



NARSIMHA REDDY ENGINEERING COLLEGE
UGC AUTONOMOUS INSTITUTION

Maisammaguda (V), Kompally - 500100, Secunderabad, Telangana State, India

UGC - Autonomous Institute
Accredited by NBA & NAAC with 'A' Grade
Approved by AICTE
Permanently affiliated to JNTUH

A
Course File
On
“MC4001-Constitution of India”

Submitted by
Dr. P. Dileep Kumar Reddy
Professor-CSE & Dean-R&D, IPR &IIC

NARSIMHA REDDY ENGINEERING COLLEGE (UGC-AUTONOMOUS)

(Affiliated to J.N.T.U, HYDERABAD)

MAISAMMGUDA (V), DHULAPALLY (P), MEDCHAL (M) SECUNDERABAD-500100
(2024-2025)



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Program Name : B.Tech- All Branches
Name of the Course : Constitution of India
Course Code : MC4001*
Year & Semester : II, B.Tech- I SEM & II Sem
Faculty Name : Dr. P. Dileep Kumar Reddy

S.NO	CONTENTS	Included
1	Vision, Mission Institute	YES
2	Academic Calendar	YES
3	Syllabus	YES
4	Subjects Notes	YES
5	Unit Wise Question Bank	YES
6	Assignment	YES
Recommendation/ Remarks :		

Faculty

Dean-Academics

Principal

1. Institute State the Vision and Mission

Vision of the Institute

To produce competent professionals who can contribute to the industry, research and societal benefits with environment consciousness and ethical Values.

Mission of the Institute

M1: Adapt continuous improvements in innovative teaching-learning practices and state-of-the-art infrastructure to transform students as competent professionals and entrepreneurs in multi-disciplinary fields.

M2: Develop an innovative ecosystem with strong involvement and participation of students and faculty members.

M3: Impart National development spirit among the students to utilize their knowledge and skills for societal benefits with ethical values.

2. Academic Calendar:



ACADEMIC CALENDAR :: 2024-25 B.TECH II YEAR I & II SEMESTER

I SEM

S.No.	Description	Duration		Duration (Weeks)
		From	To	
1	Commencement of I Semester class work	31.07.2024		
2	1 st Spell of Instructions	31.07.2024	24.09.2024	8
3	First Mid Term Examinations	25.09.2024	01.10.2024	1
4	2 nd Spell of Instructions (Including Dussera Recess)	03.10.2024	03.12.2024	9
5	Second Mid Term Examinations	04.12.2024	10.12.2024	1
6	Preparation Holiday	11.12.2024	17.12.2024	1
7	End Semester Examinations	18.12.2024	31.12.2024	2
8	Lab Examinations	02.01.2025	08.01.2025	1

II SEM

S.No.	Description	Duration		Duration (Weeks)
		From	To	
1	Commencement of II Semester class work	10.01.2025		
2	1 st Spell of Instructions	10.01.2025	13.03.2025	9
3	First Mid Term Examinations	14.03.2025	20.03.2025	1
4	2 nd Spell of Instructions (Including Summer Vacation)	21.03.2025	29.05.2025	10
5	Second Mid Term Examinations	30.05.2025	05.06.2025	1
6	End Semester Examinations	06.06.2025	19.06.2025	2
7	Lab Examinations	20.06.2025	26.06.2025	1

Copy to:

1. Deans
2. IQAC
3. All HODs
4. Administrative Officer
5. Account officer
6. Web Portal I/C
7. ERP I/C
8. Library
9. Student Notice Boards


PRINCIPAL
NARASIMHA REDDY ENGINEERING COLLEGE
UGC AUTONOMOUS
 Survey No.518, Maisammaguda (V), Dhulapally (P)
 Madchal (M), Medchal Dist., Hyderabad-500100

**3. SYLLABUS:
CONSTITUTION OF INDIA**

B.Tech. II Year I Semester & II Semester								
Course Code	Category	Hours / Week			Credits	Maximum Marks		
		L	T	P		C	CIA	SEE
MC4001,3002*	Mandatory Course	3	0	0	0	100	0	100
Contact classes: 48	Tutorial Classes : NIL	Practical classes : NIL			Total Classes :45			

Course Objectives:

Students will be able to:

1. Understand the premises informing the twin themes of liberty and freedom from a civil rights perspective.
2. To address the growth of Indian opinion regarding modern Indian intellectuals' constitutional role and entitlement to civil and economic rights as well as the emergence of nationhood in the early years of Indian nationalism.
3. To address the role of soCIElism in India after the commencement of the Bolshevik Revolution in 1917 and its impact on the initial drafting of the Indian Constitution.

Course Outcomes:

Students will be able to:

1. Discuss the growth of the demand for civil rights in India for the bulk of Indians before the arrival of Gandhi in Indian politics.
2. Discuss the intellectual origins of the framework of argument that informed the conceptualization of soCIEl reforms leading to revolution in India.
3. Discuss the circumstances surrounding the foundation of the Congress SoCIElist Party [CSP] under the leadership of Jawaharlal Nehru and the eventual failure of the proposal of direct elections through adult suffrage in the Indian Constitution
4. Discuss the passage of the Hindu Code Bill of 1956.

Unit – I: History of Making of the Indian Constitution- History of Drafting Committee.

Unit – II: Philosophy of the Indian Constitution- Preamble Salient Features

Unit – III: Contours of Constitutional Rights & Duties - Fundamental Rights

- Right to Equality

- Right to Freedom
- Right against Exploitation
- Right to Freedom of Religion
- Cultural and Educational Rights
- Right to Constitutional Remedies
- Directive Principles of State Policy
- Fundamental Duties.

Unit – IV: Organs of Governance: Parliament, Composition, Qualifications and Disqualifications, Powers and Functions, Executive, President, Governor, Council of Ministers, Judiciary, Appointment and Transfer of Judges, Qualifications, Powers and Functions

Unit – V: Local Administration: District's Administration head: Role and Importance, Municipalities: Introduction, Mayor and role of Elected Representative, CEO of Municipal Corporation. Panchayat raj: Introduction, PRI: Zila Panchayat. Elected officials and their roles, CEO Zila Panchayat: Position and role. Block level: Organizational Hierarchy (Different departments), Village level: Role of Elected and Appointed officials, Importance of grass root democracy

Unit –VI: Election Commission: Election Commission: Role and Functioning. Chief Election Commissioner and Election Commissioners. State Election Commission: Role and Functioning. Institute and Bodies for the welfare of SC/ST/OBC and women.

TEXT BOOKS:

1. The Constitution of India, 1950 (Bare Act), Government Publication.
2. Dr. S. N. Busi, Dr. B. R. Ambedkar framing of Indian Constitution, 1st Edition, 2015.
3. M. P. Jain, Indian Constitution Law, 7th Edn., Lexis Nexis, 2014.
4. D.D. Basu, Introduction to the Constitution of India, Lexis Nexis, 2015

Unit 1

History of Making of the Indian Constitution- History of Drafting Committee

History of Making of the Indian Constitution:

The history of the Constitution of India is very insightful as it explains exactly how it came into being. It also explains why India chose the Parliamentary form of democracy in its modern form. The British came to India in the 17th century initially for trading only. Eventually, after slowly gaining more power, they attained the rights to collect revenue and govern themselves. In order to do this, they enacted various laws, rules and regulations. According to the Charter Act of 1833, the Governor General of Bengal became the Governor General of India. It also created a Central Legislature, which, in a way, made the British supreme rulers of India. The rule of the Company itself finally ended with the Government of India Act in 1858. As a result, the British Crown became ruler of India and administered the country through its government. The Indian Councils Acts of 1861, 1892 and 1909 started giving representation to Indians in the Viceroy's councils. They also restored legislative powers back to some provinces. In other words, they adopted decentralization of powers between the Centre and the provinces.

There are various layers in the background of the Indian Constitution:

1. Regulating Act 1773
2. Pitt's India Act 1784
3. Charter Act of 1813
4. Charter Act of 1833
5. Charter Act of 1853
6. Government of India Act 1858
7. Indian Councils Act 1861
8. India Councils Act 1892
9. Morley-Minto Reforms 1909
10. Montague-Chelmsford Reforms 1919
11. Government of India Act 1935

12. Indian Independence Act 1947

These acts were in some way instrumental for the development of the Indian Constitution.

Regulating Act 1773

- First time the British Parliament resorted to regulating the affairs of the East India Company.
- The Governor of Bengal was made the Governor-General of Bengal (Warren Hastings).
- An Executive Council of the Governor-General was created with 4 members.
- Centralized the administration with the Presidencies of Madras and Bombay being made subordinate to the Bengal Presidency.
- Supreme Court was established at Calcutta as the Apex Court in 1774.
- Prohibited company officials from engaging in private trade and from accepting gifts from Indians.

Pitt's India Act 1784

- Commercial and political functions of the company separated. The Court of Directors managed the commercial activities while the Board of Control managed political affairs.
- The company territories in India were called 'British possession in India'.
- Governor's Councils were set up in Madras and Bombay as well.

Charter Act 1813

- This act ended the East India Company's monopoly over trade with India except in tea and opium. Trade with India was open to all British subjects.

Charter Act 1833

- Governor-General of Bengal was designated the Governor-General of India (Lord William Bentinck).
- The legislative powers of the Bombay and Madras Presidencies were removed.
- This act ended the commercial activities of the company and it was transformed into an administrative body.

Charter Act 1853

- The legislative and executive powers of the Governor-General's Council were separated.
- A Central Legislative Council was created of 6 members out of which 4 were appointed by the provisional governments of Madras, Bombay, Agra and Bengal.

- The Indian civil service was opened as a means to recruit officers for administration through open competition.

Government of India Act 1858

- After the 1857 revolt, the rule of the company was ended and the British possessions in India came directly under the British Crown.
- The office of the Secretary of State for India was created. He was assisted by a 15-member Council of India.
- The Indian administration was under his authority and the Viceroy was his agent. The Governor-General was designated the Viceroy as well (Lord Canning).
- The Court of Directors and the Board of Control were abolished.

Indian Councils Act 1861

- Indians were given representation in the Viceroy's Councils. 3 Indians entered the Legislative Council.
- Provisions were made for the entry of Indians in the Viceroy's Executive council also as non-official members.
- Portfolio system was recognised.
- Decentralisation initiated with the presidencies of Madras and Bombay being restored their legislative powers.

Indian Councils Act 1892

- Indirect elections (nominations) were introduced.
- Legislative Councils expanded. Gave more functions to the legislative councils such as the discussion of budget and questioning the executive.

Indian Councils Act 1909 (Morley-Minto Reforms)

- Direct elections to the legislative councils were introduced for the first time.
- Central Legislative Council became the Imperial Legislative Council.
- The number of members of the legislative council was increased from 16 to 60.
- The concept of the separate communal electorate was accepted.
- For the first time, an Indian was made a member of the Viceroy's Executive Council. (Satyendra Prasad Sinha – Law Member).

Government of India Act 1919 (Montague-Chelmsford Reforms)

- Central and provincial subjects were separated.
- Diarchy was introduced in the provincial governments with executive councillors being in charge of the reserved list and the ministers in charge of the transferred list of subjects.
- A bicameral legislature was introduced for the first time at the centre. (Legislative council and legislative assembly later to become RajyaSabha and LokSabha respectively).
- It mandated 3 members of the Viceroy's executive council to be Indians.
- This act provided for the first time, the establishment of a public service commission in India.

Government of India Act 1935

- An all-India Federation was proposed which would consist of British India and the princely states. This never materialised though.
- Subjects were divided between the centre and the provinces. Centre was in charge of the Federal List, provinces in charge of the Provincial List and there was a Concurrent List which both catered to.
- Diarchy was abolished at the provincial level and introduced at the centre.
- More autonomy was accorded to the provinces and in 6 out of 11 provinces, the bicameral legislature was introduced.
- A federal court was established and the Indian Council abolished.
- Burma and Aden were severed off from India.
- This act provided for the establishment of the RBI.
- This Act continued until it was replaced by the new Indian Constitution.

