

constitution. There is also no provision for joint sitting in the event of a disagreement.

For more [click here](#)

MODULE-III UNION GOVERNMENT

A union government refers to the organisation that is created at the national level especially to look after the big and important issues at the national and also international level. It has the right to interfere in the working of government at the lower level or state level (only as per the Constitution)

The function of the legislative is to form policies and laws that will govern the nation. The Union Parliament is chiefly concerned with this function. To ensure that these functions are duly followed, the Constitution of India provides for two houses, Lok Sabha or the Lower House and Rajya Sabha or the Upper House.

The Legislature of the Union, which is called Parliament, consists of the President and two Houses, known as Council of States (Rajya Sabha) and House of the People (Lok Sabha). Each House has to meet within six months of its previous sitting. A joint sitting of two Houses can be held in certain cases.

Rajya Sabha

The Constitution provides that the Rajya Sabha shall consist of 250 members, of which 12 members shall be nominated by the President from amongst persons having special knowledge or practical experience in respect of such matters as literature, science, art and social service; and not more than 238 representatives of the States and of the Union Territories.

Elections to the Rajya Sabha are indirect; members representing States are elected by elected members of legislative assemblies of the States in accordance with the system of proportional representation by means of the single transferable vote, and those representing Union Territories are chosen in such manner as Parliament may by law prescribe. The Rajya Sabha is not subject to dissolution; one-third of its members retire every second year.

Rajya Sabha, at present, has 245 seats. Of these, 233 members represent the States and the Union Territories, and 12 members are nominated by the President.

Lok Sabha

The Lok Sabha is composed of representatives of people chosen by direct election on the basis of adult suffrage. The maximum strength of the House envisaged by the Constitution is now 552 (530 members to represent States, 20 to represent Union Territories, and not more than two members of the Anglo-Indian community to be nominated by the President, if, in his opinion, that community is not adequately represented in the House). The total elective membership of the Lok Sabha is distributed among States in such a way that the ratio between the number of seats allotted to each State

and population of the State is, as far as practicable, the same for all States. The Lok Sabha at present consists of 545 members. Of these, 530 members are directly elected from the States and 13 from Union Territories, while two are nominated by the President to represent the Anglo-Indian community.

These Q & A's are not from our QB

1. What is the Constitution?

A constitution is a set of rules for the government to govern the country and defines the nature of polity of that country.

2. What are the functions of the constitution?

The following are the functions of constitution,

- a. Expression of Ideology,
- b. Expression of Basic Law,
- c. Organisational framework,
- d. Levels of government amendment provision.

3. Classify the different types of constitution.

Unitary, Federal and Written constitution are the three different types of constitution.

4. Briefly explain The Government of India Act of 1858.

This significant Act was enacted in the wake of the Revolt of 1857—also known as the First War of Independence or the ‘sepoy mutiny’. The act known as the Act for the Good Government of India, abolished the East India Company, and transferred the powers of government, territories and revenues to the British Crown.

5. When was the Indian Independence Act passed, by whom and on the basis of what plan?

The Indian Independence Act was passed by the British Parliament on 5th July in 1947. This act was passed to give effect to the Mountbatten plan creating the two independent states of India and Pakistan.

6. What were the options before the Indian native states in the Indian Independence Act?

The Indian Independence Act gave three options to the Indian native states—

- (1) to join India
- (2) to join Pakistan
- (3) to remain Independent.

7. Who drafted the Indian Constitution?

The Indian constitution was drafted by the Drafting Committee of the ‘Constituent Assembly’.

8. Who was the chairman of the Constituent Assembly? Who was the Chairman of the Drafting Committee?

Dr. Rajendra Prasad was the Chairman of Constituent Assembly. Dr. B.R. Ambedkar Was the Chairman of the Drafting Committee.

9. When was the Constitution adopted and come into force?

The constitution was adopted on 26th November 1949.

The constitution came into force on 26th January 1950.

