

CHAPTER-I

THE INDIAN CONSTITUTION

2MARKS QUESTIONS

1: In politics, what is a constitution?

Answer: In Politics a Constitution can be described as a document outlining the basic laws or principles by which a country is to be governed.

2: In Nepal, when did the Interim Constitution come into effect?

Answer: In Nepal, the Interim Constitution came into effect from January 15, 2007.

3: What are the negative points of a democratic society?

Answer: In a democratic society Power can be misused. Sometimes the Majority can undermine the minority. The citizens need certain rules to save themselves from folly.

4. What do you mean by federalism?

Answer: The term federalism refers to the existence of more than one level of government in the country.

5. What is Right to Equality?

Answer: Right to Equality means that all persons are equal before the law.

6. What is Right against Exploitation?

Answer: Under this Right the Constitution prohibits trafficking, forced labour and children working under 14 years of age.

7. How has the section on Fundamental Rights often been referred to?

Answer: It has often been referred to as the conscience of the Indian Constitution.

8. How are Fundamental Rights important? Give one point.

Answer: Fundamental Rights protect citizens against the arbitrary and absolute exercise of power by the state.

9. What does the word 'State' refer to? [Imp.]

Answer: The word 'State' refers to a political institution that represents a sovereign people who occupy a definite territory. For example, the Indian State.

10. What caused fear among the members of the Constituent Assembly?

Answer: They feared that the executive might become too strong and ignore its responsibility to the legislature.

11. What did the members of the Constituent Assembly do to come out of their fear?

Answer: They included several provisions in the Constitution to limit and control the actions taken by the executive branch of government as a whole.

12. What do you mean by a secular state? [V. Imp.]

Answer: A secular state does not officially promote any one religion as the state religion.

13. Why do the people of Nepal not want to adhere to their previous Constitution.

Answer: The previous Constitution does not reflect the ideals of the country that want Nepal to be, and that they have fought for.

4 MARKS QUESTIONS

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 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 power 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 the wrong purposes. Hence, the constitution has provided measures to safeguard the country against such misuse of powers.

4. Who is in a minority in the above storyboard? In what way is this minority being dominated by the decision taken by the majority?

Answer:

1. Identifying the Minority:

- The term "minority" typically refers to a group that is smaller in number compared to the majority. In a broader context, this could be a group with less influence or representation.

2. How the Minority is Dominated:

In decision-making processes, if the majority makes decisions without considering the concerns or needs of the minority, it can lead to the domination or marginalization of the minority group. Their voices and interests may be overlooked, and decisions may not reflect their perspectives.

5. Understanding the Term 'Constitutive':

In the context of rules or principles, the term "constitutive" refers to something that helps establish, define, or constitute the basic structure or foundation of a system or entity. Constitutive rules are fundamental rules that shape the nature of an activity, system, or organization.

Example of 'Constitutive Rules' from Everyday Life:

An example of constitutive rules from everyday life can be seen in the game of chess. The rules of chess define the movements of each piece, the objective of the game, and how players win or lose. These rules constitute the game of chess, shaping its nature and making it recognizable as chess.

6. In what way is the class monitor misusing his power?

Possible Answer: The class monitor might be misusing his power if he uses his position to bully or favor certain students, unfairly distribute tasks or privileges, or if he uses the position to settle personal scores rather than maintaining a fair and supportive environment in the class.

7MARKS QUESTIONS

1. 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 are 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 cause 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. Just because they are in the minority with different religious beliefs, they should not be disrespected. Any decision should 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 are the 20 per cent of 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 are the 10 students who do not belong to well-off families. It is important to keep their viewpoints in mind because they may not be able to contribute to the various expenses required by the school and they should not feel humiliated for the same.

