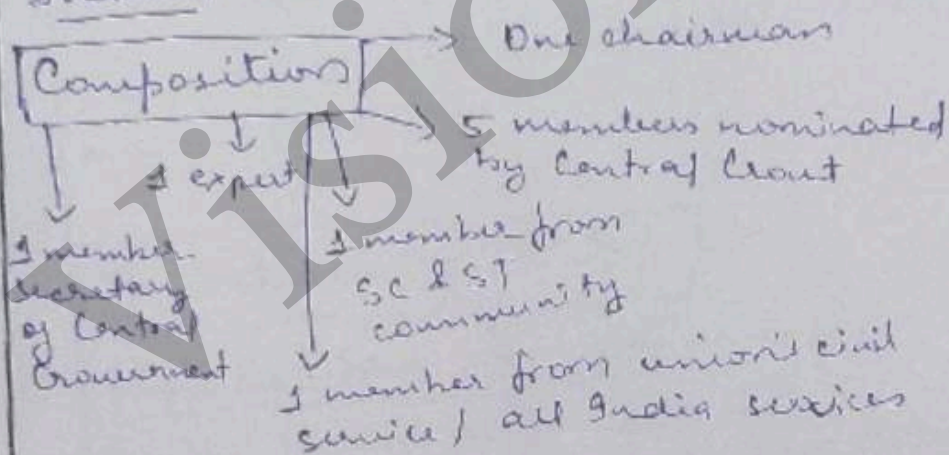
- 1) Use of Parliament and Ministers and Civil Servants. (eg → business association Confederacy of Indian Industries (CII) holding talks with Finance Minister to get help for increasing exports)
- 2) Public Opinion campaigning (eg → generation of public opinion on eating of meat animal based foods by PETA)
- 3) Direct Action - (eg → by Kisan Samyukt Kisan Mochla against agriculture bill in 2020)
- 4) Lobbying - (eg → trade unions dealing with industrial associations to fulfill their aspirations)
- 5) Propagandizing - (eg → spread of propaganda through social media by several extremist interest groups such as students union etc)

### Conclusion

Pressure groups are inherent part of a democracy, providing the junction of government influence and ensuring rights of individuals.

10) Enumerate the composition and functions of the National Commission for Women (NCW). Also highlight the initiatives taken by the commission to give an impetus to women empowerment.

→ National Commission for Women (NCW) established in 1992 after the enactment of National Commission for Women Act, 1990. It is presently headed by Rohini Sharma (9th NCW chief)



## Functions

D Financial assistance to NGOs - such as Unicef, India, Action Aid, India etc.

- 2) Present a report annual to Central Government on the conditions of women.
- 3) Bring cases against women to the attention of government such as Nirbhaya case, Pinkish murder case etc.
- 4) Working for the welfare and empowerment of women by working with certain NGOs and helping in teaching good schemes to rural areas such as Beti Bachao, Beti Padhao etc.
- 5) Work as a civil court while investigating any matter.

## Initiatives by NLU

- 1) Mahila Jan Sunwai - in person & online hearings to look into complaints of women. In collaboration with District Legal Services Authority.
- 2) Training of Protection Officers appointed under the Protection of Women from Domestic Violence Act, 2005 in collaboration with LBSNAA.

