

QRM 2021 POLITY

**IMPORTANT ARTICLES, JUDGEMENTS AND DATA
FOR UPSC MAINS 2021**



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PURPOSE OF POLITY “IMPORTANT ARTICLES, JUDGEMENTS and ACTS” DOCUMENT

The document pertains to important constitutional articles, Supreme Court judgements and key legislation, which can be used for content enrichment in the upcoming UPSC Mains Examination, 2021. The topics have been linked with the latest facts, data, committee reports, etc., wherever deemed necessary.

The document can assist in fulfilling the demands of the various sections of your answers, including:

- Writing a compelling introduction.
- Substantiating your arguments with relevant facts and figures while giving a solid constitutional basis to the answer.
- Suggesting a constructive way forward by highlighting the observations of various committees, commissions and judiciary.

Much data has been represented and provided in the form of attractive tables and charts, which will aid the memorization of essential facts and facets and make the same easier. The presentation can be emulated in the answers in order to increase their visual appeal.

The document has been kept in a compact form to facilitate its usage in a time-constrained schedule. The student may keep this document as a ready-reference material for rather quick revisions before the exam.

1. Fundamental Rights

Basic structure Article- 368: Amending constitution	Sankari Prasad case (1951) - Parliament can amend Fundamental Right(FR) with A-368. Golaknath case (1967) - FR can not be amended. Kesavananda Bharati vs. the State of Kerala. (1973) - FR can be amended except basic structure. Indira Gandhi case (1980) - Reaffirmation of basic structure.
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Issues	Relevant article	Data
Reservation: Residence, place of birth	As per Article 16(3) , only the Parliament can make a law and not State Legislature Some states go around Article 16(2) by specifying language as a criterion.	Constitutionally, some states have been provided special provisions under Art 371. For example, Uttarakhand, for locals in class III and IV jobs
Issue of Local Reservation in Private Sector Jobs	Violate Article 14 (Right to equality), Article 16 (Right to equal opportunity) and Article 19 (ensures that citizens can move freely throughout the territory of India).	Additional information: As per Article 341 and 342 , the central list is notified by the President with respect to Scheduled Castes and Scheduled Tribes respectively.
Sub-Categorization of Other Backward Classes (OBCs):	Article 340 lays down conditions for the appointment of a Commission to investigate the conditions of backward classes.	

In **Ram Singh v. Union of India (2015)**, SC asserted that social deficiencies may exist beyond the concept of caste (e.g. economic status / gender identity as in transgenders). However, in **M. Nagaraj v. Union of India (2006)**, a Constitution Bench ruled that 50% ceiling is a constitutional requirement without which the structure of equality of opportunity would collapse.

Issues	Article/Acts	Data/Facts	Judicial cases/Committee
Censorship	Article 19(1)(a) - Freedom of speech and expression. Article 19(2) - Reasonable restriction	IT Act 2000 , Cable television network regulation 1995, Section-95 of CrPC (restriction on publication), POCSO act 2012 (Child pornography restriction) DRAFT CINEMATOGGRAPH (AMENDMENT) BILL, 2021 replacing 1952 act.	Mudgal Committee, 2013 and Shyam Benegal Committee, 2016 - Balanced censorship should be facilitated
Sedition	Section - 124A of IPC Article 19(1)(a)	As per National Crime Records Bureau (NCRB) , there were 47 cases of sedition in 2014 but that number increased to 70 in 2018.	Kedarnath Singh vs state of Bihar (1962) - Sedition law is valid. Balwant Singh v State of Punjab , held that mere sloganeering which evoked no public response did not amount to sedition.

Right to protest	<p>Article 19(1)(a) guarantees the freedom of speech and expression.</p> <p>Article 19(1)(b) assures citizens the right to assemble peaceably and without arms.</p>	<p>CoVID restriction protest in Europe, Farmer agitation in India, Tax hike protest during Greece crisis.</p> <p>The Mazdoor Kisan Shakti Sangathan vs Union of India and Another case, which tried to balance the interests of local residents with those of protesters to hold demonstrations.</p>	<p>Supreme Court gave a verdict on Right to protest vs. Right to mobility on a plea against blocking of roads in Shaheen Bagh in Delhi over Citizenship Amendment Act protests.</p> <p>Highlights of the verdict:</p> <p>Judgment upheld the right to peaceful protest a law but made it unequivocally clear that public ways and public spaces cannot be occupied, and that too indefinitely.</p>
Right to Property	<p>Article 300-A states that no person shall be deprived of his property save by authority of law.</p>	<p>The Supreme Court has reiterated that forcible dispossession of a person of his private property without due process of law is a human right violation.</p>	<p>Universal Declaration of Human Rights 1948 under Section 17(i) and (ii) also recognizes right to property.</p>
Right to Freedom of Press and related issues	<p>Article 19(1) (a) implicitly protects freedom of Press under Right to freedom of speech and expression.</p> <p>Violating Right to privacy under Article 21.</p>	<p>Issue of media trials:</p> <p>Aarushi Talwar Murder Case, and others.</p>	<p>The Supreme Court in Romesh Thappar v. State of Madras observed that freedom of the press lay at the foundation of all democratic organisations.</p>
Undertrial	<p>National Crime Records Bureau (NCRB) prison data report, Undertrials in prisons increased to 69 percent in 2019 from 67 percent in 2015, capacity in jails increased by 1.9 percent during this period.</p> <p>Majority of undertrials belong to the marginalized communities and are poor and illiterate (28.6%) or dropped out of school before Class 10th (41%).</p>	<p>Death of activist Stan Swamy, Bombay High Court took up the issues of undertrials and content that Right to speedy trial is a fundamental right.</p> <p>National Campaign Against Torture, a joint initiative by multiple NGOs.</p>	<p>In 1979, Hussainara Khatoon vs State of Bihar formed the basis of the concept of Speedy Trial. It was held that where undertrial prisoners have been in jail for duration longer than prescribed, if convicted, their detention in jail is totally unjustified and in violation to fundamental rights under article 21.</p> <p>In 1994, Kartar Singh vs State of Punjab case declared that right to speedy trial is an essential part of fundamental right to life and liberty.</p> <p>Recommendations of Malimath committee:</p> <ul style="list-style-type: none"> Ratio of judges to population should be increased which will help in disposal of cases very fast. Nyaya Panchayats should be authorized to dispose-off small and petty cases.

Regulation on Hindu Temples

Article-25(1): Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.