10. Write note on Montagu - Chelmsford reforms.

It relaxed the central control over the provinces by demarcating and separating the central and provincial subjects. The central and provincial legislatures were authorised to make laws on their respective list of subjects. However, the structure of government continued to be centralised and unitary.

11. Explain the Minto – Morley reforms

- It considerably increased the size of the legislative councils, both Central and provincial. The number of members in the provincial legislative councils was not uniform.
- It retained official majority in the Central Legislative Council but allowed the provincial legislative councils to have a non-official majority.
- It enlarged the deliberative functions of the legislative councils at both the levels.
- It introduced a system of communal representation for Muslims by accepting the concept of ‘separate electorate’. Thus, the Act ‘legalised communalism’ and Lord Minto came to be known as the Father of Communal Electorate.

12. What are the features of Government of India act 1935? [R ,CO1]

- It provided for the establishment of an All-India Federation consisting of provinces and princely states as units.
- It abolished dyarchy in the provinces and introduced ‘provincial autonomy’ in its place. The provinces were allowed to act as autonomous units of administration in their defined spheres.

- It abolished the Council of India, established by the Government of India Act of 1858.
- It provided for the establishment of a Reserve Bank of India to control the currency and credit of the country.
- It provided for the establishment of a Federal Court, which was set up in 1937.

13. Write down the members of the Drafting committee of the Indian constitution.

- Dr B R Ambedkar (Chairman)
- Dr. Rajendra Prasad
- N Gopalaswami Ayyangar
- Alladi Krishnaswami Ayyar
- Dr K M Munshi
- Syed Mohammad Saadullah
- N Madhava Rau (He replaced B L Mitter who resigned due to health issue)
- T TKrishnamachari (He replaced D P Khaitan who died in 1948)

14. What is the importance of Article 370 of the constitution?

This Art gives the state of Jammu & Kashmir a separate constitutional status. Laws passed by the Indian Parliament apply to Jammu & Kashmir if they are accepted by the J. K. legislature.

15. Explain the second schedule of our constitution.

Second schedule of our constitution explains Provisions relating to the emoluments, allowances, privileges and so on.

UNIT II: FUNDAMENTAL RIGHTS AND DUTIES

1. According to the Preamble India is what kind of state?

According to the original preamble India is a Sovereign, Democratic Republic. By 42nd amendment of the constitution India is also made a Socialist and Secular state.

2. What are the political ideals, according to the Preamble India seeks to secure?

India seeks to secure to her people:

Justice: Social, Economic and Political.

Liberty: of thought, expression, belief, faith and worship

Equality: of status and opportunity, and Fraternity, assuring the dignity of the individual and unity of the nation.

3. What is meant by “Secular and Socialist” as described in the Preamble?

The preamble describes India to be a secular state. It means that there is no established religion in India and that state does not give any preference to any religion in India.

The 42nd amendment of the Indian constitution makes India a socialist state. It means that the state shall abolish private ownership of the means of production and distribution. This however has not yet been achieved. On the other hand the state now encourages private ownership.

4. Bring out the significance of the terms “Sovereign, Democratic Republic” as mentioned in the Preamble.

- India is a sovereign state. It means the state in India is the supreme authority over all men and all associations within the country and is absolutely free from any outside control.
- India is democratic. It means that in India all governments are formed on the basis of popular support.
- India is a republic. It means all offices of the state from the highest to the lowest are held on the basis of merit and no office of the state is held on the basis of hereditary right.

5. How many states and union territories are there in the Indian Union?

There are 29 states and 7 union territories in the Indian Union.

6. How many categories of fundamental rights have been recognized by the Indian constitution?

Originally the constitution conferred on the Indian citizens seven fundamental rights. They are

- (a) right to equality
- (b) right to freedom
- (c) right against exploitation
- (d) right to religious freedom.
- (e) right to education and culture
- (f) right to property and
- (g) right to constitutional remedies

At present there are six fundamental rights. Right to private property has been removed from the list of fundamental rights by the 44th amendment of the constitution.

