

Harmoneet Singh Subject Code MC

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5th Sem

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## Constitution of India

Q8

Explain in detail the fundamental rights provided by the Constitution.

Fundamental rights are different form of ordinary legal rights in the manner in which they are enforced. If a legal right is violated, the aggrieved person cannot directly approach the SC bypassing the lower courts.

- Fundamental rights are not absolute rights - They have reasonable restriction which means they are subject to the conditions of state security, public morality and decency.

Following are the fundamental rights :-

1. Right to Equality (Articles 14-18) :-

Right to equality guarantees equal

- equal rights for everyone irrespective of religion, gender, caste, race or place of birth.  
 It ensures equal opportunities in the government and  
 ensures equality against discrimination by the state in matters of  
 employment on the basis of  
 caste & religion etc.

## 2. Right to Freedom (Articles 19 to 22)

Freedom is one of the most important ideals cherished by any democratic society. The Indian Constitution guarantees freedom to citizens. The freedom rights include many rights like :-

- Freedom of expression.
- Freedom of speech.
- Freedom of assembly without arms.

## 3. Right against Exploitation (Article 23 to Article 24)

This right implies the prohibition of traffic in human

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beings, fegor and other forms of forced labour. It also implies the prohibition of children in factories etc. The Constitution prohibits the employment of children under 14 years in hazardous conditions.

4. Right to freedom of religion  
= (Article 25 to 28)

This indicates the secular state nature of Indian polity. There is equal respect given to all the religions. There is freedom of conscience, profession, practice and propagation of religion. The state has no official religion. Every person has the right to freely practice his or her faith, establish and maintain religious and charitable institutions.

5. Cultural and Education Rights  
= = =

(Articles 29-30) :- These rights protect the rights

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of religious, cultural and linguistic minorities, by facilitating them to preserve their heritage and culture. Educational rights are for ensuring education for everyone without any discrimination.

## (c) Right to Constitutional Remedies (32-35)

The constitution guarantees remedies if citizens' fundamental rights are violated. The government cannot infringe upon or curtail anyone's rights. When these rights are violated, the aggrieved party can approach the courts. Citizens can even go directly to the Supreme Court of which issue writs for enforcing fundamental rights.

## Section B

Q1) What is the need of Constitution and How many States and Union territories?

The Constitution of India is the supreme law. It lays down the framework defining political principles. It sets out fundamental rights and duties of citizens.

### The need of Constitution :-

- ① It expresses the aspirations of people for building a good society.
- ② It generates trust that is necessary for different kinds of people to live together.

- ③ It defines the nature of political system of a country.

④ It specifies how the government will be constituted which means who will be the power and what decision will they be responsible for.

⑤ It lays down limitations on the powers of the government and makes citizens aware of their rights.

There are 28 States and 8 Union territories in the country.

Q Explain two houses of parliament and their working.

A The parliament is divided into two houses known as the House of people (Lok Sabha) and the council of states (Rajya Sabha).

## 1. The House of People (Lok Sabha):

It is directly elected by the people and exercise the real power on the behalf of the people. The maximum strength of the house is 552 of which 530 members are elected from the states and 20 members from the union territories. Two members are nominated by the President of India from the Anglo-Indian community. The present membership of Lok Sabha is 545.

## 2. The Council of States (Rajya Sabha)

is usually elected indirectly and performs some specific functions. The most common work for the second House is to look after the interests of various states, regions and federal units. It has more than 250 members. Twelve (12) of Rajya Sabha members are nominated

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by the president from persons  
who have earned distinction  
in the fields of literature,  
art, science and social  
service. Raja Sabha is permanent  
body. It is not subject to  
dissolution but one-third of  
its members retire every two  
years. There are at present 245  
members in Raja Sabha,  
distributed among different  
States and Union Territories.

### Section A

Q what do you mean by Constitution

A Constitution is an aggregate of  
fundamental principles or  
established precedents that  
constitute the legal basis of  
a body of organization or other  
type of entity and  
commonly determine how the  
entity is to be governed.

The most fundamental features can be described as → Preamble, fundamental rights, Directive principles, secularism, Rule of Law and Liberal democracy.

Q1 When was the Indian Constitution drafted and did come into force.

~~2~~ Indian Constitution came into force on 26 January 1950 and

~~It was drafted on 26 November 1949~~

~~3~~ Who was the President of Constitutional Assembly and Chairman?

~~3~~ President of Constitutional Assembly  
i - Rajendra Prasad.

~~#~~ Chairman of Drafting Committee i  
B.R Ambedkar.

~~4~~ In Indian Constitution the number of articles are 470, Appendices = 5

Parts are 25, Schedules = 12.