

SOCIAL AND POLITICAL LIFE

[CIVICS]

Unit One : The Indian Constituion and Secularism

CHAPTER

1

✓ THE INDIAN CONSTITUTION

SYLLABUS OF THIS CHAPTER

1. Why does a country need a constitution ?
2. The Indian Constitution : **Key Features** :
 - (a) Federalism
 - (b) Parliamentary Form of Government
 - (c) Separation of Powers
 - (d) Fundamental Rights
 - (e) Secularism

✓ IMPORTANT TERMS AND DEFINITIONS

1. **Constitution** : A constitution is a set of rules, laws and principles according to which a country is governed.
2. **Democracy** : Rules by the people.
3. **Monarchy** : Rule by king or queen.
4. **Arbitrary** : When nothing is fixed and is instead left to one's judgement or choice. This can be used to refer to rules that are not fixed, or decisions that have no basis etc.
5. **Ideal** : A goal or a principle in its most excellent or perfect form.
6. **Indian national movement** : The Indian national movement started in nineteenth century. India saw thousands of men and women together to fight against British rule. This culminated in India's independence in 1947.
7. **Polity** : A society that has an organised political structure. India is a democratic polity.
8. **Sovereign** : The sovereignty means the independence of the people who are masters of their own destiny.
9. **Trafficking** : The practice of the illegal buying-selling of different commodities across national borders. In this chapter, it refers to illegal trade in human beings, particularly women and children.
10. **Tyranny** : The cruel and unjust use of power or authority.
11. **Amendment** : Any change made in law of articles of constitution by the Parliament.

SUMMARY OF THE LESSON

1. The Constituent Assembly under the Presidentship of Dr. Rajendra Prasad framed the Indian Constitution.
2. The Constitution of India was enacted on 26 January 1950.
3. Rights which are considered essential or fundamental for the well-being of a person are called Fundamental rights.
4. The Constitution has conferred the following six rights on the citizens of India :
 - (a) Right to Equality.
 - (b) Right to Freedom.
 - (c) Right against Exploitation.
 - (d) Right to Freedom of Religion.
 - (e) Cultural and Educational Rights.
 - (f) Right to Constitutional Remedies.
 - (g) Recently, Right to Education has also been introduced.
5. The constitution has special provisions (Articles 36 to 51) regarding the Directive Principles of State Policy which every government keeps in mind while making any laws and implementing its policies.
6. To make the laws for the Scheduled Castes and Scheduled Tribes more effective, the people have to be educated and made aware of their rights and the many laws present in the constitution for their protection.

N.C.E.R.T. TEXTBOOK QUESTIONS (Solved)

Q. 1. Why does a democratic country need a constitution ?

Ans. A democratic country needs a constitution for the following purposes :

- (a) It lays down rules that guard against the misuse of power by our political leaders.
- (b) The constitution guarantees the right to equality to all persons and no citizen can be discriminated against on grounds of religion.
- (c) Constitution provides certain fundamental rights as well as certain duties to the citizens.
- (d) The constitution also ensures that a dominant group does not use its power against other less powerful people or groups.

Q. 2. Look at the wordings of two documents given on next page. The first document is from the 1990 Nepal constitution. The second column is from the more recent interim constitution of Nepal.

Column I	Column II
1990 : Constitution of Nepal Part 7 : Executive Article 35 : Executive Power : The executive power of the king.	2007 Interim Constitution Part 5 : Executive The Executive power of Nepal shall, pursuant to this constitution and other laws, be vested in the Council of Ministers. The executive functions of Nepal shall be taken in the name of the Prime Minister.

What is the difference in who exercise 'Executive Power' in the above two constitutions of Nepal. Keeping this in mind, why do you think Nepal needs a new constitution today ?

Ans. According to constitution of Nepal 1990; the executive power is vested solely in the hands of king. He could exercise his powers as desired. On the other hand according to Interim Constitution of 2007, Executive power will be

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vested in the council of ministers. It means the Parliamentary democracy will function in Nepal.

Nepal needs a new constitution which will decide the functions and powers of different heads of government. It will also divide the functions of legislative, executive and judiciary.

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

Ans. If there were no restrictions on the power of elected representatives then there will also be possibility that the elected representatives misuse their power. The misuse of authority and power can lead to gross injustice.

SOME OTHER IMPORTANT QUESTIONS FOR EXAMINATION

VERY SHORT ANSWER TYPE QUESTIONS

✓ Q. 1. Why do the people of Nepal not want to continue with the previous constitution ?

Ans. The people of Nepal do not want to continue with the previous constitution because it does not reflect the ideals of the country that they want Nepal to be, and that they have fought for.

✓ Q. 2. What is a constitution ?

Ans. A constitution is a set of rules, laws or principles according to which a country is governed.

✓ Q. 3. What is Preamble ?

Ans. The Preamble is an introductory document which explains the goals of the government. It states the aims and objectives of the constitution.

✓ Q. 4. What does Sovereignty mean ?

Ans. Sovereignty means freedom to govern oneself within a territory and to be free from any external control. All Indians are free to govern themselves and to make laws.

✓ Q. 5. Define Socialism.

Ans. Socialism is that everyone must enjoy social and economic equality. Everyone must

have equal status and opportunities. Everyone must also enjoy equitable distribution of wealth and a decent standard of living for all.

✓ Q. 6. What does 'democracy' refer to ?

Ans. Democracy refers to the government where in people have the power to vote and elect their representatives to the government.

✓ Q. 7. Why did the Constituent Assembly include provisions to control the actions taken by the executive branch of government ?

Ans. The Constituent Assembly included provisions to control the actions taken by the executive branch of government because the assembly feared that the executive might become too strong and ignore its responsibility.

✓ Q. 8. Why did Dr. Ambedkar urge Scheduled Castes to join the government as well as the civil services ?

Ans. Dr. Ambedkar urged Scheduled Castes to join the government as well as the civil services because though the laws might exist to safeguard the interests of scheduled castes; but the administration of these laws were in the hands of 'Caste Hindu officers.'