7. What are the principal duties of Indian citizens?

Obeying the constitution, showing respect to the national flag and the national anthem, defending India's sovereignty, integrity, and unity protecting national properties and upholding India's glorious mixed culture and also showing respect to women are the principal duties of the Indian citizens.

8. Write a note on the Citizenship Act, 1955.

The Citizenship Act (1955) provides for acquisition and loss of citizenship after the commencement of the Constitution. This Act has been amended so far four times by the following Acts:

The Citizenship (Amendment) Act, 1986.

The Citizenship (Amendment) Act, 1992.

The Citizenship (Amendment) Act, 2003.

The Citizenship (Amendment) Act, 2005.

9. What are the types of Amendments?

The Constitution can be amended in three ways:

Amendment by simple majority of the Parliament,

Amendment by special majority of the Parliament, and

Amendment by special majority of the Parliament and the ratification of half of the state legislatures.

10. What is the principal difference between the directive principle of state policy and fundamental right?

The fundamental rights are justiciable while the directive principles are non-justiciable i.e. the fundamental rights are enforced by the courts while the directives are not enforced by the courts.

11. What are the values and importance of directive principles of state policy?

The directive principles though non-justiciable are not worthless. Sir B.N. Rao contends that the directives are moral precepts. K.M. Panikkar holds that the directives promise India to achieve economic socialism or economic democracy.

UNIT III: UNION GOVERNMENT

1. When was the Lok Sabha (the House of the People) first constituted?

The Lok Sabha (House of the People) was duly constituted for the first time on 17 April 1952 after the first General Elections held from 25 October 1951 to 21 February 1952.

2. Why is the Lok Sabha called the popular chamber?

The Lok Sabha is composed of representatives of the people chosen by direct election on the basis of adult suffrage. That is why it is called the popular chamber.

3. What is the quorum to constitute a sitting of the Lok Sabha?

The quorum to constitute a sitting of the House is one-tenth of the total number of Members of

the House under article 100(3) of the Constitution.

4. Who presides over the Lok Sabha when the Speaker is absent from the sitting of the House?

The Deputy Speaker presides over the Lok Sabha when the Speaker is absent from the sitting of the House.

5. Who presides over the Lok Sabha when both the Speaker's and the Deputy Speaker's offices fall vacant?

When the Offices of both the Speaker and the Deputy Speaker fall vacant, the duties of the Office of the Speaker are performed by such Member of the Lok Sabha as the President may appoint for the purpose. The person so appointed is known as the Speaker pro tem.

6. What are the qualifications to become a Member of the Lok Sabha?

To become a member of the Lok Sabha, a person should be a citizen of India, not less than 25 years of age and possess such other qualifications as may be prescribed by or under any law made by Parliament [Art. 84].

7. What is the legislative relationship between the Lok Sabha and the Rajya Sabha?

In legislative matters, both the Houses enjoy almost equal powers except in the case of Money Bills. The main function of both the Houses is to pass laws. Every Bill has to be passed by both the Houses and assented to by the President before it becomes law. In case of Money Bills, the Lok Sabha has overriding powers.

8. Does the Speaker have the right to vote?

The Speaker has a casting vote in the event of a tie. It is customary for the Presiding Officer to exercise the casting vote in such a manner as to maintain the status quo.

9. What is meant by Adjournment, Prorogation and Dissolution of the Lok Sabha?

"Adjournment" is a postponement of the sitting or proceedings of the House from one time to another specified for the reassembling of the House.

"Prorogation" means the termination of a Session of the House by an order made by the President under article 85(2)(a) of the Constitution. The Prorogation of the House may take place any time, even while the House is sitting. "Dissolution" of the House means the end of the life of the Lok Sabha either by an order made by the President under article 85 (2) (b) of the Constitution or on the expiration of the period of five years from the date appointed for its first meeting.

