

A.K. Gopalan case → Preventive detention laws are constitutional
↳ narrow of Art 21 ↳ Doctrine of severability

Shankari Prasad → Parl. can. amend FR to implement DPSP
↳ not 'Law' under Art. 13

Champakam Dorairajon → FR > DPSP, in case of conflict, but...
can be amended

Goldie Nath case → FR sacrosanct, CA - 'Law' under Art 13
vs. 12th CA act

Kesavananda Bharati (7/13) vs. Kerala Land Reforms Act 23 April, 1973
↳ Preamble part
↳ 2nd of 25 CA Act struck
↳ Basic structure
↳ Limits on amending power
↳ Doctrine of Prospective Overruling
↳ Basic structure apply only to future amendments

42nd CA act nullify
↳ K.B. Subramanyam vs. Union of India
↳ Doctrine of Harmonious Construction

Waman Rao Case - 23 April, 1973
vs. 51A, 51B, 51C

Indira Gandhi Case - Free and fair elections
↳ Rule of law, Democracy

I.R. Coelho - Judicial review
↳ Separation of powers

S.R. Bommai - Federalism, secularism

Doctrine of Harmonious construction → In case of conflict between two or more Constitutional provisions, should be interpreted to uphold basic structure
↳ Germany ↳ codified Basic structure

- Basic structure limitation
- ↳ thin majority of just 1 judge
- 2) not codified
- 3) not in original
- 4) intra constitutional hierarchy

1st CA Act (15/4) vs. Reshome to Dorairajon
↳ Art 19
↳ Art 31A, 31B
↳ six months b/w two sessions of Parliament
↳ President address

I.R. Coelho - 'direct effect and impact test' / rights test - 14, 15, 19, 21
↳ form of an amendment not relevant rather its consequence is determinative factor

Doctrine of Colorable legislation → Grajapati Narayan Rao case ↳ federalism
↳ if a legislature cannot enact law directly, it cannot do so indirectly also. ↳ to protect Schedule 7

Doctrine of Art and substance - to check transgression of power under Schedule 7

Berubari Union case → Preamble, key to mind,
(not part neither source nor limitation)

Kesavananda Bharati - Preamble helps to interpret

Preamble → American → not source of power but under principle
British → help to discover legislative intent
↳ meaning of words

help in interpretation → eg In Vishaka vs. State of Rajasthan

↳ use Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

'equality' and 'justice' part of Preamble

Sanjit Roy Case

(wages less than minimum = forced labour under Art 23, against principle in Preamble)

A SE B case → ownership, degree of control and function

Article 12 - Judiciary not part (in US, it is)

↳ Only administrative functions as state not judicial functions (Narain Ahir vs. State of Bihar)

(Riju Prasad Sharma Case, 2015)

Education reservation not to minority instt + super-speciality hosts

employment reservation - not → high skill public posts eg - defence services
↳ single-post jobs
↳ limit in judiciary

Nagaraj case - reservation in promotion → backwardness
↳ inadequacy of representation
↳ maintenance of efficiency

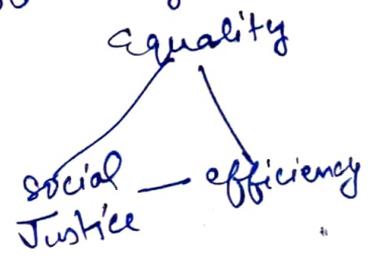
FD differences

US

India

- state-judiciary
- constitutional FRP
- right to arms
- right to heredity
- due process of law

remedies



the police committee that to protest with other in from laws pro

cedit

under life

Delhi Police Commissioner (Shahen Bakh case) →
 Right to protest is FR, but balanced with other rights
 - am laws protest - yes but limit

Sedition (→
 (124A, IPC) → attempt to
 Excite disaffection against the Govt. established by law ✓

S. G. Vombatkere case (2022)
 ↳ Union to re-examine law
 ↳ stop registering cases

Kedarnath case SC upheld
 Law commission recommendation → amend law to ↓ vagueness
 ↳ procedural safeguards

Need → ↑ punishment
 ↳ ↑ social media use by adversaries

↳ countries that struck other laws take care of seditious activities

Hate speech - Not defined
 IPC, VAPA, SC/ST Act

Law commission - separate offence

Need → powers to ECI
 self regulation by political parties

IT rules Tehseen Poonawalla case (2018) - SC order to curb social media

1.1 bn mobile connections messages that incite violence

IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

Provisions - SM Int. (Sriwan redressal mechanism)
 - Content moderation
 - Fact-checker by Centre