2. 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:

	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, forming a government for the different levels is important. The Panchayati Raj is responsible for governing the village, the state government is responsible for governing the state, and the Central Government is responsible for governing the entire country
Separation of Powers	There are three organs of governance: legislature, executive and judiciary. Each of these organs has different powers and serves different 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

Fundamental Rights are a set of rights that the Constitution offers to every citizen of the country. These rights include the Right to Freedom, the Right to Equality, the Right against Exploitation, the Right to Freedom of Religion, Cultural and Educational Rights and the Right to Constitutional Remedies. These rights give every citizen of the country the right to be considered equal, not to 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, would have the right to elect their leaders under universal adult suffrage, i.e., where the right to vote will be given to all.

3. Write down the names of the Indian States, which share borders with the following neighbouring nations

(a) Bangladesh

(b) Bhutan

(c) Nepal

Answer:

(a) States which share borders with Bangladesh are:

1. West Bengal
2. Assam
3. Meghalaya
4. Tripura
5. Mizoram

(b) States which share borders with Bhutan are:

1. Sikkim
2. Assam
3. Arunachal Pradesh
4. West Bengal

(c) States which share borders with Nepal are:

1. Uttarakhand
2. Sikkim
3. Uttar Pradesh
4. Bihar
5. West Bengal

4. Why the People of Nepal Wanted a New Constitution:

The people of Nepal sought a new constitution for several reasons:

- **Historical Context:** Nepal had experienced a decade-long armed conflict that ended in 2006. The conflict led to a comprehensive peace agreement and raised the need for a new political order.
- **Desire for Democracy:** There was a strong desire for a more inclusive and democratic system. The people wanted a constitution that would ensure representation and participation of various ethnic, cultural, and social groups.
- **End of Monarchy:** The monarchy was abolished in 2008, and Nepal declared itself a federal democratic republic. This significant political change required a new constitution to reflect the shift in governance structure.
- **Addressing Social Issues:** The new constitution aimed to address historical social issues, including discrimination based on caste, ethnicity, and gender, ensuring equal rights and opportunities for all citizens.
- **Establishing a Federal Structure:** The people wanted a constitution that would establish a federal structure, dividing the country into provinces to promote local governance and address regional disparities.

Overall, the desire for a new constitution in Nepal was driven by the need for a more inclusive, democratic, and modern governance system that would address the diverse needs and aspirations of the population

5. In which of the following situations is a minister misusing his power:

- a) Refuses to sanction a project of his ministry for sound technical reasons;
 - **Answer:** This is not misuse of power; it could be a responsible decision based on technical considerations.
- b) Threatens to send his security staff to rough up his neighbor;
 - **Answer:** This is a clear misuse of power. Threatening violence against a neighbor is inappropriate and an abuse of authority.
- c) Calls up the police station asking them not to register a complaint that is likely to be filed against his relative.
 - **Answer:** This is also a misuse of power. Using influence to prevent a legitimate complaint from being filed is an abuse of authority and goes against the principles of justice.

In both cases (b and c), the misuse of power involves actions that are unethical, illegal, or against the principles of fair governance.

6. Discuss the difference between State and Government with your teacher.

Certainly! The concepts of "state" and "government" are distinct yet closely related in political science. Here's a brief discussion of the differences:

State:

- **Definition:** The state is a politically organized community with a defined territory, population, a system of governance, and the capacity to enter into relations with other states.
- **Permanent Entity:** The state is a permanent entity that represents the sovereign authority within a specific geographical area.
- **Elements:** A state comprises several key elements, including a defined territory, a stable population, a government, and the ability to engage in foreign relations.
- **Example:** In the case of India, the term "State" refers to the entire country, including its government, territory, and people.

Government:

- **Definition:** The government is the administrative machinery or the organization through which the state exercises its authority and implements laws and policies.
- **Temporary Entity:** Unlike the state, a government is a temporary and changeable institution. Governments can change through elections or other political processes.

- **Function:** The government is responsible for formulating and implementing policies, making laws, and administering various functions within the state.
- **Example:** In the Indian context, the government refers to the elected officials, ministers, and administrative bodies responsible for running the country. For example, the government of India is led by the Prime Minister and the Cabinet.