Indian Independence Act 1947

- India was declared independent and sovereign.
- The Viceroy and the Governors were made constitutional (nominal) heads.
- Set up responsible governments at the centre and the provinces.
- Assigned both legislative and executive powers to the Constituent Assembly of India.

This Act marks the final step in the departure of the British from India. India became a truly independent and sovereign state after this Act. The Act established governments at the central and provincial levels. It also laid down the foundation of the Constituent Assembly.

Constituent Assembly:

Members of the provisional assemblies indirectly elected members of the Constituent Assembly. This assembly served as the first 'Parliament' of independent India and first met on 9 December 1946 in Delhi. After Independence, the Assembly elected Dr Rajendra Prasad as its Chairman and began drafting the Constitution.

Dr Ambedkar became the head of the Drafting Committee. This is why he is called the Father of the Constitution. After more than two years of deliberations, the Assembly finally approved the Constitution on 26 November 1949. This is why we celebrate this day as Constitution Day today.

The Assembly finally adopted the Constitution on 26 January 1950. India formally became a sovereign republic that day. This is why we celebrate 26 January as India's Republic Day.

Timeline of formation of the Constitution of India

- **6 December 1946:** Formation of the Constitution Assembly (in accordance with French practice).
- **9 December 1946:** The first meeting was held in the constitution hall (now the Central Hall of Parliament House). The 1st person to address was J. B. Kripalani, Sachchidananda Sinha became temporary president. (Demanding a separate state, the Muslim League boycotted the meeting.)
- **11 December 1946:** The Assembly appointed Rajendra Prasad as its president, H. C. Mukherjee as its vice-chairman and B. N. Rau as constitutional legal adviser. (There were initially 389 members in total, which declined to 299 after partition. Out of the 389 members, 292 were from government provinces, 4 from chief commissioner provinces and 93 from princely states.)
- **13 December 1946:** An 'Objective Resolution' was presented by Jawaharlal Nehru, laying down the underlying principles of the constitution. This later became the Preamble of the Constitution.
- **22 January 1947:** Objective resolution unanimously adopted.
- **22 July 1947:** National flag adopted.
- **15 August 1947:** Achieved independence. India split into the Dominion of India and the Dominion of Pakistan.
- **29 August 1947:** Drafting Committee appointed with B. R. Ambedkar as its Chairman. The other 6 members of committee were Munshi, MuhammedSadulla, AlladiKrishnaswamyIyer, N. GopaldaswamiAyyangar, Khaitan and Mitter.

- **16 July 1948:** Along with Harendra Coomar Mookerjee, V. T. Krishnamachari was also elected as second vice-president of Constituent Assembly.
- **26 November 1949:** The Constitution of India was passed and adopted by the assembly.
- **24 January 1950:** Last meeting of Constituent Assembly. The Constitution was signed and accepted. (with 395 Articles, 8 Schedules, 22 Parts)
- **26 January 1950:** The Constitution came into force. (The process took 2 years, 11 months and 18 days - at a total expenditure of ₹6.4 million to finish.)

G. V. Mavlankar was the first Speaker of the Lok Sabha (the lower house of Parliament) after India turned into a republic.

Membership

B. R. Ambedkar, Sanjay Phakey, Jawaharlal Nehru, C. Rajagopalachari, Rajendra Prasad, Vallabhbhai Patel, Kanaiyalal Maneklal Munshi, Ganesh Vasudev Mavalankar, Sandip Kumar Patel, Abul Kalam Azad, Shyama Prasad Mukherjee, Nalini Ranjan Ghosh, and Balwantrao Mehta were key figures in the assembly, which had over 30 representatives of the scheduled classes.

Frank Anthony represented the Anglo-Indian community and the Parsis were represented by H. P. Modi. Harendra Coomar Mookerjee, a Christian assembly vice-president, chaired the minorities committee and represented non-Anglo-Indian Christians. Ari Bahadur Gurung represented the Gorkha community. Judges, such as Alladi Krishnaswamy Iyer, Benegal Narsing Rau, K. M. Munshi and Ganesh Mavlankar were members of the assembly. Female members included Sarojini Naidu, Hansa Mehta, Durgabai Deshmukh, Amrit Kaur and Vijaya Lakshmi Pandit.

The first, two-day president of the assembly was Sachchidananda Sinha; Rajendra Prasad was later elected president. It met for the first time on 9 December 1946.

Drafting

Formation of the Constituent Assembly

The Constituent Assembly is the reason why the Drafting Committee exists. The main objective of this committee was to draft the Constitution of India which gives the country a dominion status. In 1934 M.N Roy who was an Indian Marxist revolutionary, political theorist and philosopher gave the idea of the constituent assembly.

The Indian National Congress fine-tuned this idea and made it an official demand in 1935. Although this demand was rejected by the Britishers.

C. Rajagopalachari who was an independence activist raised his voice for the formation of the constituent assembly on 15 November 1939. This demand was accepted by the Britishers in August 1940.

Structure of the Constituent Assembly

In 1946 the cabinet mission came to India with the aim to transfer the power from the British Raj to the Indian political leadership. Under this mission, the elections for the constituent assembly were held for the first time. The constituent assembly members were elected by the provincial assemblies. The elections were in the form of a single, transferable-vote system.

The final structure of the constituent assembly is as follows:

292 members acted as the representatives of the provinces.

93 represented the princely states.

4 members were positioned as the chief commissioner provinces of Ajmer-Merwara, Delhi, Coorg and British Baluchistan.

So, the total strength of the assembly was 389. Although after this election the planning of the constitution didn't go smoothly because the Muslim League refused to cooperate with the Indian National Congress. Riots between Hindu-Muslim began and the Muslim League demanded its own constituent assembly for Muslims which are residing in India.

At that time partition between India and Pakistan was made and then India got independence on 15 August 1947. On 9 December 1946, the constituent assembly met for the first time and again on 14 August 1947 they reassembled as a sovereign body. Due to the partition new elections for the constituent assembly were made and the members were reduced to 299. Dr Rajendra Prasad was the President of the constituent assembly.

The Drafting Committee

To avoid any kind of mismanagement and to speed up the process of constitution-making the constituent assembly made several committees. Among numerous committees, the drafting committee played a major role in the making of the constitution. Dr B.R. Ambedkar, who is regarded as the 'Father of the Constitution' was the Chairman of the drafting committee. Apart from him, there were 6 other members:

N Madhava Rau

T T Krishnamachari

Dr K M Munshi

Syed Mohammad Saadullah

N Gopaldaswamy Ayyangar;

Alladi Krishnaswamy Ayyar

Making of the Constitution

B. N. Rau served as a constitutional advisor to the Government of India. He took a tour of western democracies and studied various constitutions to get an idea of how other countries are drafting their own constitution. B.N. Rau were understanding the core principles of the constitution. He made a series of notes that were sent to the committee which helped them draft an effective constitution. Dr B.R. Ambedkar also studied the constitutions of about 60 countries.

Many members preferred the European-American constitutional structure. While other members wanted to draft a constitution keeping in mind India's own indigenous traditions. Due to the second world war, there was a massive shortage of food grains and the country witnessed a downfall in economic and social growth. All this made the committee think about national government control.

Further, the partition and bloodshed everywhere pointed out that the provincial law is weak. Apart from this the communist rebellion in Telangana highlighted the need to have a strong central government that can manage external defence and internal security.

Now, the structure of the political system was influenced by the European and American models. The decisions taken by the assembly were influenced by numerous concerns like economic growth, communal violence during partition, industrial productivity, growth of agriculture and massive flow of refugees.

The implementation of fundamental rights of the citizens and Directive Principles of State Policy also became part of the constitution. In total six fundamental rights were decided: the Right to Equality, the Right to Freedom, the Right against Exploitation, the Right to Freedom of Religion, Cultural and Educational Rights, the Right to

Property, and the Right to Constitutional Remedies. The Directive Principles made sure that the country would be free from social coercion. The assembly paid special attention to the rights of the communities. Apart from the above mention things the assembly had gone through so many heated discussions, and debates and looked into each minute detail while making the constitution.

Enactment and Enforcement of the Constitution

It took three years to draft the constitution, holding eleven sessions over a 165-day period. All the hard work which was done in these three years showed its fruitful result on November 26 1949, when the constitution was adopted with a Preamble, 395 Articles, and 8 Schedules.

On January 26 1950, the Constitution of India came into effect. Currently, the constitution has 470 articles which are grouped into 25 parts, 12 schedules and 5 appendices.

Sir BenegalNarsing Rau, a civil servant who became the first Indian judge in the International Court of Justice and was president of the United Nations Security Council, was appointed as the assembly's constitutional adviser in 1946. Responsible for the constitution's general structure, Rau prepared its initial draft in February 1948. The draft of B.N. Rau consisted of 243 articles and 13 schedules which came to 395 articles and 8 schedules after discussions, debates and amendments

At 14 August 1947 meeting of the assembly, committees were proposed. Rau's draft was considered, debated and amended by the eight-person drafting committee, which was appointed on 29 August 1947 with B. R. Ambedkar as chair A revised draft constitution was prepared by the committee and submitted to the assembly on 4 November 1947 Dr B. R. Ambedkar in his concluding speech in constituent assembly on 25 November 1949 stated that:

The credit that is given to me does not really belong to me. It belongs partly to Sir B.N. Rau the Constitutional Advisor to the Constituent Assembly who prepared a rough draft of the Constitution for the consideration of Drafting Committee.

While deliberating the revised draft constitution, the assembly moved, discussed and disposed off 2,473 amendments out of a total of 7,635.

Before adopting the constitution, the assembly held eleven sessions in 165 days. On 26 November 1949, it adopted the constitution, which was signed by 284 members.


The day is celebrated as National Law Day,or Constitution Day.The day was chosen to spread the importance of the constitution and to spread thoughts and ideas of Ambedkar.


Jawaharlal Nehru signing the constitution

The assembly's final session convened on 24 January 1950. Each member signed two copies of the constitution, one in Hindi and the other in English. The original constitution is handwritten, with each page decorated by artists from Shantiniketan including BeoharRammanohar Sinha and Nandalal Bose. Its calligrapher was PremBehariNarainRaizada The constitution was published in Dehradun and photolithographed by the Survey of India. Production of the original constitution took nearly five years.

Two days later, on 26 January 1950, it became the law of India. The estimated cost of the Constituent Assembly was ₹6.3 crore (million).¹The constitution has had more than 100 amendments since it was enacted.

Influence of other constitutions

Government	Influence
 United Kingdom	<ul style="list-style-type: none"> • Parliamentary government • Concept of single citizenship • Rule of law • The legislative speaker and their role • Legislative procedure
United States	<ul style="list-style-type: none"> • Bill of Rights • Federal structure of government • Electoral College • Independent judiciary and separation of powers • Judicial review • President as commander-in-chief of the armed forces • Equal protection under law
Ireland	Directive principles of state policy
Australia	<ul style="list-style-type: none"> • Freedom of trade between states • National legislative power to implement treaties, even on matters outside normal federal jurisdiction • Concurrent List • Preamble terminology
France	Notions of <i>liberté, égalité, fraternité</i>

Canada	<ul style="list-style-type: none"> • Quasi-federal government—a federal system with a strong central government • Distribution of powers between the central and state governments • Residual powers, retained by the central government¹
Soviet Union	<ul style="list-style-type: none"> • Fundamental Duties under article 51-A • Mandated planning commission to oversee economic development
 Weimar Republic	The emergency provision under article 356
South Africa	Amending the constitution
Japan	Due process

Structure

The Indian constitution is the world's longest for a sovereign nation. At its enactment, it had 395 articles in 22 parts and 8 schedules. At about 145,000 words, it is the second-longest active constitution—after the Constitution of Alabama—in the world

The constitution has a preamble and 470 articles,¹ which are grouped into 25 parts With 12 schedules and five appendices it has been amended 104 times; the latest amendment became effective on 14 January 2019.

