

# General Knowledge

# AIIMS 2018

Dear readers,

This **General Knowledge Digest** is docket of **Questions** which can be asked in upcoming **AIIMS Examination 2018**.

### Introduction & Making of Indian Constitution

The Constitution of India contains 395 articles in 22 parts and 8 schedules at the time of commencement.

The idea to have the constitution in India was given in the year 1934 by Mr. M.N. Roy the pioneer of the communist movement in India

The demand was accepted by the British parliament which came to be known as the August Offer in the year 1940, for this purpose the Constituent Assembly of India was setup under the Cabinet Mission Plan in May 1946.

The Constituent Assembly met for the first time in New Delhi on 9 December, 1946.

Constituent Assembly of India finally accepted the Constitution on 26<sup>th</sup> November 1949.

The Constituent Assembly took 2 years, 11 months and 18 days in making the Constitution

#### Important fact

Chairman of drafting committee in constituent Assembly - B R Ambedkar

First Chairman was Sachidanand Sinha

First Elected Chairman of Constituent Assembly was Dr Rajendra prasad

#### Borrowed Principle of Constitution

The Indian Constitution is said to be the conglomeration of various constitutions. Our constitution makers tried to adopt the salient features of different constitutions and created one of the best in the world. The following features have been taken from various mentioned constitutions.

#### U.K

Parliamentary Type of Government

Bicameral Parliament

#### U.S

Fundamental Rights

Independence of Judiciary and judicial review

#### USSR

Fundamental Duties

Ideal of justice (social, economic and political)

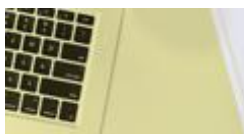
#### Ireland

Concept of Directive Principles of States Policy

#### France

Republic and the ideals of liberty, equality and fraternity in the Preamble.

#### Australia



Concurrent list

## Fundamental Rights

The Fundamental Rights has been mentioned in the part III of the Constitution of India and articles 12-35 deals with it. The concept of Fundamental Rights has been borrowed from the Constitution of USA.

At the time of making of the there were 7 Fundamental Rights but after the 44th Amendment Act 1978, Right to Property was deleted from the Constitution.

1. Right to Equality (Article 14-18)
2. Right to Freedom (Article 19-22)
3. Right against Exploitation (Article 23-24)
4. Right to freedom of Religion (Article 25-28)
5. Cultural and Educational Rights (Article 29-30)
6. Right to Property( Article 31- deleted by 44th Amendment Act 1978)
7. Right to Constitutional Remedies (Article 32-35)

Under the Article 352 of the Indian Constitution during the proclamation of the **National Emergency** all the fundamental rights mentioned under **Article 19 gets suspended**.

Article 20 and 21 are known as the absolute fundamental rights and **cannot get suspended** in any circumstances by the 44th Amendment Act 1978.

Fundamental Rights which are available to only citizens - Article- 15, 16, 19, 29 and 30.

## Directive Principles of State Policy (DPSP)

The DPSP has been mentioned under part IV of the Constitution and articles 36-51 of the Constitution deals with it.

The difference between the Fundamental Rights and DPSP id that Fundamental Rights are enforceable and in case of violation the person can directly move to the court of law whereas the DPSP are not enforceable and in case of violation the person cannot move to the court of law.

### Important articles under DPSP

Article-39A Equal justice and free legal aid

Article-43 Living wage, etc. for workers

Article-44 Uniform civil code for the citizens

Article-45 Provision for free and compulsory education for children

Article-48 Organization of agriculture and animal husbandry

Article-48A Protection and improvement of environment and safeguarding of forests and Wildlife

Article-49 Protection of monuments and places and objects of national importance

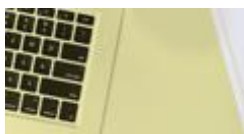
Article-50 Separation of judiciary from executive

Article-51 Promotion of international peace and security

## Fundamental duties

It has been mentioned under the part IV (A) of the Constitution of India and article 51(A) of the Indian Constitution deals with it.

The Fundamental duties have been included in the Indian Constitution by the 42<sup>nd</sup> Amendment Act after the recommendation of Swarn Singh Committee.



11<sup>th</sup> Fundamental Duty was added by the 86<sup>th</sup> Amendment Act 2002.

All fundamental duties are-

- (a) To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem.
- (b) To cherish and follow the noble ideals which inspired our national struggle for freedom.
- (c) To uphold and protect the sovereignty, unity and integrity of India.
- (d) To defend the country and render national service when called upon to do so.
- (e) To promote harmony and the spirit of common brotherhood.
- (f) To value and preserve the rich heritage of our composite culture.
- (g) To protect and improve the natural environment.
- (h) To develop the scientific temper, humanism and the spirit of inquiry and reform.
- (i) To safeguard public property and to abjure violence.

### **President of India**

The Union Government consists of the President, Vice President, Prime Minister and the Council of Ministers.