Relationship:

- The state is a broader concept that encompasses the government. The government is a part of the state, representing the administrative and executive functions of the state.
- The government derives its authority from the state, and it is through the government that the state formulates and executes policies.
- Governments can change within a state (through elections or other political processes), but the state itself remains a constant entity.

In summary, while the state is the overarching political entity with defined territory and sovereignty, the government is the administrative apparatus within the state responsible for policy formulation and implementation.

7.The Constitution also mentions Fundamental Duties. Find out with the help of your teacher what these include and why it is important for citizens in a democracy to observe these

Certainly! The Fundamental Duties are a set of moral obligations mentioned in Part IV-A (Article 51A) of the Indian Constitution. These duties were added by the 42nd Amendment in 1976, inspired by the Constitution of the Soviet Union. They are the moral and civic obligations that every citizen of India is expected to follow. Here is a list of Fundamental Duties:

1. To abide by the Constitution and respect its ideals and institutions, the National Flag, and the National Anthem.
2. To cherish and follow the noble ideals that inspired the national struggle for freedom.
3. To uphold and protect the sovereignty, unity, and integrity of India.
4. To defend the country and render national service when called upon to do so.
5. To promote harmony and the spirit of common brotherhood among all the people of India transcending religious, linguistic, and regional or sectional diversities.
6. To value and preserve the rich heritage of our composite culture.

7. To protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for living creatures.
8. To develop the scientific temper, humanism, and the spirit of inquiry and reform.
9. To safeguard public property and to abjure violence.
10. To strive towards excellence in all spheres of individual and collective activity.

Why it is important for citizens in a democracy to observe Fundamental Duties:

1. **Civic Responsibility:** Observing Fundamental Duties instills a sense of civic responsibility among citizens. It encourages them to actively participate in the democratic process and contribute to the well-being of society.
2. **National Integration:** The duties promote values that contribute to national integration by fostering a spirit of common brotherhood, tolerance, and understanding among diverse communities.
3. **Environmental Conservation:** Duties related to the environment emphasize the importance of sustainable living and environmental conservation. Citizens are encouraged to be mindful of their impact on the environment.
4. **Social Harmony:** By promoting values like tolerance and promoting harmony, Fundamental Duties contribute to building a socially inclusive and harmonious society.

5. **National Security:** Duties related to defending the country and rendering national service underline the importance of national security and preparedness.
6. **Preservation of Cultural Heritage:** The duty to preserve the rich cultural heritage emphasizes the importance of respecting and safeguarding India's diverse cultural traditions.
7. **Personal Development:** Developing a scientific temper, humanism, and a spirit of inquiry and reform fosters personal growth and contributes to the overall development of society.

Observing Fundamental Duties is crucial for the overall well-being of a democratic society as it helps in building a responsible, ethical, and harmonious citizenry. It complements the rights guaranteed by the Constitution and creates a balance between individual freedoms and societal responsibilities

MULTIPLE CHOICES ON THE INDIAN CONSTITUTION

Q1- In 1934, _____ demanded for a Constituent Assembly for the first time.

- A) Indian National Congress
- B) Swarajya Part
- C) Forward Block
- D) Communist Party

Q2- The Indian Constitution was drafted by _____.

- A) Congress
- B) Constituent Assembly
- C) Judicial Assembly
- D) Hindu Mahasbha

Q3- In Nepal, the struggle for democracy started in _____.

- A) 1990
- B) 1991
- C) 1992
- D) 1994

Q4- The father of Indian Constitution is _____.

- A) B R Ambedkar
- B) Liaquat Ali Khan
- C) Rajendra Prasad
- D) S C Sinha

Q5- To ensure greater economic and social reforms, the Constitution introduced

- A) Directive Principles of State Policy
- B) Fundamental Rights
- C) Judiciary Rights
- D) Executive Rights

Q6- _____ is a group of people who make laws and run the government.

