

Chapter 1 - The Indian Constitution

1. Why does a democratic country need a Constitution?

Answer: There are various reasons why a democratic country needs a Constitution:

1. The basic ideals on the basis of which we as citizens aspire to live in our country are mentioned in the Constitution.
2. It tells the fundamental nature of society
3. To define the nature of the political system of the country
4. It states a set of rules based on which people belonging to different religions and communities are can peacefully co-exist with each other.

2. Look at the wordings of the two documents given below. The first column is from the 1990 Nepal Constitution. The second column is from the more recent Constitution of Nepal.

| 1990 Constitution of Nepal Part 7: Executive | 2015 Constitution of Nepal Part 7: Federal Executive |
|--|---|
| Article 35: Executive Power: The executive power of the Kingdom of Nepal shall be vested in his Majesty and the Council of Ministers | Article 75: Executive Power: The Executive Power of Nepal shall, pursuant to this Constitution and law, be vested in the Council of Ministers |

What is the difference in who exercises 'Executive Power' in the above two Constitutions of Nepal?

Answer: In Article 35 of the 1990 Constitution of Nepal, the powers to rule the country, to set rules and to manage the country are all vested in the King of the country and the Ministers appointed under him. However, Article 75 of the 2015 Constitution of Nepal states that the rules, governance and management of the country will be based on the laws mentioned in the Constitution of the country under the supervision of the Ministers.

3. What would happen if there were no restrictions on the power of elected representatives?

Answer: In a democracy, the citizens of the country are responsible for electing their leaders. However, there is always a possibility that the leaders might misuse their authority and use it for wrong purposes. Hence the constitution has provided measures to safeguard against such misuse of powers.

4. In each of the following situations, identify the minority. Write one reason why you think it is important to respect the views of the minority in each of these situations.

(a) In a school with 30 teachers, 20 of them are male.

Answer: The minority here is the 10 female teachers teaching in the school. It is important to keep the point of view of the female teachers in mind because despite being a minority their opinions are of great importance and no decision made keeping the majority views in mind should be of any discomfort for the female teachers.

(b) In a city, 5 per cent of the population are Buddhists.

Answer: Here the minority is the 5 per cent Buddhist population in the city. Their views should be respected because they have certain religious beliefs which should not be disrespected because they are in a minority. Any decision taken must be taken keeping in mind the religious feelings of the Buddhist population.

(c) In a factory mess for all employees, 80 per cent are vegetarians.

Answer: The minority here is the 20 per cent non-vegetarians having food at the factory mess. It is important that the food prepared in the factory mess must be prepared for both vegetarians and non-vegetarians.

(d) In a class of 50 students, 40 belong to more well-off families.

Answer: In this case, the minority is the 10 students who do not belong to the well to do families. It is important to keep their views in mind because they may not be able to contribute to various expenses asked for in the school and they should not feel humiliated for the same.

5. The column on the left lists some of the key features of the Indian Constitution. In the other columns write two sentences, in your own words, on why you think this feature is important:

Answer:

| Key Feature | Significance |
|----------------------------------|--|
| Federalism | It is important because in a country like India there are people living at different levels and only one level of government cannot govern them. Hence to form a government for different levels is important. Hence, to govern a village Panchayati Raj is responsible for states, the state government is responsible and for the entire country, the Central Government is responsible for governance. |
| Separation of Powers | There are three organs of governance: legislature, executive and judiciary. Each of these organs serves different powers and functions. In order to prevent the misuse of power by any one branch of government, the Constitution says that each of these organs should exercise different powers. |
| Fundamental Rights | The Fundamental Rights are a set of rights that the Constitution allows every citizen of the country to follow. These rights include Right to Freedom, Right to Equality, Right against Exploitation, Right to Freedom of religion, Cultural and Educational Rights and Right to Constitutional remedies. These rights give every citizen of the country the right to be considered as an equal, to not get discriminated based on caste, culture or religion, to get equal educational opportunities and to be equal in front of the law. |
| Parliamentary Form of Government | A democratic government is one where the citizens of the country have the right to elect their representatives. When the Constitution was being made, it was made sure that every citizen of the country irrespective of caste, colour, creed and religion will have the right to elect their leaders and universal adult suffrage, i.e. the right to vote will be given to all. |