10. What is Question Hour?

Rule 32 of the "Rules of Procedure and Conduct of Business in Lok Sabha" provides that unless the Speaker otherwise directs, the first hour of every sitting of the House shall be available for the asking and answering of Questions. Thus, it is taken up from 1100hrs to 1200 hrs in every sitting.

11. What are the different types of Questions? [An ,CO3]

There are basically four types of Questions:-

Starred

Un starred

Short Notice Question

Question to Private Members

12. What is a Bill?

A Bill is the draft of a legislative proposal brought before the House for its approval.

13. What are the different types of Bills? [An,CO3]

Depending on their contents, Bills may further be classified broadly into (a) Original Bills (Bills embodying new proposals, ideas or policies); (b) Amending Bills (Bills which seek to modify, amend or revise the existing Acts); (c) Consolidating Bills (Bills which seek to consolidate existing laws on a particular subject); (d) Expiring Laws (Continuance) Bills (Bills to continue an expiring Act); (e) Repealing Bills (Bills seeking to repeal existing Acts); (f) Bills to replace Ordinances; (g) Constitution (Amendment) Bills; and (h) Money and Financial Bills.

Hall Ticket No

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Course Code: AHSC14



INSTITUTE OF AERONAUTICAL ENGINEERING
(Autonomous)

B.Tech IV SEMESTER CIE - I EXAMINATIONS APRIL - 2022

Regulation: UG20

INDIAN CONSTITUTION

(Common to CSE | CSE(AI&ML) | CSE(CSIT) | CSE(DS) | CSE(CS) | IT Branches)

Time: 2 Hours

Max Marks: 20

**Answer any FOUR questions
All parts of the question must be answered in one place only**

1. (a) What is the need and importance of constitution for democratic country like India? [Marks: 2]
(b) Enumerate the following key words from preamble of constitution: Sovereign, Socialist, Secular, Democratic and Republic. [Marks: 3]
2. (a) Discuss the salient features of Indian constitution with special reference to parliamentary form of Government. [Marks: 2]
(b) "The Indian constitution is neither Federal nor Unitary but is a combination of both". Discuss. [Marks: 3]
3. (a) What do you mean by directive principles of state policy? What is their importance. [Marks: 2]
(b) If you are to take a pledge to abide by four fundamental duties on the independence day, which four duties, according to you are the most important ones and why? [Marks: 3]
4. (a) Explain about the constitutional amendments and constitutional functions. [Marks: 2]
(b) With reference to decided cases explain the scope of the fundamental right to freedom of religion under the Indian constitution. [Marks: 3]
5. (a) Explain in detail about the union government structure and functions. [Marks: 2]
(b) Write about Rajya sabha and Loksabha. Classify the role of local government. [Marks: 3]

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MODULE-III UNION GOVERNMENT

The Union government is mainly composed of the executive, the legislature, and the judiciary, and powers are vested by the constitution in the prime minister, parliament and the supreme court respectively. The president of India is the head of state and the commander-in-chief of the Indian Armed Forces

whilst the elected prime minister acts as the head of the executive, and is responsible for running the Union government. The parliament is bicameral in nature, with the Lok Sabha being the lower house, and the Rajya Sabha the upper house. The judiciary systematically contains an apex supreme court, 25 high courts, and several district courts, all inferior to the supreme court.

Legislature

The Legislature of the Union, which is called Parliament, consists of the President and two Houses, known as Council of States (Rajya Sabha) and House of the People (Lok Sabha). Each House has to meet within six months of its previous sitting. A joint sitting of two Houses can be held in certain cases.

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President of India (with powers and functions)

The Indian President is the head of the state. He is the first citizen of India and is a symbol of solidarity, unity, and integrity of the nation. He is a part of the Union Executive along with the Vice-President, Prime Minister, Council of Ministers, and Attorney-General of India.

The President of India is the Head of State. The system of government of India is a cabinet form of government. The Indian President is, therefore, a constitutional head like the King or Queen of Britain—that is, all executive powers are constitutionally vested in him, although those are actually exercised and executed by the cabinet.