Salient Features of Indian Constitution

1. **A Lengthy Written Constitution:**
2. A written constitution is framed at a given time and comes into force on a fixed date as a document. Our constitution was framed in 2 years, 11 months and 18 days, it was adopted on 26th November, 1949.
3. **Establishment of a Sovereign, Socialist, Secular, Democratic Republic**
 - i. SOVEREIGNTY-
 - ii. SECULARISM
 - iii. DEMOCRACY
 - iv. SOCIALIST
 - v. REPUBLIC
 - vi. JUSTICE

vii. LIBERTY AND FRATERNITY

4. **Rigid and Flexible:** The Indian Constitution is a unique example of combination of rigidity and flexibility. A constitution is called rigid or flexible on the basis of its amending procedure. In a rigid constitution, amendment of the constitution is not easy like the constitutions of USA, Switzerland and Australia are rigid constitutions. Whereas, the British Constitution is considered flexible because its amendment procedure is easy and simple. The Constitution of India has three categories of amendments ranging from simple to most difficult procedure depending on the nature of the amendment.
5. **Federal but Unitary:** India has a federal structure. In a federation there are two distinct levels of governments. There is one government for the whole country which is called the Union or Central Government and there is a government for each Unit or State. The USA is a federation whereas the UK (Britain) has a unitary form of government where there is only one government for the whole country and the power is centralised. The *Constitution of India does not use the term 'federal state'* but calls India a 'Union of States'. There is a proper distribution of powers between the Union/Central Government and the State Governments in form of Union List, State List and the Concurrent List.
6. **Quasi Federal:** It means a federal set up where despite having two clear sets of government – central and the states, more powers are given to the Central Government, supremacy of the judiciary is an essential feature of a federation so that the constitution could be interpreted impartially.
7. **Parliamentary Democracy:** India has a parliamentary form of democracy. This has been adopted from the British system. In a parliamentary democracy there is a close relationship between the legislature and the executive. The Cabinet is selected from among the members of legislature. The cabinet is responsible to the latter. In this form of democracy, the Head of the State is nominal so in India, the President is the Head of the State. Constitutionally the President has numerous powers but in practice the Council of Ministers headed by the PM, exercises these powers. The President has to act on the advice of the Prime Minister and the Council of Ministers.
8. **Fundamental Rights and Fundamental Duties:** The Constitution of India guarantees Fundamental rights. The Constitution provides for six Fundamental Rights which are justiciable and hence are protected by the judiciary. Fundamental Duties were added to our Constitution by the 42nd Amendment. It lays down a list of ten Fundamental Duties for all citizens of India. While the rights are given as guarantees to the people, the duties are obligations which every citizen is expected to perform.
9. **Directive Principles of State Policy:** These have been adopted from the Irish Constitution, included in our Constitution to ensure social and economic justice to our people. Directive Principles aim at establishing a welfare state in India where there will be no concentration of wealth in the hands of a few.
10. **Single Integrated Judicial System:** India has a single integrated judicial system. The Supreme Court is the apex court of the judicial system. Below it are the High Courts which control and supervise the lower courts. The Indian judiciary is like a pyramid with the lower courts as the base, High Courts in the middle and the Supreme Court at the top.
11. **Independence of Judiciary:** Indian judiciary is independent and impartial. It is free from the influence of the executive as well as the legislature. Its judges are appointed on the basis of

their qualifications and cannot be removed easily neither can their terms of office be altered to their disadvantage.

12. **Single Citizenship:** Usually in a federal state the citizens enjoys double citizenship like in the USA. But in India there is only single citizenship which means that every Indian is a citizen of India, irrespective of the place of his/her residence or place of birth. He/she is not a citizen of the Constituent State like Rajasthan, Uttaranchal or Chattisgarh to which he/she may belong to. All the citizens of India can secure employment anywhere in the country and enjoy all the rights equally in all the parts of the nation.
13. **Universal Adult Franchise:** Indian democracy functions on the basis of 'one person one vote'. The Indian Constitution establishes political equality in India through the method of universal adult franchise. Every citizen of India who is 18 years of age or above is entitled to vote in the elections irrespective of caste,gender, race, religion or status.
14. **Independent Agencies:**TheConstiution provides for some independent Agencies to perform functions allotted to them.The important agencies like the Election Commission, Union and State Public Service Commission.
15. **Emergency Provisions:** The Constitution makers expected that there could be situations when the government could not be run in usual manner due to difficult circumstances. To cope with such situations, the Constitution elaborated on emergency provisions. There are three types of emergency; A) emergency caused by war, external aggression or armed rebellion; B) emergency arising out of the failure of constitutional machinery in states; and C) financial emergency.

Unit – II:

Philosophy of the Indian Constitution- Preamble Salient Features

Philosophy of the Indian Constitution:

The philosophy of the Indian Constitution is rooted in the principles of justice, liberty, equality, and fraternity, as articulated in its Preamble. Here are some key aspects of its philosophical underpinnings:

1. Democratic Values

The Constitution establishes India as a sovereign, socialist, secular, and democratic republic. It emphasizes the importance of popular sovereignty and the role of the people in governance.

2. Social Justice

The Constitution aims to eliminate social inequalities and promote the welfare of marginalized communities. It includes provisions for affirmative action to uplift Scheduled Castes, Scheduled Tribes, and other disadvantaged groups.

3. Rule of Law

The principle of the rule of law is central to the Constitution, ensuring that all individuals are subject to the law, which is applied equally and fairly, without arbitrary governance.

4. Fundamental Rights

It guarantees a set of Fundamental Rights that protect individual freedoms and ensure dignity. These rights are justiciable, allowing citizens to seek redressal through the judiciary.

5. Secularism

The Constitution promotes secularism, ensuring that the state treats all religions equally and does not favor or discriminate against any religion. This fosters a pluralistic society.

6. Unity in Diversity

Recognizing India's vast diversity in culture, language, and religion, the Constitution aims to promote national integration while respecting regional identities.

7. Directive Principles of State Policy

These principles guide the state in policy-making, aiming to establish social and economic democracy. They are not justiciable but reflect the aspirational goals of the Constitution.

8. Checks and Balances

The Constitution establishes a system of checks and balances among the legislative, executive, and judiciary branches, preventing the concentration of power and protecting democratic governance.

9. Empowerment and Participation

It encourages active participation of citizens in governance through mechanisms like local self-governments, thereby strengthening grassroots democracy.

10. Internationalism

The Constitution reflects an internationalist outlook, promoting peace, justice, and cooperation among nations, in line with India's commitment to global values.

Preamble of the Indian Constitution

The Preamble serves as an introduction to the Constitution and reflects its fundamental values and guiding principles. It outlines the intentions of the framers and the aspirations of the nation. The Preamble of the Indian Constitution reads:

"We, the People of India, having solemnly resolved to constitute India into a Sovereign, Socialist, Secular, Democratic Republic and to secure to all its citizens:

Justice, social, economic and political;

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

Equality of status and of opportunity;

And to promote among them all, fraternity assuring the dignity of the individual and the unity and integrity of the nation."

Salient Features of the Indian Constitution

1. Sovereign State:

- India is an independent country, free from external control. The Constitution provides full authority to make laws and govern the country.

2. Socialist:

- The Constitution aims to reduce economic inequalities and ensure a more equitable distribution of wealth. It promotes social justice.

3. Secular:

- The state treats all religions equally and does not favor or discriminate against any religion. Freedom of religion is guaranteed.

4. Democratic:

- The Constitution establishes India as a democracy, with a government elected by the people. Universal adult franchise is a key feature.

5. Republic:

- India has an elected head of state (the President), not a monarch. This reinforces the democratic ethos.

6. Fundamental Rights:

- The Constitution guarantees a set of basic rights to all citizens, including the right to equality, freedom of speech, and protection against discrimination.

7. Directive Principles of State Policy:

- These principles guide the state in policy-making and aim to create social and economic conditions for a just society.

8. Independent Judiciary:

- The judiciary is independent and has the power of judicial review to uphold the Constitution and protect the rights of citizens.

9. Single Citizenship:

- All Indians are citizens of India, irrespective of the state or territory in which they reside.

10. Bicameral Legislature:

- India has a Parliament consisting of two houses: the Lok Sabha (House of the People) and the Rajya Sabha (Council of States).

11. Federal Structure:

- The Constitution establishes a division of powers between the central government and the states, ensuring both levels of government can function independently.

12. Amendment Process:

- The Constitution provides a detailed procedure for amendments, allowing for flexibility and adaptability to changing needs.

13. Fundamental Duties:

- The Constitution also outlines the fundamental duties of citizens, promoting a sense of responsibility towards the nation.

Unit 3: Contours of Constitutional Rights & Duties - Fundamental Rights

Scheme of Fundamental Rights

Fundamental Rights - Articles 12-35 (Part III of Indian Constitution)

Articles 12-35 of Indian Constitution deal with Fundamental Rights

What are the Fundamental Rights?

Fundamental rights are the basic human rights enshrined in the Constitution of India which are guaranteed to all citizens. They are applied without discrimination on the basis of race, religion, gender, etc. Significantly, **fundamental rights are enforceable by the courts**, subject to certain conditions.

Why are they called Fundamental Rights?

These rights are called fundamental rights because of two reasons:

1. They are enshrined in the Constitution which guarantees them
2. They are justiciable (enforceable by courts). In case of a violation, a person can approach a court of law.

List of Fundamental Rights

There are six fundamental rights of Indian Constitution along with the constitutional articles related to them are mentioned below:

1. Right to Equality (Article 14-18)
2. Right to Freedom (Article 19-22)
3. Right against Exploitation (Article 23-24)
4. Right to Freedom of Religion (Article 25-28)
5. Cultural and Educational Rights (Article 29-30)
6. Right to Constitutional Remedies (Article 32)

Why Right to Property is not a Fundamental Right?

There was one more fundamental right in the Constitution, i.e., the right to property.

However, this right was removed from the list of fundamental rights by the [44th Constitutional Amendment](#).

This was because this right proved to be a hindrance towards attaining the goal of socialism and redistributing wealth (property) equitably among the people.

Note: The right to property is now a legal right and not a fundamental right.

Introduction to Six Fundamental Rights (Articles 12 to 35)

Under this section, we list the fundamental rights in India and briefly describe each of them.

1. Right to Equality (Articles 14 – 18)

Right to equality guarantees equal rights for everyone, irrespective of religion, gender, caste, race or place of birth. It ensures equal employment opportunities in the government and insures against discrimination by the State in matters of employment on the basis of caste, religion, etc. This right also includes the abolition of titles as well as untouchability.

2. Right to Freedom (Articles 19 – 22)

Freedom is one of the most important ideals cherished by any democratic society. The Indian Constitution guarantees freedom to citizens. The freedom right includes many rights such as:

- Freedom of speech
- Freedom of expression
- Freedom of assembly without arms
- Freedom of association
- Freedom to practise any profession
- Freedom to reside in any part of the country

Some of these rights are subject to certain conditions of state security, public morality and decency and friendly relations with foreign countries. This means that the State has the right to impose reasonable restrictions on them.

3. Right against Exploitation (Articles 23 – 24)

This right implies the prohibition of traffic in human beings, *begar*, 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 (Articles 25 – 28)

This indicates the secular nature of Indian polity. There is equal respect given to all 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 Educational Rights (Articles 29 – 30)

These rights protect the rights 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.