Article-25(2): Nothing in this article shall affect the operation of any existing law or prevent the State from making any law—

Article-25(2)(a): regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice;

Article-25(2)(b): providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Article 26-Subject to public order, morality and health, every religious denomination or any section thereof shall have the right

-to establish and maintain institutions for religious and charitable purposes;

-to manage its own affairs in matters of religion

-to own and acquire movable and immovable property; and

- to administer such property in accordance with law.

Madras Hindu Religious Endowments Act of 1925, TN, Bihar, Madhya Pradesh, Rajasthan etc. have similar regulation to control temples

N. Adithyan vs Travancore Devaswom Board, (2002)- The Supreme Court opened priesthood in public temples (including Brahmanical ones) to all castes.

Ratilal v. State of Bombay-The SC had ruled that the power to take over the administration in the event of maladministration financial/mismanagement certainly cannot be termed as violation of Article 26(b) of the constitution of India.

Shirur Math case-In this case, the Supreme Court for the first time declared what is an essential part of religion, and it says that this shall be ascertained regarding the tenets and doctrines of that religion itself.

Dr. Subramaniam Swamy V. State of Tamil Nadu and Ors., 2014 -SC also noted that state's power to regulate a temple does not mean the power to supersede the administration of a temple for an indefinite period.

Kerala's Padmanabhaswamy Temple Case

The Supreme Court granted the erstwhile Travancore royal family the shebaitship rights (right to manage a temple) for the properties belonging to Sri Padmanabhaswamy temple in Kerala. It also directed the setting up of administrative committees for its management.

2. Directive Principles of State Policy

Issues	Cases	Committee/commission
Uniform Civil Code Article 44 of the Constitution	SR Bommai vs Union of India case 1993: Secularism is the basic structure of the Constitution. Many judicial pronouncements (including Mohd. Ahmed Khan v. Shah Bano Begum, 1985 and Sarla Mudgal v Union of India, 1995) of higher judiciary have favoured UCC in some or the other forms.	In 2018 the Law Commission of India in a consultation paper noted that 'a UCC is neither necessary nor desirable at this stage' in the country. However, the Commission suggests certain measures in marriage and divorce that should be uniformly accepted in the personal laws of all religions.
Online gambling	National Sports Development Code of India, 2011", which aims at preventing betting and gambling in sports or any other code applicable from time to time	The Mudgal Committee stated that, "legalising sports betting would reduce the element of black money and the influence of the underworld.

3. Dispute Redressal Mechanisms and Institutions

3.1. Judiciary

Basics	<p>Article-124(SC) - Constitute, appointed by president</p> <p>Article 217(HC) - appointment and conditions of the office of a Judge of a High Court.</p>	<p>Judicial activism: Supreme Court (or High Court) becomes an activist and compels the authority to act and sometimes also direct the government, government policies and administration. Examples: In Lily Thomas v. Union of India case 2013, the Supreme Court declared Section 8 (4) of the Representation of the People Act, 1951, (RPA) as unconstitutional, etc.</p> <p>Judicial overreach: Extreme form of judicial activism where arbitrary and unreasonable interventions are made by the judiciary into the domain of the legislature or executive. Examples: Shyam Narayan Chouksey v. Union of India case 2016, SC made it mandatory for Cinema halls to play the National Anthem.</p>
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Issues	Article/Judicial cases/Issues																		
Pendency of cases	<p style="text-align: center;">PENDENCY OF CASES</p> <table border="1"> <caption>Pendency in Supreme Court (in thousands)</caption> <thead> <tr> <th>Year</th> <th>Pendency</th> </tr> </thead> <tbody> <tr> <td>2006</td> <td>40</td> </tr> <tr> <td>2019</td> <td>60</td> </tr> </tbody> </table> <table border="1"> <caption>Pendency in High Court (in lakhs)</caption> <thead> <tr> <th>Year</th> <th>Pendency</th> </tr> </thead> <tbody> <tr> <td>2006</td> <td>37</td> </tr> <tr> <td>2019</td> <td>44</td> </tr> </tbody> </table> <table border="1"> <caption>Pendency in Subordinate Court (in crores)</caption> <thead> <tr> <th>Year</th> <th>Pendency</th> </tr> </thead> <tbody> <tr> <td>2006</td> <td>2.5</td> </tr> <tr> <td>2019</td> <td>3.1</td> </tr> </tbody> </table>	Year	Pendency	2006	40	2019	60	Year	Pendency	2006	37	2019	44	Year	Pendency	2006	2.5	2019	3.1
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2019	3.1																		
Existing ratio for judge to population	20 : 1 million, recommended by law commission- 50 : 1 million																		
Transfer of Judges	<p>Article 222 (1) - Transfer of Judges from one High Court to another High Court by the President after consultations with the Chief Justice of India (CJI).</p> <p>Third Judges case (1998), the Supreme Court opined that, CJI should consult in addition to collegiums of four senior most judges of Supreme Court, the Chief Justices of two High Courts.</p> <p>Issue: Unusual transfer of the Chief Justice of the Madras High Court (Justice Tahliramani) to Meghalaya High Court and former's resignation from the post.</p>																		
Post-Retirement Appointment of Judges	<p>Article 124(7): Restricts post-retirement appointments in Judiciary itself, but not in posts of president, governor, member of parliament, etc.</p> <p>The former Chief Justice of India, Ranjan Gogoi was nominated to the Rajya Sabha.</p>																		
Regional Bench of Supreme Court	<p>Article 130: The Supreme Court may sit at place(s) other than Delhi on the order of the Chief Justice of India with the prior approval of the President of India</p> <p>The Vice President of India has suggested setting up four Regional Benches of the Supreme Court. Currently, the Supreme Court sits in Delhi.</p>																		

RTI and Judiciary	In Supreme Court of India vs Subhash Chandra Agarwal case: A five-judge Constitution Bench of Supreme Court declared that the Office of the Chief Justice of India (CJI) is a ' public authority ' under the Right to Information (RTI) Act.
Gender Gap and Sensitisation in Judiciary	The present 34-member Supreme Court has four women - the most ever . Recently 3 women were appointed as SC judge-Justices Ruth Bader Ginsburg, Sonia Sotomayor, and Elena Kagan .
CJI as the "master of the roster"	Article 145: Supreme Court with the approval of the President may make rules regulating the practice and procedure of the Court. In November 2018 , Constitution Bench, led by the CJI, Dipak Misra , declared that "the Chief Justice is the master of the roster and he alone has the prerogative to constitute the Benches of the Court and allocate cases to the Benches so constituted."
All India Judicial services	Article 312 of the Constitution provides for creation of an all-India Judicial service. Swaran Singh Committee in its recommendation in 1976 called for creation of the same.
Virtual Courts and Live Streaming of Court Proceedings	<ul style="list-style-type: none"> Recently, the Gujarat High Court has become the first Court to live stream judicial proceedings on YouTube channel. The Supreme Court in Swapnil Tripathi v Supreme Court of India (2018) case had ruled in favour of opening up the apex court through live-streaming. The Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice has presented its report "Functioning of the Virtual Courts/Courts Proceedings through Video-Conferencing". Other e-initiatives: National Judicial Data Grid, Legal Information Management & Briefing System (LIMBS), Interoperable Criminal Justice System (ICJS).
Reforms in Judiciary	<ol style="list-style-type: none"> e-Courts Mission mode project - District and session courts Promotional alternative dispute resolution mechanism Draft national litigation policy Enactment of commercial courts. Extension of Centrally sponsored scheme for Development facility for judiciary (2021-26)