In India the powers of the Union government are treated as the powers of the President because these powers are used in his name in pursuance of the constitutional stipulation under Article 53 which reads: The executive powers of the Union shall be vested in the President and shall be exercised by him either directly or through the officers subordinate to him in accordance with this Constitution.

The constitutional powers and functions of the President of India may be classified into six principal types.

Executive Functions

1. Head of the Union

2. Appointments; President appoints the Governors of States, the Judges of the Supreme Court and the High Courts, the Auditor General of India and many other high officials
3. Appointment of the Prime Minister and other Ministers: The President also appoints the Prime Minister and with his advice the other Ministers of the Union Council of Ministers.
4. Can ask to prove Majority in Lok Sabha: Union Council of Ministers normally remains in office for five years, unless dissolved earlier for any reason.
5. Supreme Commander: As head of State, the President is the supreme Commander of the Armed Forces of India and is entitled to declare war or conclude a treaty.

Legislative Powers and Functions

1. President is a part of Parliament:
2. Summons and Addresses Parliament:
3. Nomination: The President nominates a number of members in both Houses.
4. Power in respect of Bills: The President has certain functions in respect of passing of a Bill. A bill passed by both the Houses of Parliament requires his assent in order to become an Act.
5. Bill passed by a State Legislature: A bill passed by a State Legislature may also be reserved for the consideration of the President by the Governor of that State.

Financial Powers of President

- To introduce the money bill, his prior recommendation is a must
- He causes Union Budget to be laid before the Parliament
- To make a demand for grants, his recommendation is a prerequisite
- Contingency Fund of India is under his control
- He constitutes the Finance Commission every five years

Diplomatic Powers of President

International Treaties and agreements that are approved by the Parliament are negotiated and concluded in his name

He is the representative of India in international forums and affairs

Military Powers of President

He is the commander of the defence forces of India. He appoints:

- Chief of the Army
- Chief of the Navy
- Chief of the Air Force

Emergency Powers of President

He deals with three types of emergencies given in the Indian Constitution:

- National Emergency (Article 352)
- President's Rule (Article 356 & 365)
- Financial Emergency (Article 360)

Prime minister of India (With powers and functions)

The Prime Minister of India is the head of the government and country. He is appointed by the President of India after the political party wins a general election and nominates a candidate for the post. The leader of that political party is hence appointed as the Prime Minister of India.

Power and function of Prime Minister

The Prime Minister of India serves the country by performing various functions.

He performs his functions taking responsibilities that are listed below

- The leader of the Country: The Prime Minister of India is the Chief Head of the Government of India.

- Portfolio allocation: The Prime Minister has the authority to assign respective portfolios to the Ministers.
- Chairman of the Cabinet: The Prime Minister is the chairman of the cabinet and conducts the meetings of the Cabinet. He can impose his decision if there is a crucial opinion difference and conflict among the members.
- Official Representative of the country: The Prime minister represents the country for high-level international meetings and he is the ambassador of the country.
- The link between the President and the Cabinet: The Prime Minister acts as the link and bond between the President and cabinet. He communicates and transmits all decisions of the Cabinet to the President which are related to the administration of the affairs of the Union and proposals for legislation.
- Head: The Prime Minister is the head of many organisations and programs like Nuclear Command Authority, NITI Aayog, Appointments Committee of the Cabinet, Department of Atomic Energy, Department of Space and Ministry of Personnel, Public Grievances and Pensions.
- Chief Advisor: He also plays the role of chief advisor to the President
- He plays a significant role in shaping the foreign policy of the country.
- He is the chief spokesman of the Union government.
- He is the crisis manager-in-chief at the political level during emergencies.
- As a leader of the nation, he meets various sections of people in different states and receives memoranda from them regarding their problems, and so on.
- He is the leader of the party in power.
- He is the political head of the services. Thus, the Prime Minister plays a very significant and highly crucial role in the politico-administrative system of the country

The Supreme Court at the apex of the Indian Judiciary is the highest authority to uphold the Constitution of India, to protect the rights and liberties of the citizens, and to uphold the values of rule of law. Hence, it is known as the Guardian of our Constitution.