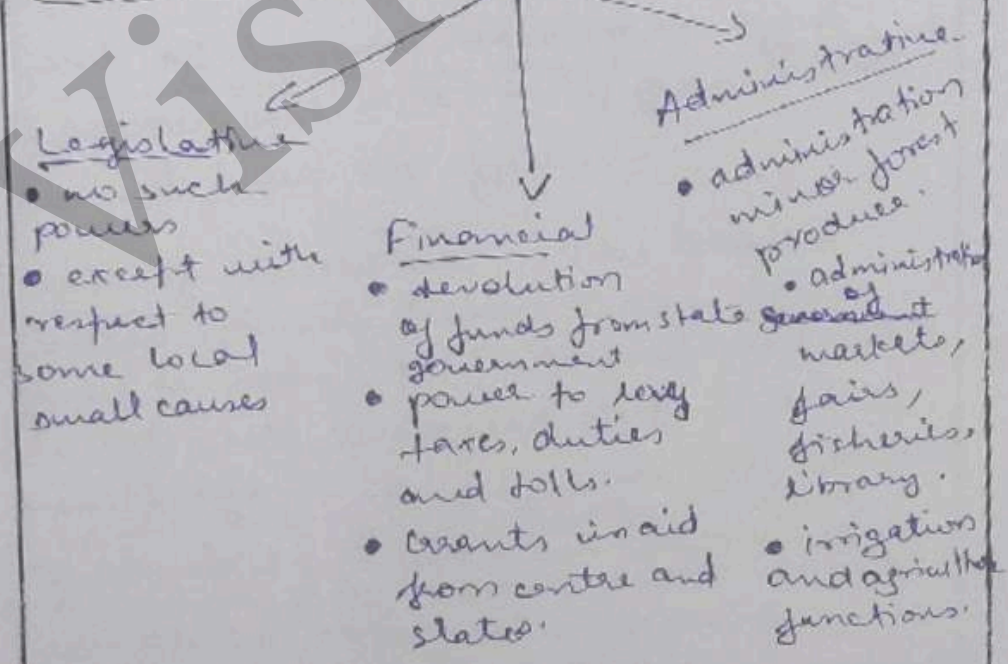
- 3) Gender Sensitization Programmes for Police Personnel
- 4) Various research on women such as 'Cyber security & threats in Cyber Space faced by women'.
- 5) Various seminars on women such as on 'Special Responsibility of Social Media' & 'Patriarchy & Misogyny' etc.

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11) Highlight the devolution of powers under the 73rd and 74th Constitutional Amendment Acts. Do you think the process of devolution has been less than satisfactory so far?

→ The 73rd and 74th Constitutional Amendment Acts of 1992 has provided constitutional status to Panchayati Raj Institutions and Municipalities. Both are dealt with under Article 243 - 243D & 243P - 243Z-6 respectively.

## Devolution of Power :-



## Issues with Devolution of Powers

- 1) Lack of Functions - Most of the functions of local self government bodies overlap with that of state governments.
- 2) Lack of Funds - Heavy dependence of local self-government bodies on state and union grants.
- 3) Lack of Functionaries - Functionaries of local self-government are mostly from state services and therefore not very agreeing in doing their work.
- 4) Lack of human resources and Infrastructure - 2.5% of gram <sup>panchayats</sup> ~~sabds~~ do not have an office.
- 5) Lack of Awareness - The powers limited powers that have been given to local self-government bodies are not well exercised due to lack of knowledge.

### Conclusions

Panchayats are over-structured and under functioning institutions (Manishankar Nayak Committee, 2012)

From above arguments, it can be concluded that these bodies have not

been granted sufficient powers to allow them to function as independent bodies. Therefore, several steps need to be taken in this regard to realise the true fruit of 'participative democracy.'

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- 12) Although quasi-judicial bodies have powers resembling those of the judicial bodies, there are important points of distinction between the two. Elaborate.

→ Quasi-judicial bodies can be defined as such bodies which have both administrative and judicial functions.

Examples of Quasi-judicial bodies are ~~Person~~ National Human Rights Commission, National Green Tribunal, Central Information Commission etc.

Judicial bodies can be defined as such bodies which have only judicial functions such as Supreme Court, High Court etc.

Similarities of power between the two:-

- 1) Both follow the procedure of Civil Procedure Code or Criminal Procedure Code.
- 2) Both are ~~independently~~ concerned with adjudication of disputes.

3) Both have the power of court of law (in case of SC & HC) or civil court (in case of MHK & NCAT) etc while investigating a matter.

## Distinction of Power between the two:-

### Quasi-Judicial Bodies

- 1) Mostly influenced by principles of natural justice.
- 2) Has only recommendatory functions.
- 3) cannot influence a case or give a final judgement.
- 4) Limited jurisdiction.
- 5) Can only advise the govt.