6. Right to Constitutional Remedies (32 – 35)

The Constitution guarantees remedies if citizens' fundamental rights are violated. The government cannot infringe upon or curb anyone's rights. When these rights are violated, the aggrieved party can approach the courts. Citizens can even go directly to the [Supreme Court](#) which can issue writs for enforcing fundamental rights.

Features of Fundamental Rights

- Fundamental rights are different from 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. He or she should first approach the lower courts.
- Some of the fundamental rights are available to all citizens while the rest are for all persons (citizens and foreigners).
- Fundamental rights are not absolute rights. They have reasonable restrictions, which means they are subject to the conditions of state security, public morality and decency and friendly relations with foreign countries.
- They are justiciable, implying they are enforceable by courts. People can approach the Supreme Court directly in case of violation of fundamental rights.
- Fundamental rights can be amended by the Parliament by a constitutional amendment but only if the amendment does not alter the [basic structure of the Constitution](#).
- Fundamental rights can be suspended during a national emergency. But, the rights guaranteed under Articles 20 and 21 cannot be suspended.
- The application of fundamental rights can be restricted in an area which has been placed under martial law or military rule.

Fundamental Rights Available Only to Citizens

The following is the list of fundamental rights that are available **only to citizens** (and not to foreigners):

1. Prohibition of discrimination on grounds of race, religion, caste, gender or place of birth (Article 15).
2. Equality of opportunity in matters of public employment (Article 16).
3. Protection of freedom of:(Article 19)
 - Speech and expression
 - Association
 - Assembly
 - Movement
 - Residence
 - Profession

Protection of the culture, language and script of minorities (Article 29).

Right of minorities to establish and administer educational institutions (Article 30).

Importance of Fundamental Rights

Fundamental rights are very important because they are like the backbone of the country. They are essential for safeguarding the people's interests.

According to Article 13, all laws that are violative of fundamental rights shall be void. Here, there is an express provision for [judicial review](#). The SC and the High Courts can declare any law unconstitutional on the grounds that it is violative of the fundamental rights. Article 13 talks about not just laws, but also ordinances, orders, regulations, notifications, etc.

Amendability of Fundamental Rights

Any changes to the fundamental rights require a constitutional amendment that should be passed by both the Houses of Parliament. The amendment bill should be passed by a **special majority** of Parliament.

As per the Constitution, Article 13(2) states that no laws can be made that take away fundamental rights.

What are the 7 fundamental rights?

There were 7 fundamental rights in the Constitution. Currently, there are only six as the 'Right to Property' was removed as a fundamental right. It is now only a legal right. The list of fundamental rights are:

Right to equality

Right to freedom

Right against exploitation

Right to freedom of religion

Cultural and educational rights

Right to constitutional remedies 12-+

Initially, the constitution of India had 7 Fundamental Rights that are borrowed from the Constitution of the USA. But later on, Right to property was abolished and now there are just 6 Fundamental Rights in force. In this article, we have explained meaning of all the Fundamental Rights in detail.

1. Right to Equality (Art. 14-18)

Article 14 represents the idea of equality, which states that the state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. The equality before the law is guaranteed to all without regard to race, colour, or nationality.

(Article 15): Non-discrimination on grounds of religion, race, caste, sex, or place of birth

Article 15 states that the state shall not discriminate against any citizen on grounds only of religion, caste, sex, place of birth, or any of them and would not be subject to any disability, liability, restriction, or condition. Nothing in this article shall prevent the state from making any special provisions for women and children.

(Article 16): Equality of opportunity in public employment

Article 16 states that no citizen shall on grounds only of religion, race, caste, sex, descent, place of birth, residence, or any of them, be ineligible for or discriminated against in respect of any employment or office under the state.

It empowers Parliament to make a law prescribing any requirement as to residence within that state or prior to employment or appointment in that state or Union Territory. It empowers the state to make special provisions for the reservation of appointments or posts in favour of any backward classes of citizens.

(Article 17): Abolition of Untouchability

Article 17 abolishes Untouchability and forbids its practice in any form. Untouchability refers to a social practice that looks down upon certain oppressed classes solely on account of their birth and makes any discrimination against them on this ground.

(Article 18): Abolition of Titles

Article 18 abolishes all titles and prohibits the state to confer titles on anybody whether a citizen or a non-citizen. However, military and academic distinctions are exempted from the prohibition.

2. (Article 19): Right to Freedom

The Right to Freedom guarantees to the citizens of India six Fundamental Freedoms: 1) Freedom of Speech and Expression, 2) Freedom of Assembly, 3) Freedom to form associations, 4) Freedom of Movement, 5) Freedom to reside and to settle, and 6) Freedom of profession, occupation, trade, or business.

(Article 20): Protection in respect of Conviction for Offences

Article 20 provides protection against arbitrary and excessive punishment for any person who commits an offense. This article has taken care to safeguard the rights of persons accused of crimes. Moreover, this article cannot be suspended even during an emergency in operation under Article 359.

(Article 21): Protection of Life and Personal Liberty

Article 21 states no person shall be deprived of his life or personal liberty except according to the procedure established by law. However, Article 21 puts a limit on the power of the State given under Article 246, read with the legislative lists. Thus, Article 21 does not recognise the Right to Life and Personal Liberty as an absolute right but limits the scope of the right itself.

(Article 22): Safeguards against Arbitrary Arrest and Detention

Firstly, Article 22 guarantees the right of every person who is arrested to be informed of the cause of his arrest; secondly, his right to consult and to be defended by a lawyer of his choice. Thirdly, every person arrested and detained in custody shall be produced before the nearest Magistrate within a period of twenty-four hours and shall be kept in continued custody only with his authority.

3. (Articles 23-24): Right against Exploitation

Article 23 prohibits traffic in human beings, women, children, beggars or other forced labour militate against human dignity. **Article 24 prohibits employing children below the age of 14 years in any hazardous profession.** This right followed the human rights concepts and United Nations norms.

4. (Articles 25-28): Right to Freedom of Religion

Articles 25 and 26 embody the principles of religious tolerance and serve to emphasize the secular nature of Indian democracy, i.e. equal respect to all religions. Article 25 offers freedom of Conscience and Free Profession, Practice and Propagation of Religion whereas Article 26 helps to manage religious affairs, which is subject to public order, morality and health, every religious denomination or any section.

Article 27 provides freedom not to pay taxes for religious expenses on the promotion or maintenance of any particular religion. Article 28 prohibits religious instructions in educational institutions wholly maintained by the state.

5. (Articles 29-30): Rights to minorities (cultural and educational rights)

Article 29 provides protection of the interests of minorities. A minority community can effectively conserve its language, script, or culture by and through an educational institution. Article 30 states the rights of minorities whether based on religion or language to establish and administer educational institutions.

The 44th Amendment has abolished the Right to Property as a Fundamental Right guaranteed by Art. 19 (f) and Art. 31 of the Constitution. It is now only a Legal Right under article 300-A, gives protection against executive action but not against legislative action

6. (Articles 32-35): Right to Constitutional Remedies

Rights, in order to be meaningful, must be enforceable and backed by remedies in case of violation. This article guarantees the right to move the Supreme Court by appropriate proceedings for the enforcement of Fundamental Rights and deals with the Supreme Court's power to issue order or writs for the enforcement of Fundamental Rights.

Article 33 empowers Parliament to modify the application of Fundamental Rights to the armed forces or forces charged with the maintenance of public order. On the other hand, Article 35 lays down that the power to make laws to give effect to certain specified Fundamental Rights shall vest only with the Parliament and not with State Legislatures.

Therefore, Fundamental Rights play a significant role because they are most essential for the attainment of the full intellectual, moral, and spiritual status of an individual. Therefore, the objective behind the inclusion of Fundamental Rights in the Constitution was to establish a government of Law to preserve individual liberty, building an equitable society, and establish a welfare state.

Fundamental Duties in India - Article 51A

42nd Amendment Act of 1976 added 10 Fundamental Duties to the Indian Constitution. 86th Amendment Act 2002 later added 11th Fundamental Duty to the list. Swaran Singh Committee in 1976 recommended Fundamental Duties, the necessity of which was felt during the internal emergency of 1975-77.

The Fundamental Duties are dealt with Article 51A under Part-IV A of the Indian Constitution.

Fundamental Duties

Introduction to 11 Fundamental Duties in India

The fundamental duties which were added by the 42nd Amendment Act of the Constitution in 1976, in addition to creating and promoting culture, also strengthen the hands of the legislature in enforcing these duties .

The list of 11 Fundamental Duties under article 51-A to be obeyed by every Indian citizen is given in the table below:

1. Abide by the Indian Constitution and respect its ideals and institutions, the National Flag and the National Anthem
2. Cherish and follow the noble ideals that inspired the national struggle for freedom
3. Uphold and protect the sovereignty, unity and integrity of India
4. Defend the country and render national service when called upon to do so
5. Promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities and to renounce practices derogatory to the dignity of women
6. Value and preserve the rich heritage of the country's composite culture
7. Protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures
8. Develop scientific temper, humanism and the spirit of inquiry and reform
9. Safeguard public property and to abjure violence
10. Strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement
11. Provide opportunities for education to his child or ward between the age of six and fourteen years. This duty was added by the 86th Constitutional Amendment Act, 2002

Importance of Fundamental Duties- Part IV-A

Fundamental Duties are an inalienable part of [fundamental rights](#). The importance of these are given in the table below:

S.No	Importance of Fundamental Duties
1.	They remind Indian Citizens of their duty towards their society, fellow citizens and the nation
2.	They warn citizens against anti-national and anti-social activities
3.	They inspire citizens & promote a sense of discipline and commitment among them
4.	They help the courts in examining and determining the constitutional validity of a law
5.	They are enforceable by law

Legal Status Of Fundamental Duties

1. The 42nd Amendment Act, 1976 added a Chapter IV-A which consist of only one Article 51-A which dealt with a Code of Ten Fundamental Duties for citizens. Fundamental duties are intended to serve as a constant reminder to every citizen that while the constitution specifically conferred on them certain Fundamental Rights, it also requires citizens to observe certain basic norms of democratic conduct and democratic behaviour because rights and duties are co-relative.
2. The Fundamental Duties are defined as the moral obligations of all citizens to help promote a spirit of patriotism and to uphold the unity of India.
3. The Fundamental Duties are however, not legally enforceable, i.e. without any legal sanction in case of their violation or non-compliance.
4. The Fundamental Duties are intended to serve as a constant reminder to every citizen that while the constitution specially conferred upon him certain Fundamental Rights, the citizens are also required to observe certain basic norms of democratic conducts and behaviour.

Source of Fundamental Duties

1. Nowadays we can clearly see that people will start protesting and how often it becomes violent. There are many instances where any protest became violent and people start vandalizing public property and start disrespecting the government. Here citizens go beyond the line and often forget their moral duty towards the nation. There was a similar condition in our country during the National Emergency of 1976 where the then ruling party of our country i.e. Indian National Congress formed the SardarSwaran Singh Committee.
2. Many countries in this world have the fundamental duty mentioned in their constitution

For example, Articles 43-45 of the Democratic Republic of Vietnam talks about the duties of citizens towards the nation. Similarly, Article 194 of The Netherlands also mentions about the same. Japan has also mentioned the fundamental duty of the residents of the country. The idea of Fundamental Duties which has been mentioned in our constitution is basically taken from the constitution of Russia(then USSR). These fundamental duties are mentioned in Chapter 10 of the Constitution of the USSR. The concept of Fundamental Duties have also been discussed in the Universal Declaration of Human Rights and also in the International Covenant on Civil and Political Rights.

Need for Fundamental Duties

1. It is important to understand that no democratic system could ever succeed if the citizens are not willing to participate actively by discharging their duties which are expected to be done by them.