3.2. Contempt of Court

What	Refer to the offer of showing disrespect to dignity/authority of the court	
Constitutional provisions	Article 19(2)	Reasonable restriction
	Article 129 and 215	SC/HC power to punish
	Article 142(2)	Power of SC to punish for contempt or seek attendance of the person
	Article 216	Full faith and credit shall be given to judicial proceeding

Legal provision	Contempt of court act 1971	Defines contempt of court. <ol style="list-style-type: none"> Civil contempt- Disobedience of order Criminal contempt <ul style="list-style-type: none"> Interferes or tends to interfere with judicial proceedings. scandalizing the court Punishment - 6 months imprisonment or Rs 2000 fine Note: Cannot initiate contempt proceeding after one year of alleged contempt.
Exception	<ul style="list-style-type: none"> Fair and accurate reporting of Judicial proceedings Fair criticism on merit of judgement Merely defamatory attack on Judge and not intended to interfere in Proceedings 2006 - Amended-Introduced TRUTH as a valid defense if done in PUBLIC INTEREST 	
Example	Judgement: Prashant Bhushan contempt case targeting the current Chief Justice of India. Earlier, Ranbaxy promoters were found guilty of contempt for violating SC order.	

3.3. Gram Nyayalayas

Gram Nyayalayas	<ol style="list-style-type: none"> Context: Supreme Court has directed all the states to come out with notifications for establishing 'Gram Nyayalayas'. Gram Nyayalayas or village courts are established under the Gram Nyayalayas Act, 2008 and have both Civil and Criminal jurisdiction over the offences. <p>Expected to reduce around 50% of the pendency of cases in subordinate courts. However, only 208 'Gram Nyayalayas' are functioning in the country as against 2,500 estimated to be required by the 12th FYP.</p>
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3.4. Tribunals

Provisions	Suggestions
<ul style="list-style-type: none"> Quasi- judicial administrative body Neither court nor executive body <ul style="list-style-type: none"> Guided by Principles of Natural Justice Power of Civil court 	<p>Arguments given by apex court in Madras Bar Association vs Union Of India case</p> <ul style="list-style-type: none"> Fixing a minimum age for recruitment and a short tenure of Members of tribunals would act as a deterrent for competent persons to seek appointment Executive influence should be avoided in matters of appointments to tribunals.

3.5. ADR Mechanism

Process	Recent changes
<p>The diagram illustrates four methods of Alternative Dispute Resolution (ADR) around a central table where three people are seated. The central text reads: ALTERNATIVE DISPUTE RESOLUTION and 4 WAYS TO STAY OUT OF COURT OR TO GET OUT OF COURT.</p> <ul style="list-style-type: none"> ARBITRATION: Binding Award. An arbitrator considers evidence. NEGOTIATION: Voluntary Agreement. Parties work out a solution directly. CONCILIATION: Non-Binding Recommendations. A conciliator explains the law. MEDIATION: Facilitated Negotiation. A mediator facilitates problem solving. 	<ul style="list-style-type: none"> Present act: The Arbitration and Conciliation Act, 1996. Arbitration and Conciliation (Amendment) Act, 2021. Online Dispute Resolution (ODR): There were calls for advancing ODR in India including by NITI Aayog CEO.

4. Elections and Electoral Reforms

Relevant articles:	<p>Article 324: Superintendence, direction and control of elections to be vested in an Election Commission.</p> <p>Article 325: No person to be ineligible for inclusion in, or to claim to be included in a special electoral roll on ground of religion, race, caste or sex.</p> <p>Article 326: Elections to the Lok Sabha and Legislative Assemblies of States to be on the basis of adult suffrage.</p> <p>Article 327: Power of Parliament to make provision with respect to elections to legislature.</p> <p>Article 328: Power of Legislature of a State to make provision with respect to elections to such Legislature.</p> <p>Article 329: Bar to interference by courts in electoral matters.</p>										
Reforms till now:	<ul style="list-style-type: none"> > Limits on Expenditure: Between Rs. 54-70 lakhs for Parliamentary constituencies and Rs. 20-28 lakhs for Assembly constituencies. > Electoral Bonds: To cleanse the system of political funding in the country. Declaring of criminal antecedents, assets, etc. by the candidates is required. > Systematic Voters' Education and Electoral Participation Programme (SVEEP) to educate the voters. > Other measures: Restriction on exit polls, Voting through postal ballot etc. 										
Issues	Data/Facts/Example/Judicial cases										
Electoral Bonds:	<p>Chanel of Black-money: Eliminating a cap of 7.5% on corporate donations, electoral bonds have also been exempted from IT Act and are also opened for foreign funding.</p> <p>Further, as of November 2019, nearly 76.5% of the electoral bonds purchased during 2018-19, cannot be traced to any specific political party.</p> <p>% VALUE OF ELECTORAL BONDS PURCHASED BY DENOMINATION</p> <table border="1"> <thead> <tr> <th>Denomination</th><th>% Value</th></tr> </thead> <tbody> <tr> <td>Rs 1,00,00,000</td><td>91.76 %</td></tr> <tr> <td>Rs 10,00,000</td><td>7.95 %</td></tr> <tr> <td>Rs 1,00,000</td><td>0.27 %</td></tr> <tr> <td>Remaining Rs 10,000 and Rs 1000</td><td>0.02 %</td></tr> </tbody> </table>	Denomination	% Value	Rs 1,00,00,000	91.76 %	Rs 10,00,000	7.95 %	Rs 1,00,000	0.27 %	Remaining Rs 10,000 and Rs 1000	0.02 %
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One Nation One Election	<p>They were the norm until 1967. But following dissolution of some Legislative Assemblies in 1968 and 1969 and that of the Lok Sabha in December 1970, elections to State Assemblies and Parliament have been held separately.</p> <p>Recommendations: Law Commission of India and Election Commission recommended for simultaneous elections. The 79th report of the parliamentary standing committee on Law and Justice recommended a two phase election schedule – one concurrent with Lok Sabha elections, the second in the mid-term of the Lok Sabha.</p>
State Funding of Elections	<p>Recommendations on State Funding: Indrajit Gupta Committee (1998) & Dinesh Goswami committee suggested that state funding would ensure a level playing field for poorer political parties, Law Commission Report (1999) stated that state funding of elections is desirable.</p>
Single Voters' List	<p>Article 324(1) empowers the EC to supervise, direct, and control and revise electoral rolls for all the elections to Parliament and state legislatures. While, Articles 243K and 243ZA deal with elections to panchayats & municipalities in the states and a constitutional amendment would be required for common voters' list.</p> <p>Recommendations by Various Committees: Law Commission in its 255th report recommended for a single electoral roll.</p>
Model Code of Conduct	<p>MCC does not have any statutory backing but certain provisions of the MCC may be enforced through invoking corresponding provisions in other statutes such as the Indian Penal Code 1860, Code of Criminal Procedure 1973, and Representation of the People Act 1951.</p> <p>The Standing Committee on Personnel, Public Grievances, Law and Justice, recommended making the MCC legally binding and recommended that the MCC be made a part of the RPA 1951.</p>
Delimitation Commission	<p>Article 82, the Parliament enacts a Delimitation Act which establishes a delimitation commission. Under Article 170, States also get divided into territorial constituencies as per Delimitation Act after every Census.</p>
Women Participation in politics	<p>Between the First Lok Sabha (1952) and the Seventeenth Lok Sabha (2019) women's representation has increased from 4.4 per cent to 14.4 percent, while the Global average is 22.9 percent.</p> <p>More women representation in local bodies: There are approximately 13.45 lakh Elected Women Representatives (EWRs) in PRIs which constitute 46.14% of total Elected Representatives (ERs). Women sarpanchs accounted for 43 per cent of total gram panchayats (GPs) across the country.</p>
Proliferation of social media	<p>The number of social media users in India has doubled in the last 3 years to presently over 350 millions, of which 70% are active social media users.</p> <p>The recommendations of Umesh Sinha Committee on Section 126 of RPA Act and provisions of Model Code of Conduct in view of social media expansion need to be adopted.</p>