### Judicial Bodies

- 1) Mostly influenced by CrP.C & T.P.C etc.
- 2) Has binding functions.
- 3) Provides final judgement in a case.
- 4) Wide jurisdiction.
- 5) Can also direct the govt to take certain steps for welfare of people.

### Conclusion

Both perform important tasks in their respective jurisdiction although the power of judicial bodies is more as compared to quasi-judicial bodies.

13) Delineate the grounds of disqualifications under the Representation of People Act, 1951. Also discuss the remedial measures available to the disqualified representatives.

→ Article 327 and 328 has empowered the Parliament and state legislature to make laws relating to the qualification and disqualification of Members of Parliaments and state legislature in this regard the following Representation of People Act was enacted by Parliament in 1951.

Grounds of disqualification under the RPA, 1951 :-

A member of Parliament or state legislature is disqualified if :-

- i) He/She is convicted of an offence <sup>at least</sup> and sentenced for 2 years of imprisonment
- ii) If He/She has been convicted of an offence of bribery and corruption and dismissed from government services.
- iii) He/She fails to disclose his/her election expenditure.

- (i) He/She has been accused to promote social evils such as sati, dowry etc.
- (ii) He/She has accepted a the post of director in any corporation or company in which government has 25% or at least 25% stake.
- (iii) He/She must not have any interest in government services, contracts or works.
- (iv) He/She must not have been found guilty of certain election offences or corrupt practices.
- (v) He/She must not have been convicted for promoting enmity between two groups.

### Remedial measures available :-

- 1) The disqualified candidates hold the right to challenge the grounds of disqualification in their respective high courts jurisdiction.
- 2) PPA, 1951 under section 11 authorizes and empowers the E.C.I to remove or reduce any disqualification.
- 3) The disqualification can also be challenged in the form of appeal in the SC.

- 4) Any candidate disqualified under Section 8 A ie on the grounds of corrupt practices may submit a petition of appeal to the President for removal of such conviction and conviction. Disqualification.

### Conclusion

Criminalization of politics of a nation as big as India would undermine it being the largest democracy in the world this is what the CPA, 1951 kicks in.

19) The basic structure doctrine of the Indian Constitution is a judicial innovation. Analyse.

→ The basic structure doctrine of the Indian Constitution was propounded in Keshwananda Bhaskar Case (1973).

### Components of this doctrine :-

- 1) Federalism
- 2) Rule of law
- 3) Secularism
- 4) Judicial Review
- 5) Equality

whether it is a judicial innovation.

### Arguments for :-

- 1) The doctrine of basic structure was established by Supreme Court in response to Parliament's 24th Amendment Act of 1971 & 25th Amendment Act of 1971.
- 2) The judiciary tried to uphold the primacy of Constitution by passing this doctrine.
- 3) This doctrine has given ultimate

power to judiciary for determining the constitutionality of a law.

- 4) Judiciary has conferred upon itself the prime responsibility of interpretation of constitution through this doctrine.

### Arguments against it

- 1) The Parliament's power to amend the constitution is not absolute as our founding fathers had envisaged.
- 2) The Judiciary has only upheld this principle.
- 3) The doctrine of basic structure of Indian Constitution was to balance Parliament's amending power and constitutional supremacy.
- 4) Judiciary has not role in innovating this doctrine as it was always present only that judiciary has made it apparent through formal acknowledgement.

### Conclusion

The basic structure of Indian Constitution is a unique feature of our Constitution which was made available through judiciary's efforts and it sure had a role to play in its popularity.

15) Highlight the various challenges in ensuring cooperative federalism in India. Also, suggest measures to foster cooperative federalism.

→ Granville Austin has described Indian federalism as a 'Cooperative Federalism'.  
 Cooperative Federalism can be defined as the relation between centre and states in which both cooperate for realising the common goal of socio-economic development of a country.