Digital Media - three-tier regulatory
 ↳ Code of Ethics → PCT norms
 ↳ age-sensitive content
 ↳ respect FR 14, 19, 21

Right to internet

K.S. Puttuswamy → Proportionality test

Anuradha Bhanu case
 ↳ negative right to internet subject to 19(2) and 19(6)

Right to life - SC expanded

Samatha vs. UP (1997)
 ↳ right to live with humankindness, + social, cultural and intellectual life

A.K. Gopalan - narrow interpretation
Charak Singh case - all aspects of liberty not covered by Art 19

Maneka Gandhi
 ↳ due process of law
 ↳ right to go abroad
 ↳ procedure is just, fair and reasonable
 ↳ Golden Triangle of 14, 19, 21

Principles of Just. Dev.

- Precautionary ^{from FAs}
- Polluters Pay ^{in Vellore}
- Inter-Generational equity ^{citizens welfare}
- Public Trust ^{forum}

M.C. Mehta case

SC compulsory for educational institutions for 1-hr lecture
 Right to Education
 → stop mining works in Aravalli's

Mohini Jain case → State provide educa. at all levels

J.P. Unnikrishnan case → limit Mohini Jain's Judgment to DPSP

86 CA act → RTE act, 2009 [21A, 45, 51A(K)]

Right to Privacy - K.S. Puttaswamy Judgement (2017)

Aruna Shanbaug case (2011)
 Legalised passive euthanasia
 Parliament can enact law

D.K. Basu Case - SC gave proper guidelines regarding arrest (Art 22)

N.C for Minorities Act
 Community notified by central govt.

TMA Pai Foundation Case - Defⁿ of minority
 minority < 5% of state popⁿ

N.C for Minority Educa Ins Act
 a institution maintained by persons of minority

PA Inamdar case

- Minority Institutions
 (no affiliation/recognition)
 (State not liable)
- (affiliation/recognition + no aid)
 regulated + reasonable restrictions
 outsiders are allowed

'If we all discharge our duties, rights will not be far to seek' - Gandhi

Justice Verma - high taxes - vote in elections

FDs are source of emp^t independence
 eg - M.C. Mehta case

USA → 'Constitution week' for Awareness

minority at state level

Port
 M.P. Govt.
 Total

report (2010-2020)

- ↳ MP, Goa, KAI govt. fell due to defections
- ↳ Total 433 defections in 5 yrs.
- ↳ 52% defectors able to re-elected

defections based on money power rather than ideology

[1967 - union + state elections simultaneously]

no. of defections -

- 1) remove provision of vote of aint party whip

Dissent is safety value of Democracy - Chandrachud

1967 - Madhya elections

(horse trading, floor-crossing)

Malim committee

voluntarily giving up membership is vague

- ↳ restrictions - joining another party (take govt. office)

Cihoto Hollahan case

Anti-defection not restriction of privileges 105/194

Dinesh Goswami Committee

limited to cases of money bill, vote of confidence, motion of thanks

- no provision for expulsion of members

against principle of separation of power

Speaker 2014

- ↳ no time limit

Andhra Pradesh - 23 MLA defected to ruling party (2015-16), no decision

Keisham Megachandra Singh vs. Hoible Speaker Manipur

↳ SC -> decision within 3 months

Independent Permanent mechanism tribunal headed by Jufe

Impact on individual MP

accountable to party rather than constituency
eg. Fish trawling in coastal constitu

- conscience
- ↓ debates, discussions

PRS

in 16th Lok Sabha (2014-2019) only 68% bills disc less than 3hrs

↳ 25% bills referred to committees

↳ weaken role of legislator holding executive accountable

↳ few party leaders / Ministers decide issue
eg. Volty on FDI in multi-brand retail 2012, BJP vs. Congress

SC in 2016 restores

Arunachal govt, when it falls due to engineered defections

Office of Profit (Art 102 - member disqualification)

ARC - 20 states have office of Parliamentary Secretaries or Junior Ministers

103 - President decision

2nd ARC - mere remuneration from govt. / advisory Pnc for govt. should not be criteria

office has executive authority of decision making
direct involvement in public funds

Parliament (Prevention of Disqualification) Act 1959

↳ Ministers, Opposition leaders
↳ Chairperson of NCM, NCSC, ST, NC for Women etc.