5. The Role of NGOs, SHGs, Various Groups and Associations, Donors, Charities, Institutional and other Stakeholders

Relevant articles	Data/facts	Examples/issues	Committee/commission
<p>Article 19(1)(c) which allows the right to form associations.</p> <p>Article 43 to promote cooperatives in rural areas.</p> <p>Concurrent List mentions charitable institutions, charitable and religious institutions.</p> <p>Foreign Contribution (Regulation) Act, 2010 (FCRA): Under Ministry of Home Affairs to monitor foreign funds donated to NGOs.</p>	<p>Government has banned 14,500 NGOs, registered under FCRA, from receiving foreign funds.</p> <p>Less than 10% of NGOs have complied with the rules and more than 90% do not submit their balance sheets.</p> <p>NGOs activities cost India's GDP 2-3% per year.</p>	<p>'Compassion International': Banned due to Religious and cultural encroachment.</p>	<p>The National Accreditation Council consisting of academicians, activists, retired bureaucrats should be established to ensure compliance by NGOs.</p> <p>Recommendations of Vijay Kumar Committee: Modernising registration process for seamless operation of the applicable provisions of the IT (Income Tax) Act and FCRA with respect to NGOs.</p> <p>2nd ARC report recommendations: FCRA should be decentralised and delegated to State Governments/ District Administration.</p>

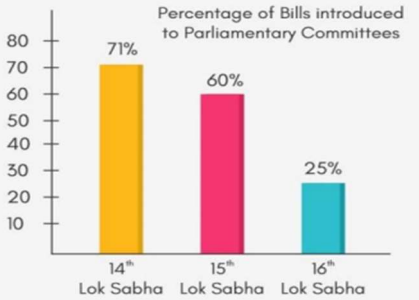
6. Government Policies and Interventions for the Development of Various Sectors

6.1. Cooperatives

<p>97th Amendment Act: This Amendment Act relates to effective management of co-operative societies in the country.</p> <p>Article 19(1)(c): It guarantees freedom to form associations or unions or cooperative societies subject to certain restrictions.</p> <p>Article 43 B: It says that states shall endeavor to promote voluntary formation, autonomous functioning, democratic control and professional management of cooperative societies.</p> <p>Part IXB of the Constitution: It dictated the terms for running cooperative societies.</p>	<p>New Ministry of Co-operation to streamline the co-operative movement in India.</p> <p>The Banking Regulation (Amendment) Act, 2020 which gives RBI the powers to supersede boards of Co-operative Banks and enables mergers and acquisitions in public interest.</p>	<p>The SC has held that co-operative societies come under the "exclusive legislative power" of State legislatures.</p> <p>A three-judge bench of the Supreme Court annulled part of the 97th Amendment Act and Part IX B of the Constitution which governs the "Cooperative Societies" in the country.</p>
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7. Parliament and State Legislatures

Issues	Article	Data/Committee/Judicial cases
Functioning	Article 85 of the Constitution, the time gap between two sessions cannot be more than six months.	<p>Disruptions during Question Hour: In the 16th Lok Sabha, question hour has functioned in Lok Sabha for 77% of the scheduled time, while in Rajya Sabha it has functioned for 47%. Also, over the years, there has been a decline in the sitting's days of Parliament.</p> <p>Declining trend in referring bills to the parliamentary committees: For example, while 60% of the Bills in the 14th Lok Sabha and 71% in the 15th Lok Sabha were vetted by the Parliamentary committees, this proportion came down to 27% in the 16th Lok Sabha.</p>