Challenges in ensuring Cooperative Federalism:

- 1) Inter-state water disputes - these can go on for many years and hamper cooperation between states  
 eg:- dispute over Cauvery river water between Karnataka and Tamil Nadu.
- 2) Dependence of Central Grants - the states feel that they are heavily dependent on grants from central government.

- 5) Lack of Financial Autonomy - the power to raise revenue is skewed in favour of centre.
- 4) Appointment & functions of Governor - Governor acting as an agent of central government is seen as with suspicion by state government.
- 3) Centre's encroachment in state subjects - through Rajya Sabha resolution.
- 6) Imposition of President's rule - Centre has been accused of using Articles 356 and 365 for personal and political reasons.

## Measures to improve Cooperative Federalism:-

- 1) More devolution of funds to States -  
Eg:- Compensation for enactment of GST.
- 2) Setting up of River boards and Inter-State water dispute tribunal for faster adjudication.
- 3) Revamping of Inter-State Council and Zonal Councils.
- 4) Sparring Use of President's Rule is only

unprecedented circumstances.  
5) Revamping of GST floor rates.

The principle of 'Cooperative federalism' has to be applied in each and every sense to Indian federalism for its efficient functioning.

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16) Despite having features borrowed from Constitution of various other countries, the Constitution of India remains unique. Discuss.

→ B.R. Ambedkar proudly said in a Constituent Assembly meeting that "India has framed its constitution by ransacking ~~all~~ almost all the known constitutions of the world."

This statement of B.R. Ambedkar 'the father of Indian Constitution' aptly describes the formation of Indian Constitution.

Borrowed features from:-

- 1) Government of India Act, 1935 → federal features, bicameralism, Union - state & concurrent list
- 2) British Constitution → Parliamentary form of government, rule of law, single citizenship
- 3) American Constitution → Fundamental rights, judicial review, independence of judiciary
- 4) Soviet Constitution → Fundamental

duties and the ~~the~~ ideals of justice in the preamble

Uniqueness of Indian Constitution can be determined by following factors :-

- 1) Appropriate modification to suit Indian interests → such as republican form of government.
- 2) Incorporates Gandhian Ideals → in the form of Directive principles of state policy.
- 3) Rationalised provisions which reflect our traditional customs → such as fundamental duties incorporating our moral values.
- 4) Longest constitution → due to simplified and detailed provisions.
- 5) Neither follows British principle of Parliamentary sovereignty nor follows American principle of judicial supremacy.

**Conclusion :-**

Uniqueness of Indian Dem. Constitution can be determined by the test of time it has faced and still stood straight for 75 long years.

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17) Is there a need to rationalize the large number of ministries in the Govt. of India? Discuss with logical arguments.

→ Article 75 provides for the Council of Ministers to be formed including the Prime Minister to be 15% of the total strength of the Lok Sabha.

Arguments in favour of rationalisation of ministries :-

- 1) The no. of ministries have grown over time as was added by 91st Amendment Act of 2003.
- 2) Overlapping Ministries → eg:- Ministry of tribal affairs at centre sometimes comes in conflict with Minister of tribal affairs in the states.
- 3) Problem of standing committee → as they are overburdened with the reports and functioning of all the ministries.

- 4) Lack of Coordination - which can be seen from the bills of Ministry of Electronics & Information Technology and Ministry of Communications and Broadcasting.
- 5) Overlapping legislations on the same subject.

### Arguments against

- 1) Large no of ministries is necessary to deal with large no of population of our country.
- 2) Amicable solution to problems are provided with each ministry focusing on each sphere.
- 3) Our country is a multicultural one whose problems are diffused and therefore should be dealt with separately by separate ministry.
- 4) Eases the working of Cabinet.
- 5) Different ministries are also required to give a centralised precedent to different ministries in different states.

### Conclusion

Rationalisation of ministries holds more ground as can be inferred from the above arguments, therefore, this should be done without affecting our composite culture.

18) Provide an account of the role of UPSC. Also, enumerate the Constitutional provisions to safeguard and ensure the independence and impartial functioning of the UPSC.