Privileges - Privileges committees work on party lines
↳ their effectiveness as disciplinary body

↳ new tech from executive, judiciary, private parties
- healthy debates

H V Kamath → codification 2021

105 - Powers and privileges of House, members and committees

clauses
1 - Freedom of speech
↳ No judicial proceedings for speech or vote
↳ no proceedings against publication of the Parliament
(3) Parliament can bring law for codification

Article 122 - Courts

(1) to enquire validity of proceedings

36(A) - No member liable to any process proceedings for publication of true report of Parliament, except secret sitting

No arrest (40 days) ↳ civil matters **CPC**

Rules of Procedure + Precedents

Presiding officer right to receive info

↳ no evidence in courts without permission
↳ no witnesses in other House or state
↳ legislative without permission of House

2023 - RS chair → committee broke into breach of privilege by opposition MPs ↳ frequent adjournments

Icshav Singh Core

Judiciary have power to review privileges motion

NERWC

→ remove corrupt acts from breach of privilege

comm. as courts
rules

Speaker (Art 93) "as soon as possible"

- committees same as speaker
- constitutional body

Rules and procedure of → speaker decide date of election

LS

→ No appeal to speaker against ruling given by Deputy speaker

petitions related to R's qualifications

PM Bill → only 14 named

recently → UGC Preamble Amendment

issues → ↓ time

- Friday, last 2 1/2
- Committee on Private Members' bill not constituted in 18 LS
- no resource persons provided to MPs

way forward → shift to Wednesday committee by Ballot system

provide, Office of Law Drafter

Often heard, hardly discussed and rarely passed

Parliamentary control on delegated legislation

- Rebate on provisions in Act
- Motion to modify rules
- Committee on subordinate legislation

But, executive cannot claim for intent of legislative policy

Public consultation → some prior while, → seek comments after draft

Issues → delay

No procedure to regulate rule-making

"Congress in session is Congress on public exhibition, while Congress in committee is Congress at work"

— Woodrow Wilson

recommendation

- setup of Constitution committee
- intra-committee coordination
- deliberations with CSOs
- proper SOPs / minimum attendance rules

low attendance in committee meetings =

sitting time — 16th LS shortest 231 days

17th going to be even shorter

→ decline in number of bills passed / hours by voice vote / clubbing with Mover

→ last 7 yrs; 80% of budget passed without discussion

- 12% MPs in 25-40 age group
- frequent use of judithine
- 15% women MPs → other democratic countries

average sitting days since 2004 — 68 days since 2000

only 45% bills referred to committees,

dnk, all bills (except money bill) refer to committee

Rajiv case (Reduction)

↳ SC → control of services in Delhi

↓
Ordinance by Centre - Chief Central Services Authority
to appoint chairman of President Authority

SC (2018) - use 'Constitutional morality'
control the tyranny
↳ B.R. Ambedkar in debates

Joint Secretary can check legality
Other members can overrule < 14
only recommendatory, final decision by lbs
- only dec
- Power for con
- ind

Wily Thomas Judgement

↳ remove 3 months time from RPA.

JRC summoned PM, RA Governor on demoralisation

2/3 of committee success → loktal and lokayuktas bill
↳ GST bill
↳ Companies bill
↳ IT bill

US - federal equilibrium
in Britain - House of Lords only dilatory chamber

- Art 82 - readjustment after each census
 - 84 - Qualification
 - 93 - Deputy speaker
 - 95 - power of Deputy speaker
 - 102 - Disqualification of members
 - 108 - Joint sitting (GST)
 - 121 - no discussion on conduct of judge
- JPC → examine bills
↳ Rules of procedure
↳ can move amendments
↳ submits report to house

state shall endeavour to secure

Paula Mirdgal case - keep hits conversion to get benefit of Mrs Mirdgal law on polygamy

VCC debate

↳ present laws are followed for generations
↳ no standard in Hindus - Dayabhaya and ditahshara

SC → shaf Banoo Case
↳ VCC help national integration

21st Law Commission → neither necessary nor desirable
↳ amend present laws to make them just
eg - sati, Triple Talag, lenadas
uniformity should not become threat to cultural diversity
Ambedkar → not compulsory, should be voluntary

Nabam rebia case
↳ Governor's power to summon is under judicial review
↳ should act on aid and advice

lead to territorial integrity issue
↳ speaker cannot disqualify member when motion is pending against him

Power to punish for contempt by SC
 - judiciary - executive

- only constitutional democracy where judiciary itself chooses its judges.