- A) Congress
- B) Judiciary
- C) Government
- D) Executive

Q7- Shri Jagjivan Ram was the first _____ minister of India.

- A) labour
- B) health
- C) Parliamentary Affairs
- D) Home

Q8- The existence of more than one level of government in any country is called _____

- A) Democracy
- B) Federalism
- C) Universal Adult Franchise
- D) Monarchy

Q9- The Human trafficking and forced labour are prohibited under _____.

- A) Culture and Educational Rights
- B) Right against Exploitation
- C) Right to freedom of Religion
- D) Right to Property

Q10- The Indian government is a _____ form of government.

- A) Monarchy
- B) Military
- C) Parliamentary
- D) Dictatorship

MCQS Answers

Q. No.	Answer
1	A
2	B
3	A
4	A
5	A
6	D
7	A
8	B
9	B
10	C

FILL IN THE BLANKS

Q1- Right to Move Freely falls under ____.

Ans: Right to freedom

Q2- The system of courts in the country is collectively referred as ____.

Ans:Judiciary

Q3 ____ was the first Finance minister of India.

Ans:John Mathai

Q4- ____ were urged by B R Ambedkar to join government and civil services.

Ans:Scheduled Castes

Q5- The first Health Minister of Independent India was ____.

Ans:Rajkumari Amrit Kaur

Q6- _____ was the first Prime Minister of independent India.

Ans:Jawaharlal Nehru

Q7- The Indian Constitution was finally completed in _____.

Ans:November 1949

Q8- _____ was the President of the Constituent Assembly.

Ans:Dr Rajendra Prasad

Q9- The elected representatives in India are part of _____.

Ans:Legislature

Q10- Everyone is equal before law.' This right falls under _____.

Ans:Right to Equality

summary of the Indian Constitution

The Indian Constitution is the supreme law of the country, providing the framework for its governance. It was adopted on January 26, 1950, and is one of the longest written constitutions in the world. Here are key points about the Indian Constitution:

1. Preamble:

- The Constitution begins with the Preamble, which outlines the ideals and objectives of the Indian state. It emphasizes justice, liberty, equality, and fraternity.

2. Federal Structure:

- India has a federal structure with a division of powers between the central government and the states. There are three lists – Union List, State List, and Concurrent List – specifying the subjects on which each level of government can make laws.

3. Parliament:

- The Parliament is the supreme legislative body consisting of two houses – the Lok Sabha (House of the People) and the Rajya Sabha (Council of States). Members of the Lok Sabha are directly elected by the people, while members of the Rajya Sabha are elected by the members of the State Legislative Assemblies.

4. President:

- The President is the head of the state and is elected by an electoral college comprising the elected members of

both houses of Parliament, as well as the elected members of the Legislative Assemblies of the states and Union territories.

5. Fundamental Rights:

- The Constitution guarantees fundamental rights to all citizens, including the right to equality, freedom of speech and expression, right to life, and right to education. These rights are essential for the overall well-being of individuals.

6. Directive Principles of State Policy:

- The Directive Principles of State Policy provide guidelines for the government to achieve social and economic justice. While not enforceable in courts, these principles are fundamental in the governance of the country.

7. Judiciary:

- The judiciary, headed by the Supreme Court, is independent and acts as the guardian of the Constitution. It has the power of judicial review, ensuring that laws and government actions adhere to constitutional principles.

8. Emergency Provisions:

- The Constitution contains provisions for the declaration of a state of emergency in case of threats to the security of the country. During an emergency, certain fundamental rights may be suspended.

9. Amendment Process:

- The Constitution can be amended to adapt to changing needs. Amendments require a two-thirds majority in both houses of Parliament.

10. Cultural and Educational Rights:

- The Constitution recognizes and protects the cultural and educational rights of minorities, ensuring the preservation of their distinct languages and cultures.

Understanding the Indian Constitution is vital for every citizen as it forms the basis of the country's governance, protecting the rights and liberties of its people.