→ Article 315 - 323 deals with Union Public Service Commission. It is one of the bulwarks of democratic features of our Constitution. Others being ← Election Commission, Supreme Court, Comptroller and Auditor General of India.

## Role of UPSC

- 1) It deals with the recruitment of personnel to central civil services, all India services and central civil posts.
- 2) It can also recommend the state governments in the recruitment for state services on the request of governor with the

Assent of President.

- 3) It assists the states in the recruitment of for posts requiring technical qualifications.
- 4) It is consulted by Central Government when dealing with disciplinary matter of any civil servant.

Constitutional Provisions ensuring its independent functioning

- 1) It enjoys security of tenure - its members cannot be removed by will of the President.
- 2) Salaries, allowances are charged on Consolidated fund of India - not subject to annual vote of Parliament.
- 3) No further employment - under both the centre & state government.
- 4) The service conditions cannot be varied to their disadvantage during the tenure of its members.

The UPSC was is rightly considered of constitution of India as the 'watchdog of merit system' of India.

19) What are tribunals? How is Article 323 A different from Article 323 B of the Indian Constitution?

→ Tribunals are quasi-judicial bodies entrusted with the function of adjudication of disputes between different parties.

Our Constitution has not dealt with tribunals originally. It has been added by 42nd Amendment Act of 1976 under Articles 323 A and 323 B of Indian Constitution.

Difference between Article 323 A & 323 B

- 323 A
- 1) It deals with administrative tribunals
  - 2) It has regional offices at 17 places

- 323 B
- 2) It deals with tribunals for any other purposes.
- It does not have any regional office

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|--|---|
| <p>3) It is established by <del>Central</del> Parliament</p>   | <p>3) It can be established by both Parliament and State Legislature</p>  |
| <p>4) Its composition is determined by Administrative Tribunals Act, 1985</p>                                | <p>4) Its composition is not determined by any Act.</p>   |
| <p>5) There exists a hierarchy of tribunal administrative tribunal from Centre to State.</p>                 | <p>5) There does not exist any hierarchy of tribunals for other matters. All are placed in similar footing.</p> |
| <p>6) It deals with disputes regarding service conditions, posting, promotions of central civil services</p> | <p>6) It deals with matters of taxation, export &amp; import, land ceilings etc.</p>                            |

### Conclusions

The tribunals are important body that reduces the burden on judiciary by taking up ~~some~~ compoundable cases and disposing it off amicably.

20) On what grounds can President's Rule be imposed in a state? Also, mention the procedure of its imposition and its effects.

→ Article 356 and 365 deal of the Constitution deals with the provision of President's rule that can be imposed in a state.

~~Reasons for~~  
Grounds of imposition of President's Rule :-

- 1) When President is satisfied that a situation has arisen when the state government is not following constitutional provisions (Art. 356)
- 2) When the state government refuses to follow the directions of the Centre (Art 365)
- 3) When governor presents a report to the President for the imposition of President's rule in his his concerned state.

Procedure for its imposition

1) The resolution for the imposition of

President's rule can be introduced in either house of Parliament

- 1) The Proclamation for the imposition of President's rule has to be passed by both the houses of Parliament by ~~special~~ <sup>simple</sup> majority within 2 months of the date of issue.
- 2) It continues for 6 months requiring approval every 6 months and can be continued till 3 years.
- 3) It can be revoked only by President at any time.

### Its effects :-

- 1) It leads to dissolution of state legislative assembly.
- 2) Governor carries out executive functions with President's permission.
- 3) Laws on state subjects ~~can be~~ <sup>are</sup> made by President or ~~any~~ <sup>any</sup> authority decided by President.
- 4) There is no effect on fundamental rights of the citizens.
- 5) The financial powers too pass on to

the President.

- 6) There is no effect on the powers and function of State High Courts.

### Conclusion

President's rule was envisaged by our founding fathers as an extraordinary tool and therefore must be sparingly used.