Presently, collegium - 6 judges
 Justice Y not become CJI

Memorandum of Procedure (MoP) regarding appointment b/w judiciary & Centre

Centre can return for reconsideration, but again SC recommendation -> mandatory
 2017, SC starts public issue of collegium resolutions

Appointed system in other countries

US -> President with consent of Senate
 -> candidates assessed by committee of American Bar Association
 -> no retirement age

UK -> Judicial Appointments Commission (3 types + 12 open members)

SA - Judicial Services Commission
France - Higher Council of Judiciary
Recommendation - system of open nomination or application

-> role of lawyer community
 -> separate body to check background of candidate

Judicial review - interpretation of consti
 -> balance of power
 -> federal equilibrium
 (rights of citizens (Kesavananda Bharati))

const. provisions - 13, 32, 136, 226, 226
UK - no judicial review of law.
USA - principle of judicial supremacy
 246 - schedule 7
 eg - Proportionality test in Puttaswamy

Cases - Kesavananda Bharati
 Maneka
 Minerva
 S.R. Bommai etc.

Limitations on Judicial review

Express
 31-A, 31-B
 decision of shaker on money bill

Implied
 - Doctrine of political question
 In some cases, judiciary itself restrains

Judicial activism -> Judiciary performs role of legislature and executive

1) social change
 eg - Navtej Singh Johar case (377)

2) PIL
 Vishaka guidelines

3) decriminalization of adultery
 Maneka case

ve -> against separation of power
 eg - blanket ban on firecrackers in Delhi

-> liquor shops in highway
 -> setup committee on Farmlands
 -> NJAC

Ro vs Wade -> court legalized abortion
 -> cancellation of coal block allocations

PLC movement - dilute rule of locus standi

- ↳ poor and disadvantaged section
- ↳ common public concern by public-spirited individuals/groups
- ↳ public participation in constitutional adjudication
- ↳ Judicial legislation
- ↳ Hussainara Khatoon case
 - ↳ Right to speedy trial
 - ↳ first case of judicial activism

Sealed cover
Jain's pseudonym

Name foreign holders in black money transfer in 2014
Advocate
+ New

- Rambabu Singh Thakur v Case 2020 - SC → all candidates public criminal records for stand in election.

Human rights → Vishaka
D.K. Basu

Env. protection → T.N. Godavarman
↳ conservation of forests

↳ Niyamagiri case
↳ M.C. Mehta - vehicular pollution
↳ Taj Mahal protection
↳ polluters pay principle

↳ Lakshmi Kant Pareek case → here cautious while foreign adoption of Indian children

TMA Pai - fee structure of colleges

Judicial restraint → non interference except when policy is unconstitutional or mala fide

In democracy, the remedy of malfunctioning of legislature and executive must come from the people, not the judiciary.
- Kajju

Some matters not under PIL → admission to higher institutions
↳ service matters
↳ landlord-tenant etc.

Ordinance Making Power

Cooper Case - President's satisfaction under judicial review

D.C. Wadhwa Case → re-promulgation of ordinances without law passed by legislature (unconstitution)

53 - executive head
24/1963 COM with PM, shall act
75/1964 Ministers appointed by Prez.

1st CA act → 15% size
↳ defectors cannot be ministers
78 - duty of PM
↳ No legal responsibility

Constitutional discretion of Governor (163)

- ↳ reserve bill
- ↳ President's rule
- ↳ acts as admin of UT
- ↳ loyalty to 6th schedule
- ↳ look if for from CM

S.P. Bommai Case - Gov cannot dismiss CM, enjoy confidence

- Attorney General
- legislative privileges

- Advocate general

Indira Prasad - withheld
PEPSU appropriation
bill

K. Narayanan - returned
bill for direct rule
in UP

"I am not a rubber stamp"

356 - President is satisfied that
a situation has arisen in
which state govt. cannot be
carried as per provision
of [the] constitution.

Ram Jawaya Kapur case
↳ President only formal or
constitutional head

Shamsher Singh case
President / Governor satisfaction
= satisfaction of COM

Judicial remedy → advice b/w COM and
President not
enquiry by court
(74)

S. R. Bommai case
only advice is judicially
immune, not the
documents that forms
basis of advice

Collective responsibility → PM resign - all resign
binding on all COM
no confidence motion

Peechar Singh case → wide interpretation
of pardoning power
↳ take fresh evidences
↳ take stand opposite to court

Legislative power of Executive
rules
ordinances
(123)

B.P. Singhal Case

↳ some grounds for removal of
governor
↳ Physical and mental
incapacity
↳ corruption
↳ behaviour unbecoming
of a governor
But, Pres. need not give
reason to Govt, there
is no judicial remedy