Anti-defection	<p>52nd amendment act 1985</p> <p>Tenth Schedule also known as Anti-defection Law.</p>	<p>Kihoto Hollohan versus Zachillu and Others, 1992-SC said that judicial review is applicable on a Speaker's decision but cannot be available at a stage prior to the making of a decision by the Speaker/Chairman.</p> <p>Keisham Meghachandra Singh vs. the Hon'ble Speaker Manipur Legislative Assembly & Ors. (2020) case SC held that disqualification petitions under the Tenth Schedule should be decided by Speakers within three months.</p> <p>"Administrative Reforms Commission's Report titled 'Ethics in Governance' and various other expert committees have recommended that the issue of disqualification of members on grounds of defection should be decided by the President/Governor on the advice of the Election Commission.</p> <p>The Supreme Court said the "Parliament should amend the Constitution to substitute the Speaker with a permanent Tribunal headed by a retired Supreme Court Judge or a retired Chief Justice of a High Court, or some other outside independent mechanism, to ensure that such disputes are decided both swiftly and impartially."</p>
Parliamentary Committees	 <p>Bypassing parliamentary committees</p>	<p>In the first session of the 17th Lok Sabha, 14 bills were passed and none were scrutinised by any Parliamentary Committee. Important bills like the RTI amendment Bill 2019, UAPA bill 2019 etc.</p> <p>Recommendations of the National Commission to Review the Working of the Constitution, 2002 like referring all bills to the Committees, longer tenure for its members and strengthening the Committees with adequate research support shall be taken up.</p>
Parliamentary privileges	<p>Article 105 and Article 194 mentions two privileges, i.e. freedom of speech in Parliament & State Legislature and right of publication of its proceedings respectively.</p>	<p>Recent cases of Breach of Parliamentary privileges: Maharashtra State Legislature moved motions of breach of privilege against Arnab Goswami and Kangana Ranaut.</p> <p>Reforms: Australia passed Parliamentary Privileges Act in 1987</p>
Misuse of powers of Speaker	<p>Article 93: The Speaker and Deputy Speaker of the House of the People.</p> <p>Article 94 to 96 are further provisions related to the speaker of the Lok Sabha.</p>	<p>The partisan role of the speaker in states like Manipur, Karnataka, Rajasthan, etc. with respect to disqualification of members of legislature.</p> <p>The Supreme Court in Jagjit Singh versus State of Haryana (2006) case highlighted the similar allegations about the confidence on the role of Speaker in the matters of impartiality.</p>
9th schedule	<p>Added by the 1st Amendment to the Constitution, which inserted Article 31B to shield laws being inconsistent with the Fundamental Rights. It also has Retrospective Operation.</p>	<p>IR Coelho versus State of Tamil Nadu case, SC observed that Judicial review is a basic feature of the Constitution and laws placed under 9th schedule after 24th April, 1973 are open to Judicial scrutiny.</p>

8. Separation of Power

Relevant articles	Provision for check and balances	Judicial cases
<p>Article 50: Obligation over the State to separate the judiciary from the executive.</p> <p>Article 361: The President and Governors enjoy immunity from court proceedings.</p> <p>Article 105 and 194: Privileges to MPs and MLAs.</p> <p>Article 122 and 212: Validity of proceedings in Parliament and the Legislatures cannot be called into question in any Court.</p> <p>Articles 121 and 211: These provide that the legislatures cannot discuss the conduct of a judge of the Supreme Court or High Court.</p>	<p>Overlap/checks and balance:</p> <p>Article 13: Judicial review.</p> <p>Article 32 and 226: Right to constitutional remedies.</p> <p>Article 142: Extraordinary power to the SC to do complete justice.</p>	<p>Supreme court Judgements:</p> <p>SC in the Kesavananda Bharati case (1973), stated that the doctrine of separation of powers is an integral part of the basic feature of the Constitution.</p> <p>In Indira Nehru Gandhi v. Raj Narain, 1975 case SC held that in the Indian Constitution, there is separation of powers in a broad sense only.</p>


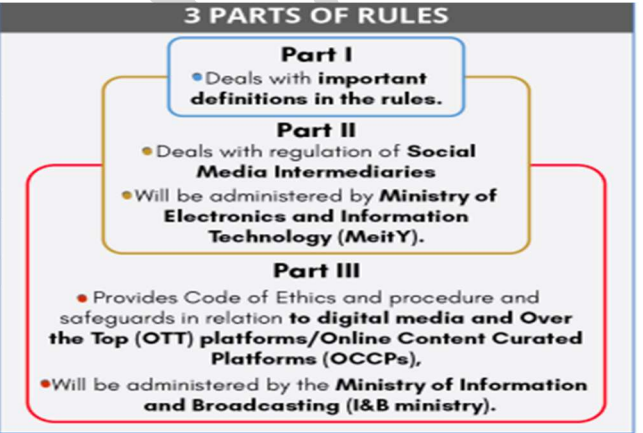
9. Federalism

Issues	Relevant articles/Judicial cases/Data
Asymmetric Federalism in context of J&K:	<ol style="list-style-type: none"> Article 35A of the Indian Constitution gave powers to the Jammu and Kashmir Assembly to define permanent residents of the state, their special rights and privileges. Article 370 was inserted in the part XXI of the Constitution that proclaimed it to be "Temporary, Transitional and Special Provision" and provided for a special status to Jammu and Kashmir (J&K). Constitution (Application to Jammu and Kashmir) Order, 2019: Stated that provisions of the Indian Constitution were applicable in the State.
Asymmetric Federalism: Other relevant articles:	<ol style="list-style-type: none"> Article 371: Special provisions with respect to certain states 5th schedule: The administration and control of Scheduled Areas as well as of Scheduled Tribes residing in any State other than the States of Assam, Meghalaya, Tripura and Mizoram. 6th schedule: Provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram.
Economic asymmetry	Finance Commission Grants, Special category States, state disaster relief funds and compensates for any revenue loss to states after devolution of taxes.
6th Schedule	<p>Bordoloi Committee formed by the Constituent Assembly regarding the special provisions:</p> <p>Article 244 provides a special system of administration for certain areas designated as 'scheduled areas' and 'tribal areas.'</p> <p>Article 275 makes provisions for statutory grants to be charged on Consolidated Fund of India.</p> <p>Arunachal Pradesh assembly unanimously passed a resolution for the entire state to be included in the Sixth Schedule of the Constitution.</p>

	Article 371(A) and 371(G) in line with Nagaland and Mizoram (provides special protection with respect to religious and social practices, customary laws).	
Government of National Capital Territory of Delhi (Amendment) Act (GNCTD) 2021	<p>69th constitutional amendment act 1991.</p> <p>Article 239AA: Special status to Delhi among the UTs.</p> <p>Article 239AA (4): The L-G has the power to refer any matter, over which there is a disagreement with the elected government, to the President.</p> <p>Article 239AB: Provisions in case of failure of constitutional machinery.</p>	<p>People's Union for Civil Liberties (2002) case, SC held that the legislature has no power to negate the decision of the court.</p> <p>Government of NCT of Delhi v. Union of India (UoI) 2018: The L-G would be bound by the aid and advice of the Council of Ministers (CoM) in matters that were not directly under the control of the L-G.</p>