2. Our Constitution has provided us with various rights and expects us to perform certain duties as a return. Article 51(A) talks about these Fundamental Duties and has 11 fundamental duties that are expected to be performed by the citizens (there were 10 earlier and 11th was added later by the 86th amendment).
3. From the fundamental duties, one can easily understand the need for the fundamental duty in our constitution. It is required to protect the sovereignty of our nation. To maintain the unity and integrity of our nation. Rights and duties go hand in hand and cannot be separated at any cost. Fundamental duties and fundamental rights are two sides of a coin which we know that it can't be separated. Also, it is found as the need of the hour to introduce fundamental duties in our constitution.
4. **Maintain the Sovereign Nature of State:** The main aim of the insertion of fundamental duties was to maintain the sovereign nature of our state. Although these are not legally enforced then also provide some kind of sovereign power to our state.
5. **To maintain Unity and Integrity of the nation:** In the current scenario, we can see that people are often talking about the term "intolerance". Our Fundamental Duties help in developing tolerance among the citizens and ultimately help in developing the feeling of unity and integrity among the citizens of our country.
6. **Needed for the current situation:** When our Constitution was drafted by our Constitution makers they found that they didn't need to insert the fundamental duty in our constitution. But as time passes the need and importance of Fundamental Duty was felt that is why they were inserted later by 42nd Amendment in our Constitution. Earlier the feeling of patriotism, harmony, feeling to promote brotherhood, secularism were inherent and there was no need to put any moral or legal obligation on the citizen to the same. The feeling of serving the country and defending the country at any cost was there among the citizens of the country. The people were willing to protect the rich heritage of Indian culture.
7. However, as time passed people were lacking these qualities. Earlier the above qualities were taught by the family and also by the teachers in school and colleges. But with the passage of time, all the people become so busy in their life that they forget to inculcate these values among themselves. Those qualities which were once an integral part of the life of the citizens of India were found to be enforced in the form of Fundamental Duties.
8. However, this decision was taken before the insertion of fundamental duties in the Indian Constitution. It clearly explains the need for fundamental duties for making a welfare society.

Enforcement of Duties

Directive Principle of State Policy (which is given in Chapter IV of the Indian Constitution) and Fundamental Duties needs to be read together. Both have a moral obligation on the state and citizens respectively.

Fundamental Duties do not have any legal devours for its violation. There are **six positive** duties which are expected to be done by the citizens of our country and there **are five negative duties which are not expected to be carried out by the citizens**. There is no legal enforceability for its breach, it is because of the nature of the Fundamental Duties. We can clearly understand that it is practically impossible to enforce these duties

Directive Principles of State Policy (DPSP)

Articles 36-51 under Part-IV of Indian Constitution deal with Directive Principles of State Policy (DPSP). They are borrowed from the Constitution of Ireland, which had copied it from the Spanish Constitution. This article will solely discuss the Directive Principles of State Policy, its importance in the Indian Constitution and the history of its conflict with Fundamental Rights.

The objective of the DPSPs is to better the social and economic conditions of society so people can live a good life. Knowledge of DPSPs helps a citizen to keep a check on the government. A citizen can use DPSPs as a measure of the performance of the government and can identify the scope where it lacks

Directive Principles of State Policy – Classification

Indian Constitution has not originally classified DPSPs but on the basis of their content and direction, they are usually classified into three types-

- **Socialistic Principles,**
- **Gandhian Principles** and,
- **Liberal-Intellectual Principles.**

The details of the three types of DPSPs are given below:

DPSP – Socialistic Principles

Definition: They are the principles that aim at providing social and economic justice and set the path towards the welfare state. Under various articles, they direct the state to:

Article 38	Promote the welfare of the people by securing a social order through justice—social, economic and political—and to minimise inequalities in income, status, facilities and opportunities
Article 39	Secure citizens: <ul style="list-style-type: none">• Right to adequate means of livelihood for all citizens• Equitable distribution of material resources of the community for the common good• Prevention of concentration of wealth and means of production• Equal pay for equal work for men and women

	<ul style="list-style-type: none"> • Preservation of the health and strength of workers and children against forcible abuse • Opportunities for the healthy development of children
Article 39A	Promote equal justice and free legal aid to the poor
Article 41	In cases of unemployment, old age, sickness and disablement, secure citizens: <ul style="list-style-type: none"> • Right to work • Right to education • Right to public assistance,
Article 42	Make provision for just and humane conditions of work and maternity relief
Article 43	Secure a living wage, a decent standard of living and social and cultural opportunities for all workers
Article 43A	Take steps to secure the participation of workers in the management of industries
Article 47	Raise the level of nutrition and the standard of living of people and to improve public health

DPSP – Gandhian Principles

Definition: These principles are based on Gandhian ideology used to represent the programme of reconstruction enunciated by Gandhi during the national movement. Under various articles, they direct the state to:

Article 40	Organise village panchayats and endow them with necessary powers and authority to enable them to function as units of self-government
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Article 43	Promote cottage industries on an individual or co-operation basis in rural areas
Article 43B	Promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies
Article 46	Promote the educational and economic interests of SCs, STs, and other weaker sections of the society and to protect them from social injustice and exploitation
Article 47	Prohibit the consumption of intoxicating drinks and drugs which are injurious to health
Article 48	Prohibit the slaughter of cows, calves and other milch and draught cattle and to improve their breeds

DPSP – Liberal-Intellectual Principles

Definition: These principles reflect the ideology of liberalism. Under various articles, they direct the state to:

Article 44	Secure for all citizens a uniform civil code throughout the country
Article 45	Provide early childhood care and education for all children until they complete the age of six years
Article 48	Organise agriculture and animal husbandry on modern and scientific lines
Article 49	Protect monuments, places and objects of artistic or historic interest which are declared to be of national importance

Article 50	Separate the judiciary from the executive in the public services of the State
Article 51	<ul style="list-style-type: none"> • Promote international peace and security and maintain just and honourable relations between nations • Foster respect for international law and treaty obligations • Encourage settlement of international disputes by arbitration

What are the new DPSPs added by the 42nd Amendment Act, 1976?

42nd Amendment Act, 1976 added four new Directive Principles in the list:

S.No	Article	New DPSPs
1	Article 39	To secure opportunities for the healthy development of children
2	Article 39A	To promote equal justice and to provide free legal aid to the poor
3	Article 43A	To take steps to secure the participation of workers in the management of industries
4	Article 48A	To protect and improve the environment and to safeguard forests and wildlife

Importance of Directive Principles of State Policy

- Directive Principles of State Policy are guiding principles for the State to ensure proper framework of laws and policies by the government and its ultimate aim is to establish a just society and to secure welfare in the country.

- These principles address aspects like protection of women of the country, environmental conservation, Uniform Civil Code, decentralization of power, rural growth and development, etc. which are highly considered as some of the essential areas in making laws and policies for a 'welfare state.
- These principles establish moral ideas. They provide for a moral code for the State but this does not decrease their value, as moral principles play a significant role in the society and their absence may hinder the growth and development of the society. Eventually it is observed that it is not affordable for any government to ignore these directive principles entirely as they are the show the essence of public views and opinions and they also reflect the basic spirit of the Preamble of our Constitution.
- Despite the ardent criticism faced in its implementation, DPSP have proved that it has some utility in constituting the national objectives and portraying the national conscience. Directive principles have proved to be beneficial in securing justice in the country and this can be seen in the various steps taken by the State in its direction. Some of them are:
 1. Jagirdari and Zamindari system have been abolished and land reforms have been introduced.
 2. Establishment of National Commission for the welfare of women.
 3. Right to Property have been deleted from Chapter III of the Constitution for the purpose of reducing economic disparity.
 4. Initiative like Khadi Gram Udyog have been encouraged and small scale and village industries have been promoted to bring prosperity in the rural areas.
 5. India has also been co-operating with U.N guidelines in order to foster international peace and security.

Implementation of the Directive Principles

Directive principles that have been implemented

The govt of the Union and the States have taken significant steps to implement the Directive Principles.

- 1) Abolition of Zamindari : The greatest progress has taken place in implementing Art. 39(b). which states equitable distribution of wealth. Under this Article, the Zamindari, Jagirdari and Inamdari systems have been abolished and actual tillers of the soil have been made owners of the land.
- 2) Land holdings : In order to prevent concentration of land in fewer hands [Art. 39(c)], a majority of State govts. have enacted laws fixing a limit to land holdings.
- 3) Panchayats : Under Art. 40, almost all the States have organised village panchayats, elected by adult population, which are endowed with powers of civil administration. This was brought about by 73rd and 74th Amendment Act.
- 4) Cottage industries : For promotion of cottage industries [Art. 43], various boards such as All India Khadi and Village Industries Board, Silk Board, Handloom Board, Small Scale Industries Board, NABARD, Agriculture Co-operative Societies etc have been established.
- 5) RTE : Compulsory and free education [Art. 45] is provided upto the school level.
- 6) Minimum wages : Laws providing for minimum wages and equal pay for equal work for both men and women have been enacted [MNREGA]
- 7) Standard of living : Community Development Programme has been launched throughout India for raising the standards of living of the rural population [Art. 47].
- 8) The judiciary has been separated from executive [Art. 50]. Cr.PC, 1973 was enacted by the Parliament placing the function of judiciary in the hands of judicial magistrates and are under complete control of the High Courts.
- 9) Free legal aid to economically backward classes of people has been provided [Art. 39A]
- 10) Nationalisation of banks : To provide easy access to the needy and poor sections of society to bank funds, the Union govt nationalised 14 major banks in 1969 and 6 more banks in 1980.
- 11) Abolition of privy purses : To abolish inequality, the privileges of ICS officers and the privy purses of former princes have been abolished.

Directive principles that have not been implemented

- 1) Right to work [Art. 41]
- 2) To minimise the inequalities in income [Art. 38]
- 3) To secure a Uniform Civil Code for all citizens [Art. 44]
- 4) To improve standard of living [Art. 47]
- 5) Some of the directives like providing employment, social security etc have not been achieved.

Conclusion:

Despite the rigorous efforts on part of India, it is yet to become the full-fledged welfare state as envisaged in Part IV of our Constitution. It is evident that several factors like limited material resources, lack of active awareness and organized action on part of the citizens and lack of mutual opinion, political will on the part of the states, etc. become reasons for hindrances in the non-implementation of DPSP.

In addition, they face various criticisms when implemented from the critics such as DPSP are misfit in a Sovereign State, they are not practicable nor sound, they may prove reactionary and regressive, etc. However, a closer look into the matter actively shows that the framers of our Constitution did not add these directive principles for the mere sake of its existence, but to facilitate the governance of the country.

Therefore, the DPSP would be looked upon as guideposts for all succeeding governments, and despite being non-justifiable, DPSP hold equal and immense importance and relevance as any other provision in the Constitution of India

Unit – IV: Organs of Governance:

Federal structure in India

The constitution establishes a **federal structure in India**, i.e., there are separate governments of the union and states, and there is a division of powers between the two.

Distribution of Legislative Powers between the Union and the States

Let us now go through the three lists enshrined under the 7th Schedule of the Constitution.

Union List

The Union list contains 97 items which comprise of the subjects having national significance. This list admits uniform laws that are applicable over the entire Indian territory, and only the Indian Parliament is capable of legislating upon them.

Some of the items in this List-I are as follows:

- Defence;
- Central Bureau of investigation;
- Foreign Affairs;
- Banking;
- Intellectual Properties;
- Census;
- Corporation Tax;
- Atomic energy and necessary mineral resources;
- Preventive Detention;
- Diplomatic, consular, and trade relations;
- War & peace;
- Citizenship;
- Highways and Railways, etc.

State List

The State list contains 66 items that comprise subjects relating to local interest or the interest of the State. The State legislature is thus competent in legislating over these subjects. Some of the subjects in this List-II are as follows:

- Public Order;
- Local Government;
- Public health & Sanitation;
- Agriculture;
- Fisheries;
- Libraries, museums, and other resembling institutions;
- Markets & fairs;
- Gas & allied works.