Govt vs. Presid
↳ no reconsideration
↳ not binding advice
↳ constitutional discretion

Recommendations

Sarkani Commission
Govt outside
state
↳ not part
of active politics

Punchhi Commission

↳ Committee
to appoint
Govt
(PM, HM,
State CM,
Speaker, Vice Pres)

Amend Consti
↳ impeachment of Govt
by state legislatures
proper grounds of
removal
doctrine of pleasure
deleted

Role of Civil Services - policy formulation

- ↳ balanced development
- ↳ Infrastructure creation
- ↳ Disaster mgmt.
- ↳ National Integration - Sardar Patel 'steel frame'
- ↳ AIS
- ↳ deepening roots of democracy
 - ↳ elections
- ↳ Welfare state
 - ↳ schemes
- ↳ channel of communication b/w public and government
- ↳ knowledge - wide experience
- ↳ info repository
- ↳ Multiplicity of schemes & institutions 'empires within empires'

- red tapism, elitist
- conservative,



NGOs → citizen based non-profit association operates independently of government to serve humanitarian purpose. started in 60-80s more

1990 - LPG

- ↳ state minimalism
- ↳ NGOs become mediators of development

- Youth start working in rural areas
- Christian organizations
- Student groups

weaker sections

- CRY, Grouny, Pratham
- SEWA (women)

Research activities - of - PRS, ADK
Political goals - RSS

Significance of

- ↳ Professional Political parties
- ↳ ENV → Greenhead
- ↳ SOG 17
- ↳ CAPART, 1996
- ↳ complements the work of bureaucracy
- ↳ voice to vulnerable section

These groups
up of people
perspective
interests
of
Major

Issues

- ↳ funny PIL industry
- ↳ engineer protest
- ↳ Intⁿ Security → more inclined towards Naxalite
- ↳ Animal rights > Human rights
- ↳ Cheery picking cause based on donor eg. Chipko success but Bhopal funding - US funded anti-coal
- ↳ Tan avoidance, Transparency accountability issues
- ↳ Lobbying
- ↳ Fuel farmer protest against Singrauli coal mines

FERA

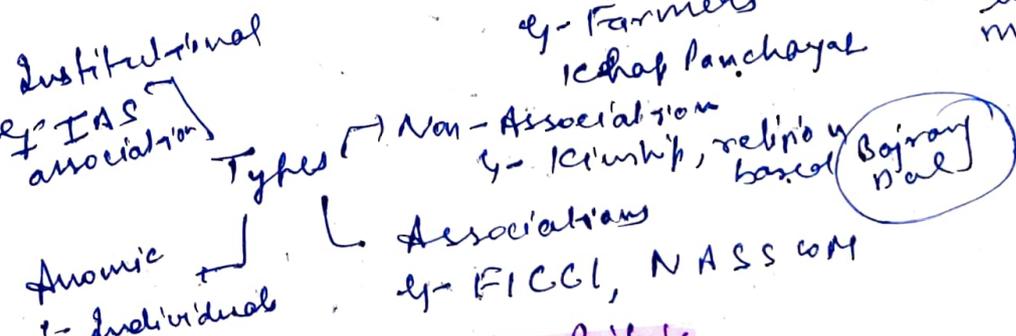
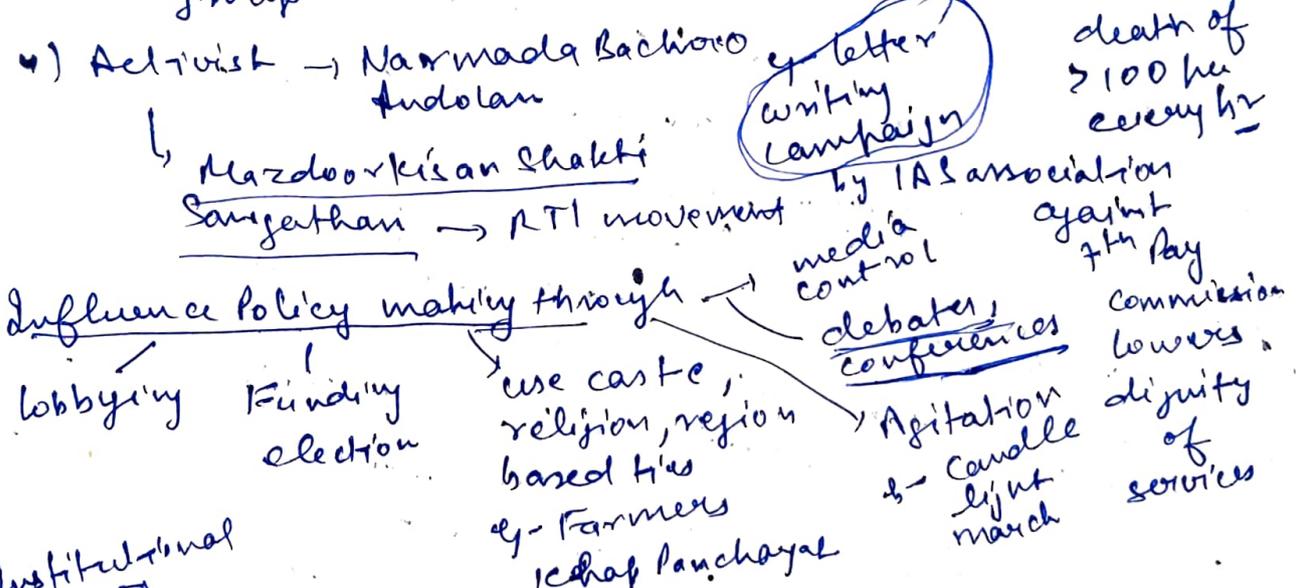
declared funds to
to imp
diss
(limit on administrative expenses)