<p>Issues-1: Inter-state water dispute:</p> <p>Article 262 provides: Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river or river valley.</p> <p>The Inter-State River Water Disputes (Amendment) Bill, 2019.</p> <p>River Boards Act, 1956 and Inter-State Water Disputes Act, 1956.</p> <p>Under Seventh schedule:</p> <p>1. Entry 17 of State List deals with water i.e., water supply, irrigation, canal, drainage, embankments, water storage and water power.</p> <p>2. Entry 56 of the Union List gives power to the Union Government for the regulation and development of inter-state rivers and river valleys to the extent declared by Parliament to be expedient in the public interest.</p> <p>Steps: National Water Informatics Centre (NWIC), Water Resources Information System (India WRIS)</p>	<p>Issues-2: Devolution of powers and finances up to local government level:</p> <p>Article 243K states that the SEC shall not be removed from his office except in like manner and on the like ground as a Judge of a High Court.</p> <p>In the Kishan Singh Tomar case of 2006, SC clarified that ECI and SEC enjoy the same status and power.</p> <p>The Bhuria Committee 1991 recommendations paved the way for the enactment of the PESA Act, 1996.</p> <p>2nd ARC recommendations: Chairperson/Mayor should be directly elected, Full autonomy over the functions/activities devolved, Land banks should be leveraged for generating resources.</p>
<p>Issues-3: Challenges in the devolution of power: (Tribal context)</p> <p>XAXA committee recommendations: Restoration of alienated land to the tribal owners as per the provisions of the PESA and the confirmatory Acts by various States, FRA, 2006 could be utilized in eco-forestry rather than for food grain cultivation, which could give more return to the ST farmers.</p>	<p>Issues-4: One Nation One Language</p> <p>Article 351: It shall be the duty of the Union to promote the spread of the Hindi language.</p> <p>Article 343 gives power to parliament to decide by law, the languages to be used for official work.</p> <p>Article 344 provides for the constitution of a parliamentary committee every 10 years to recommend to the President regarding progressive use of the Hindi language.</p>

10. Governance

E-GOVERNANCE	<p>DATA GOVERNANCE QUALITY INDEX</p> <p>The Department of Fertilizers has been ranked 2nd amongst the 16 Economic Ministries on Data Governance Quality Index (DGQI).</p> <p>PUBLIC INTENT DATA</p> <p>Recently, the World Bank's World Development Report has highlighted the concept of Public Intent Data.</p>	 <p>Types of Public Intent Data:</p> <ul style="list-style-type: none"> • Administrative data • Census data • Sample surveys • Geospatial data
INFORMATION TECHNOLOGY (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) RULES, 2021	<p>Rules 2021 has been framed by the Central Government in exercise of powers under section 87 (2) of the Information Technology Act, 2000</p>	
REGULATION OF BIG TECH COMPANIES	<p>There are multiple investigations worldwide going on the abuse of monopolistic power by the Big Tech firms like Facebook, Google etc.</p> <p>Section 79-II of the IT Act, 2000: It currently exempts online intermediaries from liability for any third-party content shared on their platform.</p>	<p>Regulatory Mechanism for big tech in India:</p> <ul style="list-style-type: none"> • IT Act 2000: governs all activities related to the computer resources • Competition Commission of India: to promote and sustain competitive culture • Enforcement Directorate: to look into FDI case in B2C enterprises
CITIZEN CHARTER	<p>The Ministry of Panchayati Raj has released a Model Panchayat Citizens Charter framework.</p> <p>Article 243G: Panchayats are responsible for delivery of basic services specifically in the areas of Health & Sanitation, Education, Nutrition, and Drinking Water.</p>	<p>Principles of Citizen Charter:</p> <ul style="list-style-type: none"> • Transparency • Accountability • Value • Quality • Standards • Choice

SOCIAL ACCOUNTABILITY	A State-wide campaign has been launched in Rajasthan for demanding passage of the social accountability law in the next Assembly session.	Need for social accountability <ul style="list-style-type: none"> • Citizen empowerment • Improved governance • To compensate traditional audit mechanism

11. Local Governance

Important Constitutional provisions related to PRIs and ULBs

Article 243A	Gram Sabha
Article 243B	Three-tier system of panchayats at village, intermediate and district level
Article 243C	Composition of Panchayats
Article 243D	Seats are to be reserved for SCs/STs
Article 243F	All persons who are qualified to be chosen to the state legislature shall be qualified to be chosen as a member of Panchayat
Article 243G	Subjects as devolved by law to the various levels of Panchayats as illustrated in Eleventh Schedule
Article 243K	Independent Election Commission in each state
Article 243ZD	District Planning Committee to consolidate plans prepared by Panchayats and Municipalities.

Sector	Relevant article	Initiative
URBAN LOCAL GOVERNANCE	The 74th CAA added a 12th Schedule containing 18 functional items for ULBs.	<p>The Ministry of Housing and Urban Affairs announced the release of the final rankings of the Municipal Performance Index (MPI) 2020.</p> <p>Indore topped the index in municipalities with million-plus population, while New Delhi in cities with less than a million people.</p>
RURAL LOCAL GOVERNANCE	Article 243G of the Constitution of India mandates the Gram Panchayats (GPs) to prepare and implement Gram Panchayat Development Plan .	The Union government launched the People's Plan Campaign 2021- Sabki Yojana Sabka Vikas and Vibrant Gram Sabha Dashboard.
ASPIRATIONAL DISTRICTS PROGRAMME	Recently, an assessment report of the Aspirational Districts Programme was released jointly by Institute for Competitiveness (IFC) and Social Progress Imperative.	Under the programme, NITI Aayog releases Delta Ranking that ranks districts based on the monthly improvement achieved in the six focus areas through the Champions of Change dashboard (an online Dashboard).