Concurrent List

This list enshrines 47 items, with respect to which; both the Union Parliament and the State legislature hold a concurrent legislative power. This list was meant to serve as a device for avoiding excessive rigidity in a two-fold distribution. Besides, the states can additionally legislate purporting to amplify the Parliamentary legislation. However, in case a dispute arises in relation to any subject contained in this list, the Union legislation shall prevail over that of the State.

Some of the subjects contained in this List-III are as follows:

- Criminal law & procedure;
- Archaeological sites;
- Marriage & divorce;
- Transfer of property, excepting agricultural land;
- Contempt of Court, excluding that of the Supreme Court;
- Civil law & procedure;
- Prevention of animal cruelty;
- Electricity;
- Economic & social planning;
- Legal, medical, and other professions.

The extent of the Parliamentary laws and the laws by the State Legislatures

According to [Article 245](#); subject to the constitutional provisions, Parliament may legislate for the whole or any part of the Indian territory, a State legislature for the State territory, and no parliamentary legislation shall be invalid because of having extra-territorial operability, i.e. takes effect outside the Indian territory.

Subject-matter of the Parliamentary laws and laws made by the State Legislature

According to [Article 246](#);

1. The Union Parliament, notwithstanding anything under clause 2 and clause 3, is exclusively empowered to legislate in respect of any matters enshrined in the Union List (List-I).
- 2.
3. The Union Parliament and the State Legislature, notwithstanding anything under clause 3 and also clause 1, is empowered to legislate on any matters contained in the Concurrent List (List-III).
4. The Union Parliament is empowered to legislate with respect to any matter for any part of the Indian territory not included (in a State) notwithstanding such matter is enumerated in the State List.

Residuary legislative powers

According to [Article 248](#); Parliament is exclusively empowered to legislate with respect to any matter absent in the Concurrent List or State List. Also, such power shall include the legislative power for imposing a tax not mentioned in either of those Lists.

Therefore, the Parliament has the power to make laws in relation to any matter which is not present in either the concurrent list or the State List, including the power to make laws on tax imposition.

Financial Relations between Centre and State (Art. 268 to 293)

The Indian Constitution has elaborate provisions regarding the distribution of revenues between the Union and the States.

Article 268 to 293 in Part XII deal with the financial relations. The financial relations between the Union and the States can be studied under the following heads:

- **Taxes and duties levied by the Union, but collected and appropriated by the States:** Stamp duties and duties of excise on medical and toilet preparations are levied by the Government of India, but collected and appropriated by the States, within which such duties are leviable, except in the Union Territories, where they are collected by the Union Government (**Art. 268**). The proceeds of these duties levied within any State are assigned to that State only and do not form a part of Consolidated Fund of India.

Service tax levied by the Centre, but collected and appropriated by the Centre and the States: Taxes on services are levied by the Centre, but their proceeds are collected and appropriated by both the Centre and the States. Principles of their collection and appropriations are formulated by the Parliament.

- **Taxes levied and collected by the Union, but assigned to the States within which they are leviable (Art.269):**
 - a) Succession duty in respect of property, other than agricultural land.
 - b) Estate duty in respect of property, other than agricultural land.
 - c) Terminal taxes on goods or passengers carried by railways, sea or air.
 - d) Taxes on railway fares and freights taxes on transactions in Stock Exchanges.
- **Taxes levied and collected by the Union and distributed between the Union and the States (Art.270):** Certain taxes are levied as well as collected by the Union, but their proceeds are divided between the Union and the States in a certain proportion in order to effect an equitable distribution of the financial resources.

This category includes all the taxes and duties referred to in the Union List, except the three categories mentioned above, any surcharge and any cess levied for specific purposes.

Under the situation of emergencies, these financial relations also undergo changes according to the situation and the President can modify the constitutional distribution of revenues between the Centre and the States.

Parliamentary System in India

India has a parliamentary system of Government. Article 74 and Article 75 deal with the parliamentary system at the centre and Articles 163 and 164 deals with the states. There are multiple features of the Parliamentary system and various advantages over the Presidential system.

Indian Parliament

Parliamentary System in India

The democratic system of government can be divided into the parliamentary and the presidential system based on the relationship between the executive and the legislature. In a parliamentary system, executive is a part of legislature, which implements the law and plays an active role in framing it as well.

In a parliamentary system, the head of the state may be a monarch or a president, but both of these positions are ceremonial. The head of the government, who is generally called as the Prime Minister, is the real head. Thus, all the real executive powers are vested in the Prime Minister. The parliamentary government is also called as the Cabinet government due to concentration of executive powers in the cabinet. **Articles 74 and 75 deals with the parliamentary system at the centre and Article 163 and article 164 deals with the Parliamentary system at the states.**

Elements and Features of Parliamentary System are;

1. Nominal and Real Head: The head of the state holds a ceremonial position and is the nominal executive. For example, the President.

2. In India, the head of government is the Prime Minister who is the real executive. Article 75 of the Indian constitution provides for a Prime Minister to be appointed by the president. According to Article 74, the Prime Minister headed council of ministers would aid and advise the President in the exercise of his functions.

3.Executive is a Part of Legislature: The Executive forms a part of the legislature. In India, the person should be a member of parliament to become a member of the executive. However, the constitution provides that a person can be appointed as a minister for a period of not more than six consecutive months if he is not a member of the parliament, after which the person ceases to be a minister.

4. Majority Party Rule: The party which wins majority seats in the elections of the Lower House forms the government. In India, the President invites the leader of the majority party in Lok Sabha to form the government. The President appoints the leader as the Prime Minister and the other ministers are appointed by the President on the advice of the Prime Minister. The President may invite a coalition of parties to form the government, in case, no party has got majority.

5. Collective Responsibility: The council of ministers are collectively responsible to the parliament. The lower house of parliament has an ability to dismiss a government by getting the no confidence motion passed in the house. In India, the government survives till the time it enjoys support of the majority of members in the Lok Sabha. Thus, Lok Sabha is empowered to introduce no-confidence motion against the government.

6.Prime Minister as the Centre of Power: In India, the Prime Minister is the real executive. He is the head of the government, the council of ministers and the ruling government. Thus, he has to play a significant and important role in the working of the government.

7. A Parliamentary Opposition: No government in the parliament can get hundred percent majority. The opposition plays an important role in checking the arbitrary use of authority by the political executive.

8. Independent Civil Service: The civil servants advice and implement decisions of the government. Civil servants hold permanent appointments based on merit-based selection process. They ensure continuity of employment even when the government changes. The civil service also ensures efficiency in execution of duties and responsibilities.

9. Bicameral Legislature: Most of the countries following parliamentary system, including India, have bicameral legislature. The members of the Lower House of all these countries are elected by the people. The Lower House can be dissolved, in case, the term of the government is over or there is no scope of government formation due to lack of majority in house. In India, the President can dissolve the Lok Sabha on recommendation of the Prime Minister.

10. Secrecy: The members of the executive in this system have to follow the principle of secrecy in matters such as proceedings, executive meetings, policymaking etc. In India, the ministers take oath of secrecy before entering their office.

Advantages of Parliamentary System

The parliamentary system has the following advantages over the presidential system:

1. Represents Diverse Group: The parliamentary form of government provides opportunity to various ethnically, racially, linguistically and ideologically diverse groups to share their views in framing of laws and policymaking. Countries, such as India, which have high level of diversity enables accommodation by providing political space to various diverse sections of the society.

2. Better Co-Ordination Between Legislature and Executive: The executive is a part of the legislature. As the government enjoys the support of majority of members in the lower house, the tendency of disputes and conflicts decreases. It makes easy for the government to pass the legislation in the parliament and implement them.

3. Prevents Authoritarianism: In a parliamentary system, the tendency of authoritarianism decreases as the power is vested in the council of minister rather than a single individual. The parliament can remove the government through no-confidence motion.

4. Responsible Government: The parliament can check the activities of the executive as the latter is responsible to the former. In a presidential system, the president is not responsible to the legislature. The members of the parliament can ask question, move resolutions, and discuss matters of public importance to pressurize the government. Such provisions are not available in Presidential system.

5. Availability of Alternate Government: The lower house of the parliament can introduce and pass a no-confidence motion. In such a situation, the head of the state invites the leader of the opposition party to form the government. In the United Kingdom, the opposition forms a shadow cabinet for the cabinet of the government, so that they can become ready for the role.

Power and Functions of Indian Parliament

All the legislative powers of the federal Government are vested in the Parliament. The laws framed by the Indian Parliament are enforced in the whole of the country. The Parliament of India is a bi-cameral legislature. It consists of two houses- RajyasabhaLokSabha and President of India. Rajyasabha is the upper chamber of the Parliament while LokSabha is the lower chamber of the Parliament.

The Parliament of India is a bi-cameral legislature. It consists of two houses- Rajyasabha&LokSabha and President of India. Parliament makes law with the help of its both the chambers. Laws passed by the parliament and approved by the president are enforced in the whole country.

Its powers and functions can be classified in to following heads:

(1). Legislative powers

(2). Executive powers

- (3). Financial powers
- (4). Constituent powers
- (5). Judicial powers
- (6). Electoral powers
- (7). Other powers

1) Legislative Powers- All the subjects in our constitution are divided among state, union and concurrent lists. In concurrent list Parliamentary law is over riding than state legislative law. Constitution also have powers to make law with respect to state legislature in following circumstances:

- (i). When Rajya Sabha passes a resolution to that effect
- (ii). When national emergency is under operation
- (iii). When two or more states request parliament to do so
- (iv). When necessary to give effect to international agreements, treaties and conventions
- (v). When President's rule is in operation.

2) Executive Powers- According to parliamentary form of government executive is responsible to the parliament for its acts and policies. Hence parliament exercises control by various measures like committees, question hour, zero hour etc. ministers are collectively responsible to the Parliament.

3) Financial Powers- It includes enactment of budget, scrutinizing the performance of government with respect of financial spending through financial committees (post budgetary control)

4) Constituent Powers- Example - To amend the constitution, to pass any laws required

5) Judicial Powers- Includes;

- (i). Impeachment of President for violation of constitution
- (ii). Removal of judges of Supreme Court and High court
- (iii). Removal of Vice- President

(iv). Punish members for breach of privileges like sitting in the house when the member knows he is not an eligible member, serving as member before taking oath etc.

6). Electoral Powers- It has its participation in the election of President and Vice-President. The members of Lok Sabha elects speaker and deputy speaker from among its members. Similarly members of Rajya Sabha elects deputy chairman.

7). Other Powers-

- (i). To discuss various issues of national and international importance

(ii). Imposing emergency

(iii). Increase or decrease area, change names, alter the boundary of the states

(iv). Create or abolish state legislature etc any powers can be added from time to time

Article 245 of the constitution declares that parliament may make laws for the whole or any part of the territory of India and a state legislature can make laws for the whole or any part of the state. Seventh Schedule of the constitution distributes the legislative powers between the centre and the state by putting subjects into Union List, State List and Concurrent List. The centre can make law on any of the subjects in the union list or in the concurrent list. The parliament can override the law of a state on a subject listed in concurrent list. In addition to these powers, the residuary powers are also vested with the parliament.

The constitution also empowers the [Parliament](#) to make law on a state subject in the following circumstances:

(i) When RajyaSabha passes a resolution supported by two-thirds of the members present and voting

(ii) When a Proclamation of Emergency is in operation

(iii) When two or more states make a joint request to the parliament

(iv) When it is necessary for parliament to implement any international treaty, agreement or convention

(v) When President's rule is in operation in the state

Executive Powers and Functions

In India, political executive is a part of the parliament. Parliament exerts control over the executive through procedural devices such as question hour, zero hour, calling attention motion, adjournment motion, half-an-hour discussion, etc. Members of different political parties are elected/nominated to the parliamentary committees. Through these committees, the parliament controls the government. Committee on ministerial assurances constituted by parliament seeks to ensure that the assurances made by the ministries to parliament are fulfilled.