The Constitution of India has provided an independent judiciary with a hierarchical setup containing High Courts and Subordinate Courts under it.

A supreme court is the highest court within the hierarchy of courts in many legal jurisdictions. Other descriptions for such courts include court of last resort, apex court, and high (or final) court of appeal. Broadly speaking, the decisions of a supreme court are not subject to further review by any other court. Supreme courts typically function primarily as appellate courts, hearing appeals from decisions of lower trial courts, or from intermediate-level appellate courts.



Powers and Functions

- Guardian of the constitution
- Original Jurisdiction
- Defender of the Federation
- Enforcement of fundamental rights
- Appellate Jurisdiction: Civil & Criminal
- Special Leave to Appeal
- Advisory Jurisdiction
- Review(Revisory Jurisdiction)
- Court of Records
- Contempt of Court
- Power of Judicial Review

Supreme Court of India – Functions

- It takes up appeals against the verdicts of the High Courts, other courts and tribunals.
- It settles disputes between various government authorities, between state governments, and between the centre and any state government.
- It also hears matters which the President refers to, in its advisory role.
- The SC can also take up cases suo moto (on its own).

- The law that SC declares is binding on all the courts in India and on the Union as well as the state governments.

Jurisdiction of the supreme court

Jurisdiction is the authority given to a legal body like a court to administer justice within a defined field of responsibility.

The Supreme Court in India has three types of jurisdictions – original, appellate and advisory as provided in Articles 131, 133 – 136 and 143 respectively of the Indian Constitution.

Original jurisdiction of a court refers to a matter for which the particular court is approached first. In the case of the Supreme Court in India, its original jurisdiction is covered under Article 131. It involves the following cases:

- Any dispute between the Indian Government and one or more States.
- Any dispute between the Indian Government and one or more States on one side and one or more States on the other side.
- Any dispute between two or more States.
- Article 32 of the Constitution provides original jurisdiction to the SC for matters regarding the enforcement of Fundamental Rights.
- The SC can issue writs, directions, or orders including writs in the nature of mandamus, habeas corpus, quo warranto, prohibition and certiorari.
- The SC also has the power to direct the transfer of a criminal or civil case from the High Court in one State to the High Court in another State.
- It can also transfer cases from one subordinate court to another State High Court

Appellate Jurisdiction

Under this, the Supreme Court can hear cases only when they are appealed against a High Court order.

Advisory Jurisdiction

Under this, the President can request the Supreme Court to offer its opinion on any issue of law or fact.

MODULE-IV STATE GOVERNMENT

State Government

- A state government is the government that controls a subdivision of a country in a federal form of government, which shares political power with the federal or national government. A state government may have some level of political autonomy, or be subject to the direct control of the federal government. This relationship may be defined by a constitution.
- State governments in India are the governments ruling over 28 states and 8 union territories of India and the head of the Council of Ministers in a state is the Chief Minister. Power is divided between the Union government and state governments. While the Union government handles defence, external affairs etc., the state government deals with internal security and other state issues. Income for the Union government is from customs duty, excise tax, income tax etc., while state government income comes from sales tax (VAT), stamp duty etc.; now these have been subsumed under the various components of the Goods and Services Tax
- Each state has a legislative assembly. A state legislature that has one house - State Legislative Assembly (Vidhan Sabha) - is a unicameral legislature. A state legislature that has two houses - the State Legislative assembly and State Legislative Council (Vidhan Parishad) - is a bicameral legislature. The Vidhan Sabha is the lower house and corresponds to the Lok Sabha while the Vidhan Parishad is the upper house and corresponds to the Rajya Sabha of the Parliament of India.
- The Sarkaria Commission was set up to review the balance of power between states' and the Union governments.