Minimum age required to become a President of India is 35 years.

The President is the nominal head of the country, head of the executive and the first citizen of the country.  
Minimum age required to become a Vice President of India is 35 years.

The President of India is not directly elected by the people of India but by the

- (a) Elected members of the Parliament (Lok Sabha and Rajya Sabha)
- (b) Elected members of state legislative assembly (Vidhan Sabha)
- (c) Elected members of the legislative assembly of Delhi and Pondicherry

The President of India takes OATH in the presence of the Chief Justice of India and his absence senior most judge of the Supreme Court.

The President of India can be removed from the office by a process of impeachment for the violation of the Constitution.

### **Vice President of India**

The Vice-President is elected by an electoral college consisting of members of both Houses of Parliament. The nominated members of the Lok Sabha and Rajya Sabha also participate in the elections of the Vice President of India.

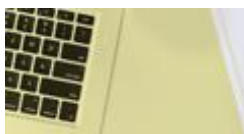
Minimum age required to become a Vice President of India is 35 years.

The Vice-President is not a member of either House of Parliament or of a House of a Legislature of any state.

The Vice President of India takes OATH in the presence of the President of India.

The Vice President of India is the ex officio chairman of the Rajya Sabha.

### **Prime Minister and Council of Minister**



Under the article 75 of the Indian Constitution it says that the Prime Minister of India will be appointed by the President of India.

Minimum age required to become a Prime Minister is 25 Years.

The Prime Minister of India is the ex officio Chairman of the Niti Aayog, National Development Council, National integrated council and Inter–State Councils.

Article 74 of the Constitution of India says that there will be a Council of Ministers with the prime Minister with the main aim of advising the president in the exercise of his functions.

### **Governor of the State, Chief Minister and Council of Minister**

The State government consists of the Governor, Chief Minister and the State Council of Ministers.

The Governor is the nominal head of the state and the first citizen of the State. The governor of state is appointed by president for the period of 5 years but it is subject to the pleasure of the President of India. Minimum age required to become a governor of state is 35 years.

According to 7<sup>th</sup> Amendment Act 1956 a person can be a Governor of two or more state.

The governor appoints the Lokayukta of the concerned state.

The President only on the advice of the Governor declares the State emergency.

The governor is the Chancellor of the State universities.

### **Parliament and Legislature**

Article 79 says that the Indian Parliament constitutes of Lok Sabha (House of the People), Rajya Sabha (Council of states) and the President.

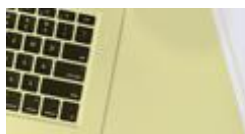
The maximum strength of the Lok Sabha is 552 members out of whom 530 members are elected from different states 20 members are elected from the Union Territories and 2 members are nominated by the President of India belonging to the Anglo- Indian community. The Lok Sabha is elected for the period of 5 years. Minimum age to become a member of Lok Sabha is 25 years.

Rajya Sabha is the permanent house of the Parliament and cannot get dissolved. Present strength of the Rajya Sabha is 245 members out of whom 229 members are from the States, 4 members from the Union Territories and 12 members are nominated by the President of India. Minimum age to become a member of Rajya Sabha is 30 years. The Rajya Sabha is elected for the period of 6 years.

### **Constitutional Bodies of India**

The Finance Commission is mentioned in the article 280 of the Indian Constitution. The Finance Commission is appointed every 5<sup>th</sup> year by the President of India. Chairman of 15th finance commission is N. K. Singh.

The Attorney General is the highest law officer of the country and appointed by the President of India. He can take part in the proceedings of both the houses of the parliament but he is not allowed to vote.





The CAG is appointed by the President of India under his hand and seal for the period of 6 years or the up to the age of 65 years whichever is earlier. The current CAG of India is Rajiv Mehrishi.

The Election Commission consists of the Chief Election Commissioner and two election commissioners they all enjoy the equal powers. The Election Commission is appointed by the President of India for 6 years or till the time the members attain the age of 65 years.

The chairman of UPSC is appointed by the President of India for the period of 6 years or till the members attain the age of 65 years.

### Non-Constitutional Bodies

Planning Commission was established in March 1950 by an executive resolution of the Government of India. It was responsible for the formulation and submission of the draft Five-Year Plan to the Central cabinet. It is discontinued in 2015 and replaced by NITI Aayog.

NITI Aayog is the policy-making body for whole India. The Ex-officio chairman of aayog is prime minister. Current Vice President of Aayog is Rajiv Kumar.

The National Development Council (NDC) was established in August 1952 by an executive resolution of the Government of India. It is the highest decision body for creating and deliberations on development matters in India, presided by the Prime Minister.

The NHRC (National Human Rights Commission) is a statutory body. It was established in 1993 under a legislation enacted by the Parliament. The chairman should be a retired chief justice of India. Current Chairman of NHRC is Justice H.L. Dattu.