So... can't accept
Period of political party associations

... + ...
 ...
 ...

- Pressure Groups
- 1) group of people trying to persuade Administrative - political system to serve their interest.
 - 2) Market Economy - lobby for incentives
 - 3) welfare state - different groups wants benefits in favour
 - 4) Zamindar heresure group against land reforms

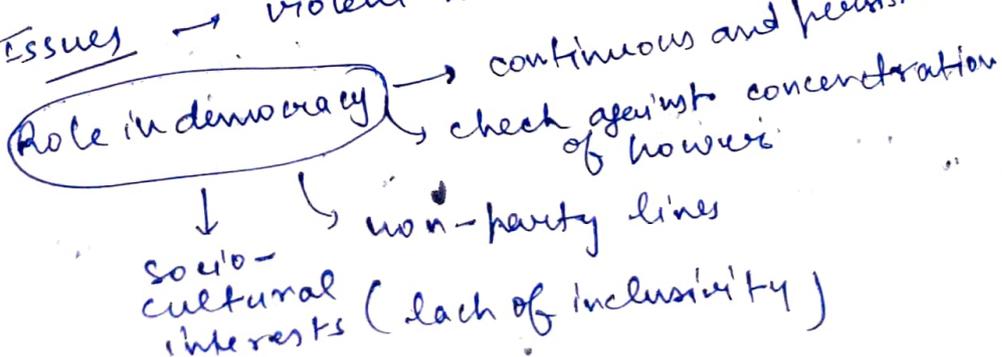
- Issues
- 1) Socio-cultural interests
 - 2) semi-literate, personal interest
 - 3) non-inclusive
 - 4) create law and order situation
 - 5) tools of politician to politicize issues
 - 6) corruption
 - 7) Block reform of Tobacco Lobby



Trade Unions - AITUC

Mehta Paibis

violent methods & strikes



separation of power

So

President not MP.
Judging power (Judicial power of Executive)

- Immunity of Executive
- Judiciary cannot inquire into House proceedings.
- Parliament has power to make its own rules of procedure

Satish Chandra vs. Speaker case

↳ Power of Speaker/Chairman to take action against members creating disruption not under judicial review.

DC Wadhwa case

AK Roy case → ordinance making under judicial review on ground of arbitrariness

Ram Jawaya Case → no absolute rigidity in separation of power, constitution only differentiate

Merals - 28 Ordinances. b/w 2013-2021

Krishna Kumar Singh Case

→ President satisfaction for ordinance under judicial review

not a parallel power or independent legislative power.

Sometimes, Legislature itself compels Executive for ordinance

↳ by creating disruptions and not let having the bill

Accountability of civil servant to political executive
Article 310 → civil servant holds office due to pleasure of President

Rambabu Singh Thakur case

public criminal records of candidate

↳ criteria for choosing a particular candidate, apart from suitability

Sub moto power use by SC (Judicial activism)

media reports on letters to judges → air pollution in Delhi
↳ COVID related issues that led Union to change its policy

PI L

Justice Krishna Iyer
Justice Bhagwati

(+ve) → justice to poor (social justice)

1) Engine of social change → bonded labour, prisoners

2) accountability
3) right to education, to work.

4) POSH (Vishaka guidelines)

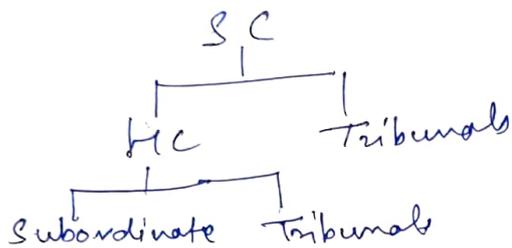
SC

→ to curb frivolous PIL
↳ P.U. legislative vacuum

↳ exemplary cost (Mareton)
↳ contempt of court against petitions

Tribunals - 323A - Administrative Tribunals
 (2nd CA) 323B - other
 SC - separate National
 Tribunals
 Commission

eg - NGT
 GST Appellate Tribunals



Issues - Conflict of Interest - Tribunal chairman is related to a party to dispute

↓
 not bound by CPC, CrPC

- Executive interference

- backlog of cases
 - infrastructure

+ Man power constraints

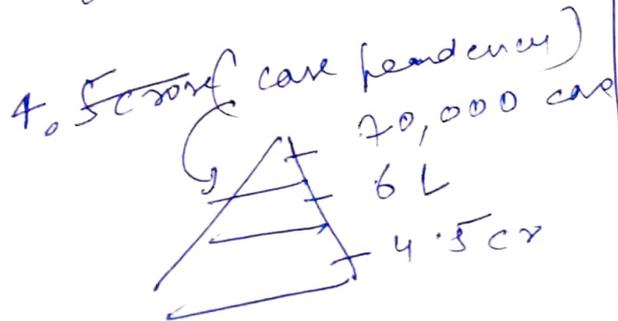
eg - NCLT - 30/63

suggestion

- 1) Merge dist
- 2) appeal show to HC first
- 3) Tribunal members ≠ equal status as HC judge
- 4) Judicial members > technical members

Case - Madras Bar Association Case against Tribunal reforms Act

↳ lack of clarity → NGT vs HC

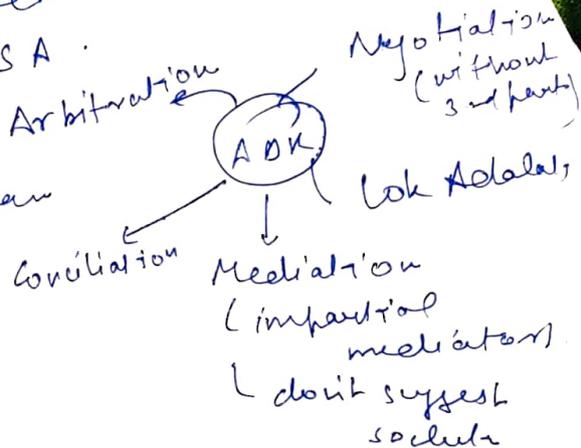


(under trials) → Convicted

ADR

- 1) CPC provides = Conciliation
- 2) Arbitration and Act

- LSA



'Justice delayed is Justice denied'

'Justice hurried is Justice hurried'

Chandrasekhar Case

↳ tribunals under HC supervision

↳ Judicial members > Technical members

Sachin's Commission

↳ setup Inter-State Council

↳ 35:6 as a last resort matter

↳ residuary powers to Concurrent list

↳ rules → Federal & State

NCLT vs 5/12/12 schedule of taxation powers

five - zonal council (State reorganization Act, 1956)

NITI aayog

Inter-state council (2015)

Govt COVID-19 response

whetition → 2008
Federalism (after 1990) → Legislative Index
conflict → competition for investors
GST → 356
Role of Govt (TNG Govt)
scheme → PMJAY implementation

majority of votes

LG's difference of opinion

centre ordinance
NCCSA - CM + Law Secretary

decide all matters related to civil servants transfer, posting, vigilance, etc.

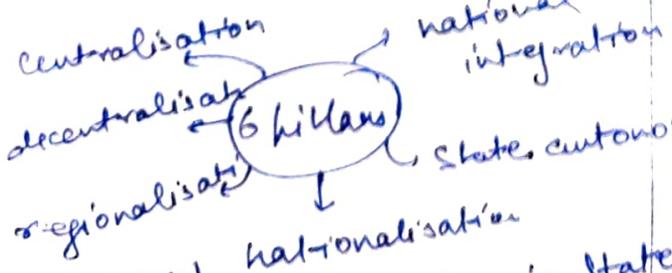
centre acts as facilitator of competition

↳ performance based incentives → GDP
↳ centrally sponsored schemes - Smart cities mission
↳ indices by NITI aayog