Article 75 of the constitution mentions that the council of ministers remains in office as long as it enjoys the confidence of the LokSabha. The ministers are responsible to the LokSabha individually and collectively. LokSabha can remove the council of ministers by passing a no confidence motion in the LokSabha.

Financial Powers and Functions

1. Parliament enjoys the supreme authority in financial matters.

2. Executive cannot spend any money without parliament's approval. No tax can be imposed without the authority of law.
3. The government places the budget before the parliament for approval. The passage of the budget means that the parliament has legalised the receipts and expenditure of the government.
4. In this way, parliament exerts budgetary as well as post-budgetary control on the government. If the government fails to spend the granted money in a financial year, the remaining balance is sent back to the Consolidated Fund of India. This is known as 'rule of lapse'. This also leads to increase in expenditure by the end of the financial year.

Judicial Powers and Functions

Judicial powers and functions of the Parliament are mentioned below;

- (i) It has the power to impeach the President, the Vice-President, the judges of the Supreme Court and the High Court.
- (ii) It can also punish its members or outsiders for the breach of privilege or its contempt.

Electoral Powers and Functions

The electoral powers and functions of the parliament are mentioned below;

- (i) The elected members of the parliament (along with state assemblies) participate in the election of the President
- (ii) All the members of the parliament participate in the election of the Vice-President.
- (iii) The Lok Sabha elects its Speaker and Deputy Speaker.
- (iv) The Rajya Sabha elects its Deputy Chairman.
- (v) Members of various parliamentary committees are also elected.

Constituent Powers and Functions

Only parliament is empowered to initiate any proposal for amendment of the constitution. A bill for amendment can be initiated in either House of Parliament. However, the state legislature can pass a resolution requesting the parliament for the creation or abolition of the legislative council in the state. Based on the resolution, the parliament can make an act for amending the constitution for that purpose.

There are three types of bills for constitution amendment which requires:

- (i) **Simple Majority:** These bills need to be passed by simple majority, that is, a majority of members present and voting in each of the House.

(ii) Special Majority: These bills need to be passed by the majority of the House and two-third of the members present and voting in each of the House.

(iii) Special majority and consent of half of all the state legislatures: These bills are to be passed by the special majority in each house. Along with this, atleast half of the state legislatures should give consent to the bill.

Rigid

Under this procedure, it is difficult to amend the Constitution. This procedure is used by the U.S., Australia, Canada, and Switzerland.

Flexible

Under this procedure, it is easy to amend the Constitution. The Amendment can be done by passing normal legislation.

Indian Constitution is both rigid as well as flexible i.e. it is difficult to amend but practically flexible. As per Article 368 of the Indian Constitution, an Amendment can be introduced in either of the houses, later it can be passed by a special majority or by a simple majority. Later if the bill is passed by the majority it will be sent to the president for his assent.

In 69 years of the Constitution, 103 Amendments are already done. The 42nd Amendment is considered as the terms socialist, secular, integrity was inserted through it. The First Amendment was done in the year 1950, itself.

Article 368 contains the provisions for the Amendment of the Indian Constitution. The Constitution provides three ways for amendment. They are:

Amendment by Simple Majority

Certain Articles of the Constitution can be amended by simple majority. Article 368 does not deal with this category of amendment. The following provisions require amendment by simple majority:

- Citizenship
- Abolition or creation of Legislative Councils in States
- Creation of Local Legislatures or Council of Ministers or both for certain Union Territories
- Admission or establishment of new states
- Use of English language in the Parliament
- Quorum of the Parliament
- Rules of procedure in the Parliament

- Delimitation of Constituencies
- Fifth schedule
- Sixth schedule, etc.

Amendment by Special Majority

Articles which require amendment by special majority come under the ambit of Article 368. The Articles which require amendment by special majority shall be brought into effect by a majority of the total members of each House of the Parliament and by majority of not less than 2/3 of the members of that House who are present and voting.

- The impeachment of the President under Article 61
- Approval of national emergency, etc. comes under this category.
- The Provisions which cannot be amended by Simple Majority and which do not require Ratification by States are amended by Special Majority.

Amendment by Special Majority and Ratification by States

Some Articles require Amendment by Special Majority as well as ratification by not less than ½ of the State Legislatures. The States have an important role in the amendments of these matters. The following provisions require ratification by the States:

- Election of President – Articles 54, Article 55
- Extent of Executive powers of the Union and States – Article 73, Article 162
- Articles dealing with Judiciary, Supreme Court, High Court in the States and Union Territories – Articles 124 to 147, Article 214 to 231, Article 241
- Distribution of Legislative powers between the Centre and the State – Article 245 to Article 255
- Any of the Lists of Seventh Schedule
- Representation of States in Parliament Forth Schedule
- Article 368 (Amendment)

Procedure for Amendment

A Bill in order to amend the Constitution may be introduced by any House of the Parliament and must be passed by each House by a majority of the total membership of that House and by a majority of not less than 2/3 of the members of that House who are present and are voting. After being passed

by both the Houses, it shall be presented to the President and he shall give his assent to the Bill. In this process the Constitution is amended.

Summary:

Parliament

Composition:

- **Bicameral Structure:** Often consists of two houses (e.g., Lok Sabha and Rajya Sabha in India).
- **Members:** Elected representatives (directly for the lower house and indirectly for the upper house).

Qualifications:

- **Age:** Minimum age requirements (e.g., 25 years for Lok Sabha, 30 for Rajya Sabha).
- **Citizenship:** Must be a citizen of the country.
- **Voter Registration:** Must be a registered voter.

Disqualifications:

- **Criminal Convictions:** Disqualification due to certain criminal offenses.
- **Bankruptcy:** Declared insolvent or bankrupt.
- **Membership in Other Organizations:** Holding certain offices that may conflict with parliamentary duties.

Powers and Functions:

- **Legislation:** Making and amending laws.
- **Representation:** Representing the interests of citizens.
- **Oversight:** Scrutinizing government actions and policies.
- **Budget Approval:** Approval of the government budget.

Executive

Components:

- **President:** The ceremonial head of state.
- **Governor:** The head of state at the state level.
- **Council of Ministers:** The executive arm responsible for policy formulation and implementation.

Powers and Functions:

- **Administration:** Implementing laws and policies.
- **Appointment Powers:** Appointing judges, governors, and other officials.
- **Diplomacy:** Conducting foreign relations and treaties.

President

Qualifications:

- Age: Minimum age requirement (e.g., 35 years).
- Citizenship: Must be a citizen of the country.
- Political Experience: Usually requires some political experience.

Powers:

- Executive Powers: Appointing the Prime Minister and other ministers.
- Legislative Powers: Summoning and proroguing Parliament sessions, giving assent to bills.
- Judicial Powers: Granting pardons or reprieves.

Governor

Qualifications:

- Similar to the President, often with additional requirements related to the state.

Powers:

- State Administration: Overseeing the state government.
- Legislative Role: Summoning and dissolving the state legislature.
- Emergency Powers: Can impose President's Rule in the state under certain conditions.

Council of Ministers

Composition:

- Prime Minister: The head of the council.
- Ministers: Cabinet and state ministers responsible for various departments.

Powers and Functions:

- Policy Formulation: Developing government policies.
- Implementation: Executing laws and policies at the national and state levels.
- Advice to President/Governor: Providing counsel on various matters.

Judiciary

Appointment and Transfer of Judges:

- Supreme Court and High Courts: Judges are appointed by the President, often based on recommendations from the Chief Justice and senior judges.

Qualifications:

- Supreme Court: Minimum of five years of practice as a lawyer or held a judicial office.
- High Court: Similar legal experience or judicial qualifications.

Powers and Functions:

- Judicial Review: Reviewing laws and actions for constitutionality.
- Dispute Resolution: Settling disputes between individuals and the state.
- Protection of Rights: Ensuring fundamental rights are upheld.

Unit – V:

Local Administration:

- **Local self-government** means that residents in towns, villages and rural settlements are the hosts in their own home. People elect **local** councils and their heads authorising them to solve the most important issues.
- The 73rd and 74th **constitutional** amendments give recognition and protection to **local governments** and in addition each state has its own **local government** legislation. ... As of 2017, there are a total of 267,428 **local government bodies**, of which 262,771 are rural and 4,657 urban.
- We know there is a government in India at the Center and State levels. But there is another important system for local governance. The foundation of the present local self-government in India was laid by the Panchayati Raj System (1992).
- But the history of Panchayati Raj starts from the self-sufficient and self-governing village communities. In the time of the **Rig-Veda** (1700 BC), evidence suggests that self-governing village bodies called ‘sabhas’ existed. With the passage of time, these bodies became panchayats (council of five persons).
- Panchayats were functional institutions of grassroots governance in almost every village. They endured the rise and fall of empires in the past, to the current highly structured system.
- Local self-government implies the transference of the power to rule to the lowest rungs of the political order. It is a form of democratic decentralization where the participation of even the grass root level of the society is ensured in the process of administration.

History of local administration

The village panchayat, as a system of administration, began in the British days, as their offer to satisfy the demands for local autonomy. They opened up the governance of the lowest levels to the citizens

How did the concept of local self-government evolve in India?

Even though such minor forms of local governance was evident in India, the framers of the constitutions, unsatisfied with the existing provisions, included **Article 40** among the **Directive Principles**, whereby:

1. Balwant Rai Mehta Committee (1957)

Originally appointed by the Government of India to examine the working of two of its earlier programs, the committee submitted its report in November 1957, in which the term ‘**democratic decentralization**’ first appears.

The important recommendations are:

- Establishment of a three-tier Panchayati Raj system – gram panchayat at village level (direct election), panchayatSamiti at the block level and ZilaParishad at the district level (indirect election).
- District Collector to be the chairman of ZilaParishad.
- Transfer of resources and power to these bodies to be ensured.

The existent National Development Council accepted the recommendations. However, it did not insist on a single, definite pattern to be followed in the establishment of these institutions. Rather, it allowed the states to devise their own patterns, while the broad fundamentals were to be the same throughout the country.

Rajasthan (1959) adopted the system first, followed by Andhra Pradesh in the same year. Some states even went ahead to create four-tier systems and **Nyayapanchayats**, which served as judicial **bodies**.

“The state shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.”

Later, the conceptualisation of the system of local self-government in India took place through the formation and effort of four important committees from the year 1957 to 1986. It will be helpful if we take a look at the committee and the important recommendations put forward by them.

2. Ashok Mehta Committee (1977-1978)

The committee was constituted by the Janata government of the time to study Panchayati Raj institutions. Out of a total of 132 recommendations made by it, the most important ones are:

- Three-tier system to be replaced by a two-tier system.
- Political parties should participate at all levels in the elections.
- Compulsory powers of taxation to be given to these institutions.
- ZilaParishad to be made responsible for planning at the state level.

Panchayati Raj System under 73rd and 74th Constitutional Amendment acts, 1992

The acts of 1992 added two new parts IX and IX-A to the constitution.

It also added two new schedules – 11 and 12 which contains the lists of functional items of **Panchayats and Municipalities**. It provides for a three-tier system of **Panchayati Raj** in every state – at the village, intermediate and district levels.

What are Panchayats and Municipalities?

