

**TAMIL NADU PUBLIC SERVICE COMMISSION**

**Post of Assistant Editor in the Tamil Nadu Archives in the Tamil Nadu Ministerial Service - Constitutional Law (P.G. Standard) - Syllabus**

**UNIT - I (INTRODUCTION)**

Constitution – Constitutional Law – Constitutionalism: Rule of Law – Separation of Powers and Doctrine of Checks and Balances – Preamble - Nature and Salient Features of the Indian Constitution – Preamble – Union and its territory – Formation of New States – Alteration of Areas and Boundaries – Current Issues and Challenges – Citizenship.

**UNIT - II (FUNDAMENTAL RIGHTS)**

Concept of State and its Expansion – Laws Inconsistent with Fundamental Rights and Related Doctrines – Right to Equality : Doctrine of Reasonable Classification - Protective Discrimination – Reservation Policy, Abolition of Untouchability, Abolition of Titles – Right to Freedom : Speech and Expression, Assembly, Association, Movement, Residence, Trade and Occupation – Reasonable Restrictions – Protection in Respect of Conviction for Offences - Life and Personal Liberty; Right to Education - Arrest and Detention – Right Against Exploitation – Right to Freedom of Religion – Cultural and Educational Rights – Saving of Certain Laws – Right to Constitutional Remedies: Concept of Locus Standi, Public Interest Litigation, Compensatory Jurisprudence.

**UNIT - III (DIRECTIVE PRINCIPLES OF THE STATE POLICY AND FUNDAMENTAL DUTIES)**

Definition and Application of the Principles - Relationship with Fundamental Rights – Fundamental Duties.

**UNIT - IV (UNION AND STATE EXECUTIVE)**

The President – Election, Term of Office, Powers and Functions, Impeachment, Immunities, Pardoning Power, Ordinance Making Power – President and Union Council of Ministers – State Executive – Governor – Appointment, Powers and Functions – Immunities, Pardoning Power, Removal of Governor, Doctrine of Pleasure, State Council of Ministers.

**UNIT - V (UNION AND STATE LEGISLATURE)**

Composition of the Parliament and State Legislature – Office of the Speaker – Qualifications and Disqualifications of Members, Office of Profit, Legislative Privileges, Anti Defection Law – Judicial Interpretations.

**UNIT - VI (UNION AND STATE JUDICIARY)**

The Supreme Court of India – Composition – Appointment and Removal of Judges – Contempt of Court – Original Civil Jurisdiction – Appellate Jurisdiction: Civil, Criminal and Other Matters – Special Leave to Appeal – Power of Review – Curative Petition – Writ Jurisdiction – Advisory Jurisdiction – Independence of Judiciary – Judicial Appointment Commission – State Judiciary: High Court in the States – composition,

Appointment and Removal of Judges – Writ Jurisdiction of High Courts – Supervisory Jurisdiction of High Courts – Tribunals: Composition, Powers and Functions – High Courts Jurisdiction over Tribunals.

## **UNIT - VII (CENTRE-STATE RELATIONS)**

**A. Legislative Relations:** Doctrine of Territorial Nexus – Subject matter of Laws made by Parliament and State Legislature – Doctrine of Harmonious Construction, Doctrine of Repugnancy, Doctrine of Pith and Substance, Doctrine of Colorable Legislation, Doctrine of Occupied Field, Centre's Control Over States – Residuary Powers of Parliament.

**B. Administrative Relations:**

Delegation of Functions and Directions by the Centre to the State – Full faith and Credit Clause – Centre and Inter – State Conflict Management.

**C. Financial Relations:**

Sharing of Tax – Grants in Aid, Restriction on the Power of State Legislature – Doctrine of Immunity of Instrumentality – Borrowing Powers – Constitutional Limitations – Finance Commission: Reports of Commissions on Centre-State Relations.

## **UNIT - VIII (FREEDOM OF TRADE, COMMERCE AND INTER COURSE)**

Meaning and Scope – Power of Parliament – Restrictions.

## **UNIT - IX (EMERGENCY PROVISIONS)**

National Emergency – Grounds of Emergency - Prior to 44<sup>th</sup> Amendment Act, 1978 and aftermath – Suspension of Fundamental Rights – State Emergency: Imposition of President Rule - Judicial Review – Financial Emergency.

## **UNIT - X (AMENDMENT OF THE CONSTITUTION)**

Power of Parliament to amend the Constitution – Procedure – Doctrine of Basic Structure.

## **UNIT - XI (MISCELLANEOUS)**

Government Liability: In Contracts and Torts – Special Provisions for Certain States in India – Safeguards to Scheduled Castes and Scheduled tribes, Under Art. 330 – Special Provision for Anglo Indian Community – Official Language.

## **UNIT - XII (OTHER CONSTITUTIONAL FUNCTIONARIES)**

Election Commission of India: Organization, Powers and Functions, Union Public Service Commission, State Public Service Commission – Comptroller and Auditor General of India – Attorney General – Advocate General – Service Law : Constitutional Safeguards for Civil Servants, Protection against Arbitrary Dismissal, Removal or Reduction in Rank – Local Self Government.