NITI aayog → competition is a force multiplier to achieve cooperative federalism.

heeds in economic dev → EOB ranking

Federalism → reconcile need of national unity and regional autonomy



(739AA) Delhi case

nationalisation
services in State list
Centre Notification - services under LG

transparency and Action - regular Audits

Panchayat Citizen charter

SC judgement → Delhi is a sui-generis model (2018)

Delhi Govt - has not control of services related to 'public order, land, police, but all others are under central

PR Is (2.6 L - 1.3 mn women)

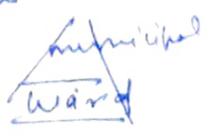
Localize SDGs

(3 P 5) Panchayats
Smart cities mission

State Election Commission
State Finance Commission

2 tier in urban

Fund - internal revenue mobilization



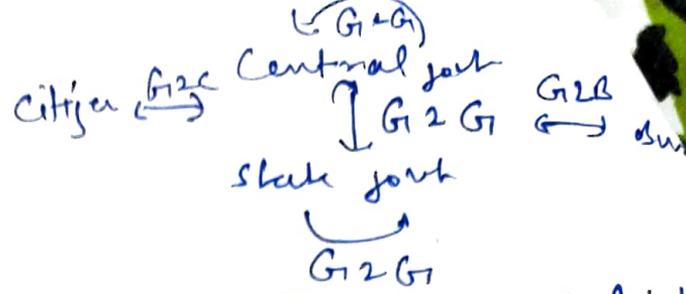
Function - separate executive board of (EIB)

District and Metropolitan Planning committees not constituted

Functionary - sec 91 interference

State Law vs. Central Law on concerned list

India Stack
 consent layer
 ↑
 Cash less
 ↑
 paper less
 ↑
 presence-less



uncertainty - Adhaar
 is mandatory or not

- 33 L NGOs
 ↳ non-political activities
 ↳ charitable trusts, societies or Sec 8 companies

POCA - wide definition of Public servants
 cover monetary and other forms of corrupt.
 2018 → here - Investigator approval

Limits on NGOs → non-political activities
 ↳ Indian NGOs not in but affairs
 ↳ are in India
 ↳ declare assets under **lokal Act**

Bribe giving as offence
 ↳ protect bona-fide decisions
 ↳ **Criminal mis conduct**
 ↳ intent is added

peer controlled
 self governing
SHG → similar socio-economic status

Issues → private entities
 ↳ no definition of bribe, corruption

CAG - multi member
 conditions of service by CAG Act - 6165

lokal Act
 ↳ s.o of judicial
 ↳ SC, ST, minorities, women
 ↳ service condition = SC

↳ follow UK, US practice + audit reports
 in appointment - selection committee
 ↳ PM, speaker, Loobhas, etc.
 ↳ last day of session to bylaw session

organising
 ↳ **inequity wing**
 ↳ **prosecution wing**

Audits → **Compliance Audit** - things done in right way
 ↳ **Financial Audit**
 ↳ **Performance audit** - whether right things are done

Issues
 ↳ LOD in selection committee
 ↳ lack of transparency
 ↳ dilution of asset disclosure norms
 ↳ - need of risk based

public servant
- bill
- include private + NGOs

more complaints
↓
affect efficiency
against high-ranking
public officials

SC judgement
ON ECI → committee
LPM + Lokesh
+ CJI

↳ EC removal & CEC

No office of in the land is
more important than that of
being a citizen? - F. Frankfurter

electoral bonds - party registered

Further reforms → common electoral rolls
for local bodies
↳ strengthen ECI

paid news should be as
'electoral offense'
↳ right to reject and
right to recall

↳ use of Totaliser for vote counting
↳ verify affidavits in P by independent
authority
ADR case → Criminal antecedents
publicize

- no expense limit on political party
- ECI - no power to deregister PP
- auditing should be by CAG

Scramble for Africa

↳ Berlin Conference
1884

SC judgement
(2021) - Madras
Bar
Association
Case
Tribunals

- 5 yrs term with
reappointment
- struck 50 yrs. age limit
rather 10 yrs. experience
- search cum selection
committee - only 1 post
rather than
2 persons for
1 post
- appointment
within 3 months

CAG
↳ Cab sec → PM → PM
proceeds

RS → POTA joint
sitting
↳ GST
↳ RTE bill

~~I & S~~

PMLA

- ↳ 'guilty until proven otherwise'
 - ↳ difficulty in bail
- ↳ arrest and seizure power not bound by CrPc