- Panchayat and Municipality are the generic terms for the governing body at the local level. Both exist as three tier systems – at the lower, intermediate and upper levels.
- The 73rd Constitutional Amendment act provides for a **Gram Sabha** as the foundation of the Panchayati Raj system. It is essentially a village assembly consisting of all the registered voters in the area of the panchayat. The state has the power to determine what kind of powers it can exercise, and what functions it has to perform at the village level.
- The 74th Constitutional Amendment act provides for three types of Municipalities:
 1. **Nagar Panchayat** for a transitional area between a rural and urban area.
 2. **Municipal Council** for a small urban area.
 3. **Municipal Corporation** for a large urban area.
- Municipalities represent **urban local self-government**.
- Most of the provisions of the two acts are parallel, differing only in the fact that they are being applied to either a Panchayat or a Municipality respectively.
- Each Gram sabha is the meeting of a particular constituency called *ward*.
- Each ward has a representative chosen from among the people themselves by *direct election*.
- The chairperson of the Panchayat or Municipality at the intermediate and district level are elected from among these representatives at the immediately lower level by *indirect election*.

Types of Urban Local Government

There are eight types of urban local governments currently existing in India:

1. Municipal Corporations.
2. Municipality.
3. Notified area committee.
4. Town area committee.
5. Cantonment board.
6. Township.
7. Port trust.
8. Special purpose agency

History

Municipal governance in India has existed since the year 1687, with the formation of Madras Municipal Corporation, and then Calcutta and Bombay Municipal Corporation in 1726. In the early part of the nineteenth century almost all towns in India had experienced some form of municipal governance. In 1882 the then **Viceroy of India, Lord Ripon**, known as the Father of Local Self Government, passed a resolution of local self-government which led to the democratic forms of municipal governance in India

In 1919, a Government of India Act incorporated the need of the resolution and the powers of democratically elected government were formulated. In 1935 another Government of India act brought local government under the preview of the state or provincial government and specific powers were given.

74th Constitutional Amendment Act

It was the 74th **amendment** to the **Constitution of India** in 1992 that brought constitutional validity to municipal or local governments. Until amendments were made in respective state municipal legislations as well, municipal authorities were organised on an *ultra vires* (beyond the authority) basis and the state governments were free to extend or control the functional sphere through executive decisions without an amendment to the legislative provisions.

Statutory towns are of various kinds and the major categories include

1. **Municipal corporation (Nagar Nigam)**
2. Municipality (municipal council, municipal board, municipal committee) (Nagar Parishad)
3. Town area committee
4. Notified area committee

The municipal corporations and municipalities are fully representative bodies, while the notified area committees and town area committees are either fully or partially nominated bodies. As per the **Constitution of India**, 74th Amendment Act of 1992, the latter two categories of towns are to be designated as municipalities or nagarpanchayats with elected bodies.

After the 74th Amendment was enacted there are only three categories of urban local bodies:

- **Mahanagar Nigam** (Municipal Corporation)
- **Nagar Palika** (Municipality)
- **Nagar Panchayat** (Notified Area Council or City Council)

Among all urban local governments, municipal corporations enjoy a greater degree of fiscal autonomy and functions, although the specific fiscal and functional powers vary across the states. These local governments have larger populations, a more diversified economic base, and deal with the state governments directly. On the other hand, municipalities or nagarpanchayats have less autonomy, smaller jurisdictions and have to deal with the state governments through the Directorate of Municipalities or through the collector of a district. These local bodies are subject to detailed supervisory control and guidance by the state governments.

Municipal Corporation (Nagar Nigam/MahanagarPalika)

1. **Nagar Nigam** a.k.a. **MahanagarPalika** or by some other names in different states(*translated in english as Municipal Corporation*) in India are state government formed departments that works for the development of a **metropolitan city**, which has a population of more than 1 million.
2. The growing population and urbanisation in various cities of India were in need of a local governing body that can work for providing necessary community services like health centres, educational institutes and housing and property tax. They also replace street lights.
3. They are formed under the Corporations Act of 1835 of **panchayati raj** system which mainly deals in providing essential services in every small town as well as village of a district/city. Their elections are held once in five year and the people choose the candidates. The largest corporations are in the eight metropolitan cities of India namely **Mumbai, Delhi, Kolkata, Chennai, Bangalore, Hyderabad, Ahmedabad, Surat, and Pune**,. These cities not only have a large population, but are also the administrative as well as commercial centres of the country.

Municipality (Nagar Palika)

1. In India, a Nagar Palika or Municipality is an urban local body that administers a city of minimum population of 100,000 but less than 1,000,000. However, there are exceptions to that, as previously nagarpalikas were constituted in urban centers with population over 20,000 so all the urban bodies which were previously classified as Nagar palika were reclassified as Nagar palika even if their population was under 100,000.
2. The members of the Nagar palika are elected representatives for a term of five years.
3. The town is divided into wards according to its population, and representatives are elected from each ward.
4. The members elect a president among themselves to preside over and conduct meetings. A chief officer, along with officers like an engineer, sanitary inspector, health officer and education officer who come from the state public service are appointed by the state government to control the administrative affairs of the Nagar Palika.

Notified Area Council (Nagar Panchayat)

A **Nagar Panchayat** or Notified Area Council or City Council is a form of an urban political unit in India comparable to a municipality. An urban centre with more than 11,000 and less than 25,000 inhabitants is classified as a "Nagar Panchayat".

Each Nagar Panchayat has a committee consisting of a chairman with ward members. Membership consists of a minimum of ten elected ward members and three nominated members. The NAC members of the Nagar Panchayat are elected from the several wards of the Nagar Panchayat on the basis of adult franchise for a term of five years. There are seats reserved for Scheduled Castes, Scheduled Tribes, backward classes and women. The Councillors or Ward Members are chosen by direct election from electoral wards in the Nagar Panchayat.

Responsibilities of urban local bodies

The municipal bodies of India are vested with a long list of functions delegated to them by the state governments under their respective municipal legislations.

The Twelfth Schedule of Constitution (Article 243) provides an illustrative list of *eighteen functions*, that may be entrusted to the municipalities.

Public health includes **water supply**, **sewerage** and **sanitation**, eradication of communicable diseases etc.; welfare includes public facilities such as education, **recreation**, etc.; regulatory functions related to prescribing and enforcing **building regulations**, encroachments on public land, **birth registration** and **death certificate**, etc.; public safety includes **fire protection**, **street lighting**, etc.; public works measures such as construction and maintenance of inner city roads, etc.; and development functions related to **town planning** and development of commercial markets.

How are the elections held in the local government bodies?

- All seats of representatives of local bodies are filled by people chosen through *direct elections*.
- The conduct of elections is vested in the hands of the State election commission.
- The chairpersons at the intermediate and district levels shall be elected *indirectly from among the elected representatives at the immediately lower level*.
- At the lowest level, the chairperson shall be elected in a mode defined by the state legislature.
- Seats are reserved for SC and ST proportional to their population.
- Out of these reserved seats, not less than one-third shall be further reserved for women.
- There should be a blanket reservation of one-third seats for women in all the constituencies taken together too (which can include the already reserved seats for SC and ST).
- The acts bar the interference of courts in any issue relating to the election to local bodies.

What are the Qualifications needed to be a member of the Panchayat or Municipality?

Any person who is qualified to be a member of the state legislature is eligible to be a member of the Panchayat or Municipality.

“But he shall not be disqualified on the ground that he is less than 25 years of age if he has attained the age of 21 years”

This means that unlike the **state legislature**, a person needs to attain only 21 years of age to be a member of panchayat/municipality.

What is the duration of the Local Government bodies?

- The local governing bodies are elected for a term of five years.
- Fresh elections should be conducted before the expiry of the five-year term.
- If the panchayat/municipality is dissolved before the expiry of its term, elections shall be conducted within six months and the new panchayat/municipality will hold office for the remainder of the term if the term has more than six months duration.
- And for another five years if the remaining term is less than six months

What are the Powers invested on these Local Government bodies?

The powers of local bodies are not exclusively defined. They can be tailor-fitted by the state governments according to the environment of the states. In general, the State governments can assign powers to Panchayats and Municipalities that may enable them to prepare plans for economic development and social justice. They may also be authorized to levy, collect, or appropriate taxes.

Summary:

District Administration

- **Head of District Administration:**
 - **Role:** The District Collector or District Magistrate oversees all administrative functions in the district, including law and order, revenue collection, and development programs.
 - **Importance:** Acts as a link between the state government and local bodies, ensuring effective implementation of policies and addressing local issues.

2. Municipalities

- **Introduction:** Municipalities are urban local bodies responsible for governing cities and towns. They manage local infrastructure, services, and development.
- **Mayor and Elected Representatives:**
 - **Role of Mayor:** Elected head of the municipality, responsible for chairing meetings, representing the municipality in official functions, and overseeing municipal functions.
 - **Importance:** Acts as a leader in local governance, ensuring that the needs of the community are met through effective administration.
- **CEO of Municipal Corporation:**
 - **Role:** Chief Executive Officer manages the municipal administration, implementing policies, and overseeing staff and departmental functions.
 - **Importance:** Ensures efficient service delivery and acts as a coordinator between elected representatives and the administrative staff.

3. Panchayati Raj System

- **Introduction:** A system of local self-government in rural areas, promoting grassroots democracy through three tiers: Gram Panchayat (village), Block Samiti (block), and Zila Panchayat (district).
- **Zila Panchayat:**
 - **Elected Officials:** Comprised of elected members from various blocks, responsible for planning and implementing development programs at the district level.
 - **Roles:** Focus on rural development, infrastructure, and local governance. They also coordinate with state-level policies.
- **CEO Zila Panchayat:**

- **Position:** The Chief Executive Officer oversees the administrative functions of the Zila Panchayat, implementing policies, and managing staff.
- **Role:** Ensures effective functioning of the Zila Panchayat, coordinating between elected representatives and government officials.

4. Block Level Administration

- **Organizational Hierarchy:**
 - Comprises various departments such as health, education, agriculture, and rural development.
 - **Roles of Elected and Appointed Officials:** Elected representatives (Block Samiti members) work alongside appointed officials (block development officers) to address local issues and implement government schemes.
 - **Importance:** Facilitates targeted development efforts based on local needs and priorities.

5. Village Level Administration

- **Roles of Elected and Appointed Officials:**
 - **Elected Officials:** Members of the Gram Panchayat (village council) oversee local governance, including sanitation, water supply, and development projects.
 - **Appointed Officials:** Village-level staff (like village development officers) assist in implementing government programs and ensuring service delivery.
- **Importance of Grassroots Democracy:**
 - Promotes citizen participation in governance, allowing local voices to influence decision-making.
 - Enhances accountability and transparency in administration, leading to more effective governance and community development.

Unit –VI:

Election Commission:

Election Commission: Role and Functioning

The Election Commission of India (ECI) is an autonomous constitutional authority responsible for administering election processes in India at both the national and state levels. Its primary functions include:

1. **Conducting Elections:** Organizes and supervises elections for the Lok Sabha (House of the People), Rajya Sabha (Council of States), and State Legislative Assemblies, as well as the offices of the President and Vice President.
2. **Electoral Roll Management:** Prepares and maintains the electoral rolls to ensure that all eligible citizens can vote.
3. **Monitoring Campaigns:** Regulates the conduct of political parties and candidates during elections, ensuring compliance with the Model Code of Conduct.
4. **Voter Education:** Engages in initiatives to educate voters about the electoral process and the importance of participation.
5. **Dispute Resolution:** Addresses complaints and disputes related to the conduct of elections and the eligibility of candidates.

Chief Election Commissioner and Election Commissioners

The Election Commission consists of a Chief Election Commissioner (CEC) and two Election Commissioners. Key points about their roles include:

- **Appointment:** The President of India appoints the CEC and Election Commissioners.
- **Tenure:** They serve a term of six years, although they can resign earlier. The age of retirement is 65 years.
- **Powers:** They have the authority to supervise, direct, and control the entire process of elections, including the appointment of election officials and the management of election funds.

State Election Commission: Role and Functioning

State Election Commissions (SECs) operate at the state level to oversee local body elections. Their functions include:

1. **Conducting Local Elections:** Organizes elections for Panchayati Raj institutions and urban local bodies.
2. **Electoral Rolls:** