

Chapter-1 The Indian Constitution

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

A country needs a constitution because it serves many purposes:

- i. It lays out certain ideals that form the basis of the kind of country that we as citizens aspire to live in.*
 - ii. Constitution tells us what the fundamental nature of our society is.*
 - iii. A country is usually made up of different communities of people who share certain beliefs but may not necessarily agree on all issues.*
 - iv. A constitution helps serve as a set of rules and principles that all persons in a country can agree upon as the basis of the way in which they want the country to be governed. This includes not only the type of government but also an agreement on certain ideals that they all believe the country should uphold.*
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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 Interim Constitution of Nepal.*

What is the difference in who exercises 'Executive Power' in the above two Constitutions of Nepal? Keeping this in mind, why do you think Nepal needs a new Constitution today?

In the first column issued in 1990 the ultimate power lies in the hands of the monarch while in the second it lies in the hands of ministers who represent the common people. Nepal needs a new constitution today, to get rid of the monarch and become a republic. The people of Nepal after a new constitution will be able to rule the country for the welfare of all the people

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

If there were no restrictions on the power of elected representative then there would be a possibility that they could misuse their power. Such misuse of authority can result in injustice. It is against Right to Equality guaranteed by the constitution.

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.*
- b. In a city, percent of the population are Buddhists.*
- c. In a factory mess for all employees, 80 percent are vegetarians.*
- d. In a class of 50 students, 40 belong to more well-off families.*

a. The female teachers are in minority here. It is important to respect the views of the female teachers to understand the feelings of the female students studying in the school.

- b. *The Buddhist people are in the minority here. It is important to respect the views of the Buddhist people as they could be targeted by the majority and their faith harmed or criticised.*
- c. *Non-vegetarians are in minority here. It is important to understand the views of non-vegetarians here as they could be not allowed to eat or served non-veg food by the vegetarians.*
- d. *Poor children are in minority here. Here we have to respect the views of poor children as they could be bullied by other children or can not be able to spend money on assignments.*

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

Federalism.

A vast number of communities live in India. So it becomes important that there should be different levels of government so that laws could be made for particular areas.

Separation of Powers.

Separation of Powers is important to prevent any misuse of power by any branch. In this each organ of the states keeps check on the other organ of the state.

Fundamental Rights.

Fundamental Rights are an important part of our constitution. They protect citizens against the arbitrary and absolute power by the state.

Parliamentary Form of Government.

Parliamentary form of government allows each and every person to participate in the government. Irrespective of caste, creed, religion, economic status, etc.

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- *Extra Questions:-*

1. *When did the Indian National Congress made a demand for a constituent assembly?*

The Indian National Congress made a demand for a constituent assembly in 1934.

2. *When did the demand of a constituent assembly by Indian National Congress gain movement?*

The demand of a constituent assembly by the Indian National Congress gained movement in 1946.

3. *Why did the people of Nepal want a new constitution?*

Nepal was earlier a monarchy country, they wanted a new constitution because the previous constitution does not reflect the ideals of the country that the people of Nepal wanted to be, and that they had fought for.

4. *Explain the meaning of fundamental rights?*

Fundamental rights refers to a section of the constitution that protects citizens against the arbitrary and absolute exercise of power by the state. It guarantees the rights of individuals against the state as well as other sections. Fundamental rights objects have two folds. The first objective is that every citizen must be in a position to claim rights And secondly, these rights must be binding upon every authority that has got the power to make laws.

5. *What did the authoritarian rule of the British convince the India of?*

The long authoritarian rule of the British convinced the Indians of that free India should be a democratic country in which everyone should be treated equally and be allowed to participate in the government. The

work that was to be done in that time was to develop a constitution that would determine the functioning of the country.

6. *Explain the meaning of constitution?*

Constitution means a set of rules and regulation that determine how a country or government should work. A constitution has many sections and parts, each having different rules and sets of rules.

7. *Write a short note on the necessity of the preamble in a constitution?*

Like in any note, book, etc. preamble is also very important in a constitution. It sets or shows how the constitution should be in detail. The preamble sets the details on how a country or government should govern, what are the rights of the people and the rulers, officers, etc.

8. *How many fundamental rights are there in constitutions at present?*

There are six fundamental rights in the constitutions. These includes,

- i. Right to equality.*
 - ii. Right to freedom.*
 - iii. Right against exploitation.*
 - iv. Right to freedom of religion.*
 - v. Cultural and educational rights.*
 - vi. Right to constitutional remedies.*
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9. *What do you understand by the term constitutive? Provide one example of constitutive rule from your everyday life.*

Constitutive means a body that has the power to make or implement law and to amend any previous law.

One example of constitutive in our day to day life are our parents who make laws for us to follow and we have to do that.