12. Transparency and Accountability

Issues	Relevant provisions/Data/Facts	Remarks
WHISTLE-BLOWING	<p>Provisions in India</p> <p>Companies Act, 2013: It makes it mandatory for entities listed on stock exchanges to set up an audit committee to investigate whistle-blower complaints.</p> <p>SEBI PIT (Prohibition of Insider Trading) Regulations: to reward whistle-blowers and other informants for sharing information about insider trading cases.</p>	<p>Recently, the Vice-President of India has suggested that all corporations encourage whistle-blowing mechanisms.</p> <p>Whistleblowing is the act of drawing attention to an authority figure or public, to perceived wrongdoing, misconduct, Corruption, fraud and unethical activity within public, private or third-sector organisations.</p>
RIGHT TO INFORMATION	<p>The Central Information Commission (CIC) recently released its annual report (for 2019-20).</p> <p>Section 8(1) (j) saw the highest use. It permits denial of access to personal information if disclosure is likely to cause unwarranted invasion of the privacy of the individual concerned</p>	<p>RTI Amendment Act 2019: The Act seeks to empower the central govt on deciding salaries, and other terms of services of information commissioners.</p>
INTEGRITY PACT	<p>The Central Vigilance Commission (CVC) has amended the Standard Operating Procedure (SOP) on adoption of "Integrity Pact" in government organisations.</p> <p>IP is a vigilance tool that envisages an agreement between the prospective vendors/bidders and the buyer, committing both the parties not to exercise any corrupt influence on any aspect of the contract.</p> <p>IP was developed by Transparency International in the 1990s.</p>	<p>Advantage of Integrity pact</p> <ul style="list-style-type: none"> • Faster processing of contract • Improve company image • Reduced lawsuit • Improve profitability by 8%-10% <p>IP has 3 layers:</p> <ul style="list-style-type: none"> • The Principal or the Company • The Vendor/Bidder • The Independent External Monitor
TELEVISION RATING IN INDIA	<p>The Ministry of Information and Broadcasting has constituted a committee to review guidelines on Television Rating agencies in India.</p> <p>TRP is the criterion that indicates the popularity of a channel or programme.</p>	<p>BARC India commenced its operations in 2015 and since then it is the sole provider of Television Rating services on a commercial basis.</p>

13. Role of Civil Service

MISSION KARMAYOGI	Recently, the Cabinet approved "Mission Karmayogi"- National Programme for Civil Services Capacity Building (NPCSCB).	The Programme will be delivered by setting up an Integrated Government Online Training-iGOT Karmayogi Platform.
CIVIL SERVICE REFORMS	Observations by 2nd ARC regarding functioning of civil services in India: <ul style="list-style-type: none"> • More concerned with internal processes than with the results • Plagued with systemic rigidities, needless complexities, and over centralization • Structures based on hierarchies • Overloaded decision making system • Resistance to change 	Reforms required: 2nd ARC recommendations: <ul style="list-style-type: none"> • Stage of entry: Bridge courses, Induction of officers of state civil services to the IAS; National Institute of Public Administration to run bachelor's degree programs in public administration • Training and capacity building: mandatory training at the induction stage and also periodically; should be encouraged to obtain higher studies • Placement at Middle and senior management levels.

14. Constitutional Bodies

Organisation	Relevant Information
Finance commission	<ul style="list-style-type: none"> • Under Article 280, the Finance Commission is constituted by the President of India every fifth year. • Functions: Governs the grants-in-aid (Article 275), sharing net proceeds between centre & States, augments the consolidated Fund of state, etc. • Current aspects: 15th Finance Commission (Chair: Mr. N.K. Singh) submitted 2 reports- First for the financial year 2020-21 and final report with recommendations for the 20210-26 period.
National Commission for SCs	<ul style="list-style-type: none"> • Article 338 establishes the National Commission for SCs • Functions: Investigate and monitor constitutional and other legal safeguards for the SCs, advice on the socio-economic development of SCs, powers of a civil court, etc. • Current aspects: NCSC has been without a chairman and other members for five months now.
National Commission for Scheduled Tribes	<ul style="list-style-type: none"> • Article 338A establishes the National Commission for STs. • Besides functions similar to the National Commission on SCs, some more functions were entrusted to the commission in 2005.
National Commission for Backward Classes	<ul style="list-style-type: none"> • It has been constituted under new article 338B of the constitution of India as amended by the 102nd Amendment Act 2018. • Earlier, the Backward Class Commission (as per article 340) was appointed in 1950s and 1970s under Kaka Kalelkar and B.P. Mandal respectively.
Special Officer for Linguistic Minorities	<ul style="list-style-type: none"> • Article 350-B states that there should be a special Officer for the Linguistic Minorities. • Functions: Duty of the Special Officer to investigate all matters relating to the safeguards provided for the linguistic minorities under the constitution.

	<ul style="list-style-type: none"> Constitutional safeguards for the linguistic minorities: Article 29 & 30, Article 350, 350A & B.
Comptroller and Auditor General of India:	<ul style="list-style-type: none"> Article 148 provides for an independent office of the CAG of India. Other constitutional provisions: Articles 149-151 (Duties and powers), Articles 279 (Calculation of net proceeds). Examples highlighting key roles: 2G spectrum allocation, coal mining allocation, fodder scam. Controversies and criticisms: only a recommendatory role to play, Lack of clarity on the issues of whether CAG can audit the power distribution companies or PPP projects, no mechanism for CAG to enforce its fiat.
Attorney General of India	<ul style="list-style-type: none"> Article 76 provides for the office of the Attorney General of India. Functions: Advise Government on legal matters, appear on behalf of the government in all cases in the Supreme Court or in any case in any High Court, etc. In BP Singhal 2010, the SC has stated that AG holds public office.
Advocate General of State	<ul style="list-style-type: none"> Article 165 provides for the office of the Advocate General of State. Same functions as the Attorney General at the center with respect to the state.
Goods and Services Tax Council	<ul style="list-style-type: none"> As per Article 279A, the GST council is constituted. Impact of GST Council: Rationalization of Tax rates, Simplification of compliance burden, the council has also recommended the formation of a Group of Ministers (GoM) to study the revenue trend. Issues: Recent GST compensation-related issues, Falling states economy (due to COVID).
Election Commission of India	<ul style="list-style-type: none"> Article 324 states that the power of superintendence, direction, and control of elections to the parliament, state legislatures, the office of President and Vice-President shall be vested in the EC. Contribution of ECI: Recently, the commission has taken steps to check paid news use of money power, abuse of social media, etc. Issues: No prescribed qualifications in the constitution, Postretirement appointment, lack of legal backing of MCC.
Union Public Service Commission	<ul style="list-style-type: none"> Article 315 to 323, has elaborately defined powers and functions of the UPSC. Functions: Recruitment to services & posts under the union and all India services, advising for the appointment on promotion or transfer-on-deputation, etc. Limitations: Recommendations are only advisory in nature, not concerned with the classification of services, pay and service conditions, cadre management, training, reservation, etc.

15. Landmark Judgements of Supreme Court of India

Cases	Judgement
A.K Gopalan vs. State of Madras Case 1950	<ul style="list-style-type: none"> The SC contended that there was no violation of Fundamental Rights enshrined in Articles 13, 19, 21, and 22 under the provisions of the Preventive Detention Act if the detention was as per the procedure established by law. Here, the SC took a narrow view of Article 21.
State of Madras vs. Champakam Dorairajan 1951	<ul style="list-style-type: none"> The Supreme Court ruled that the supremacy of fundamental rights would prevail in case of any conflict between Fundamental Rights and DPSP.

	<ul style="list-style-type: none"> However, it also held that the FR could be amended by Parliament by enacting the constitutional amendment acts to implement the directives.
Shankari Prasad vs. Union of India 1951	<ul style="list-style-type: none"> Held that Parliament's amending power under Article 368 also includes the power to amend the FR guaranteed in part 3 of the constitution. The court upheld the validity of the 1st constitutional amendment, which curtailed the rights of property by inserting Article 31A and 31B.
Berubari Union Case 1960	<ul style="list-style-type: none"> The SC examined Article 3 in detail and held that the Parliament cannot make laws under the article in order to execute the above agreement.
Golaknath vs. the State of Punjab	<ul style="list-style-type: none"> SC held that Parliament could not amend FR and power to amend the Constitution would be only with a Constituent Assembly.
Maneka Gandhi vs. Union of India 1978	<ul style="list-style-type: none"> The Supreme Court took a wider interpretation of Article 21 and held that it is included in the Right to Personal Liberty. The SC also ruled that the mere existence of an enabling law was not enough to restrain personal liberty. Such a law must also be "just and reasonable".
Minerva Mill Vs. Union of India, 1980	<ul style="list-style-type: none"> The court ruled that the power of the Parliament to amend the constitution is limited by the constitution. Hence the parliament cannot exercise this limited power to grant itself unlimited power. It held that the balance between part III and part IV is integral for the constitution as they together constituted the core of the commitment to social revolution.
Waman Rao Vs. Union of India 1981	<ul style="list-style-type: none"> In this case, the implications of the basic structure doctrine for Article 31-B were re-examined. The court drew a line of demarcation on April 24th, 1973 (The date of Keshavananda Bharati's decision) and held that it should not be applied retrospectively to reopen the validity of any amendment to the constitution, which took place on 24-04-1973. It meant all the amendments added to the 9th schedule before that date was valid.
Mohd. Ahmed Khan vs. Shah Bano Begum 1985	<ul style="list-style-type: none"> The SC upheld the right to alimony for a Muslim woman and said that section 125 of the code of Criminal Procedure, 1973 is applicable to all citizens irrespective of their religion. The SC for the first time directed the Parliament to frame a Uniform Civil Code (UCC).
MC Mehta vs. Union of India, 1986	<ul style="list-style-type: none"> The case is also famous as the Bhopal Gas Tragedy case. The court in this case extended the scope of Articles 21 and 32 of the constitution of India. SC held that its power under Article 32 is not restricted to preventive measures, but also remedial measures when rights are violated.
Indira Shawney vs. Union of India 1992	<ul style="list-style-type: none"> In this case, the scope and extent of Article 16(4), which provides for the reservation of jobs in favor of backward classes were thoroughly examined by the SC. It upheld the constitutional validity of 27% reservation for the OBCs with certain conditions (like creamy layer exclusion, no reservation in promotion, the total reserved quota should not exceed 50%, etc.) It held that a permanent statutory body should be established to examine complaints of over-inclusion and under-inclusion in the lists of OBCs.
S.R. Bommai vs. Union of India, 1993	<ul style="list-style-type: none"> The SC tried to curb the blatant misuse of Article 356 (regarding the imposition of the President's Rule on states).

	<ul style="list-style-type: none"> The verdict concluded that the power of the President to dismiss a state government is not absolute. It also held that secularism is the basic structure of the constitution.
Vishakha and others vs. State of Rajasthan 1997	<ul style="list-style-type: none"> The verdict gave the Vishakha guidelines to prevent sexual harassment of working women. It held that sexual harassment is against women's dignity and its violation of Articles 14, 15 (1), and (2) of the constitution. Later Parliament Formulated, "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013".
I.R. Coelho vs. State of Tamil Nadu 2007	<ul style="list-style-type: none"> The SC ruled that laws falling under the 9th Schedule can not have any immunity from judicial review. The Woman Rao ruling ensured that acts and laws mentioned in the IX schedule till 24th April 1973, shall not be changed or challenged, but any attempts to amend or add more acts to that schedule will suffer close inspection and examination by the judiciary.
Aruna Ramchandra Shanbaug Vs. Union of India & Ors 2011	<ul style="list-style-type: none"> The SC ruled that individuals had a right to die with dignity, allowing passive euthanasia with guidelines.
Lily Thomas vs. Union of India 2013	<ul style="list-style-type: none"> The court struck down Section 8(4) of the Representation of the People's Act (RPA)- 1951 as unconstitutional. It held that charge-sheeted Members of Parliament and MLAs, on conviction for offenses (minimum of 2 years), will be immediately disqualified from holding membership of the House without being given three months' time for appeal, as was the case before.
PUCL vs. Union of India 2013	<ul style="list-style-type: none"> The verdict directed the use of None of the above (NOTA) options in the context of the direct elections to the Lok Sabha and the respective state assemblies.
National Legal Services Authority vs. Union of India 2014	<ul style="list-style-type: none"> The case resulted in the recognition of transgender persons as a third gender. It affirmed that the fundamental rights granted under the constitution of India will be equally applicable to them, and gave them the right of self-identification of their gender as male, female or third gender.
Justice K.S. Puttaswamy vs. Union of India 2017	<ul style="list-style-type: none"> SC ruled that the Fundamental Right to Privacy is intrinsic to life and liberty and thus, comes under Article 21 of the Indian Constitution. It laid out a proportionality test stating it would not be an Absolute right and will have some reasonable restrictions in matters of national security and mutual interest of the citizens and the state.
Navtej singh Johar vs. Union of India 2018	<ul style="list-style-type: none"> Held that Section 377 of the Indian Penal Code 1860 (IPC), as unconstitutional. SC made it clear that Article 14 of the constitution guarantees equality before the law and this applies to all classes of citizens thereby restoring "inclusiveness: of the LGBTQ community.
Joseph Shine vs. Union of India 2018	<ul style="list-style-type: none"> The verdict scrapped the pre-independence provision of adultery law under section 497 of IPC. It stated that section 497 seems outdated and it appears to violate Articles 14 and 21.
Indian Young Lawyers Association vs. The state of Kerala 2018	<ul style="list-style-type: none"> The court declared unconstitutional the Sabarimala Temple's custom of prohibiting women in their 'menstruating years' from entering the temple. SC held that prohibition founded on the notion that menstruating women are "polluted and impure" is a form of untouchability under Article 17.

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