Central Vigilance Commission- 1964  
Central Information Commission- 2005

### Union Territories

Currently, there are seven Union Territories. These are

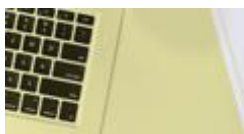
- (1) Andaman and Nicobar Islands (1956) (Capital- Port Blair)
- (2) Delhi (1956) (Capital- New Delhi)
- (3) Lakshadweep (1956) (Capital- Kavaratti)
- (4) Dadra and Nagar Haveli (1961) (Capital- Silvassa)
- (5) Daman and Diu (1962) (Capital- Daman)
- (6) Puducherry (1962) (Capital- Pondicherry)
- (7) Chandigarh (1966) (Capital- Chandigarh)

Only Union Territories of Puducherry and Delhi are provided with a legislative assembly.

These Union Territories are administered by the President acting through an administrator (Lieutenant Governor in case of Delhi, Puducherry and Andaman and Nicobar) appointed by him.

### Judiciary

The Supreme Court is the apex court of India and the highest court of justice in India. The Current maximum strength of Supreme Court is 31 judges (1 Chief Justice and 30 other judges).



The judges of the Supreme Court including Chief Justice of India are appointed by the President of India. Current CJI is Deepak Misra.

The judges of the Supreme Court is removed by the President upon an address by both the Houses of the Parliament supported by a majority of not less than 2/3<sup>rd</sup> of members present and voting and a majority of total strength of the House on the ground of misbehaviour or incapacity.

The High Court is the highest court of justice in the state it functions below the Supreme Court and above the Subordinate Courts. The Chief Justice and the other judges of the High Court are appointed by the President of India. The process of the removal of the judge of the High Court is similar to the process of the removal of the judge of the Supreme Court

At present there are total 24 High Courts in India and out of which three are common High Court. Delhi is the only Union Territory which is having its own High Court since 1966.

### Panchayati Raj

Balwant Rai Mehta committee in the year 1957 proposed three tier panchayati raj system. The Panchayats in India were the constitutional status by the 73rd Amendment Act 1992 and added 11th schedule in the constitution.

Rajasthan was the first state to start the Panchayati Raj from its Nagaur district.

The Panchayati Raj system consists of the 3-tier structure i.e.

- (a) Gram Panchayat which works at the village level and the head is known as Sarpanch.
- (b) Panchayat Samiti which works at the block level and the head is known as Pradhan.
- (c) Zila-Parishad which works at the district level whose head is known as District collector.

The Urban Local Government was given the constitutional status in the year 1992 by the 74th Amendment Act by the addition of the 12th Schedule in the Constitution of India.

### Constitutional Amendments

Article 368 deals with the Constitutional Amendments.

#### Important Constitutional Amendments

**36th Amendment Act 1975-** Formation of Sikkim as a State within the Indian Union

**42nd Amendment Act 1976-** (a) Three words were added in the Preamble of the Constitution of India i.e. Socialist, Secular and Integrity (b) 10 Fundamental Duties were added

**44th Amendment Act 1978-** Right to Property was deleted as the Fundamental Right was made as the Legal Right

**61th Amendment Act 1989-** Reduce age for voting rights from 21 to 18

**73rd Amendment Act 1993-** Granted Constitutional status to the Panchayat Raj

**74th Amendment Act 1993-** Granted Constitutional status to the local Urban bodies

**86th Amendment Act 2002-** (a) Provides Right to Education until the age of fourteen and early childhood care until the age of six article 21(A)

(b) 11th Fundamental Duty was added which says that it is duty of all the parents to sent their children of age group 6-14 years to school

**101st Amendment Act 2016-** Good and Service Tax

### Citizenship



The citizenship of India identifies the person only who became the citizen of India on the day of the commencement of citizenship i.e. 26th January 1950. The Indian Constitution provides single citizenship to its citizens.

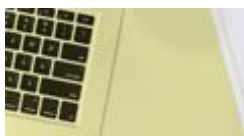
**Citizenship of India can be acquired by:**

- (a) Birth- Born in India on or after the 26th January, 1950.
- (b) Descent- Shall be a citizen of India by descent if either of his parents is a citizen of India at the time of his birth
- (c) Registration- Persons of Indian origin who are resident for five years immediately before making an application for registration.
- (d) Naturalization- to person who has rendered distinguished services to the cause of science, philosophy, art, literature, world peace etc.
- (e) Incorporation of territory- If any territory becomes a part of India

**Termination of Citizenship:**

- (a) Renunciation- By renouncing his Indian citizenship
- (b) Acquisition of another country
- (c) Deprivation- Central government deprives any citizen of Indian Citizenship if-
  - (i) If citizenship obtained by fraud
  - (ii) If the citizen has shown himself by act or speech to be disloyal or disaffected towards the Constitution of India as by law established
  - (iii) During the war unlawfully traded or communicated with an enemy country
  - (iv) That citizen has been ordinarily resident out of India for a continuous period of seven years

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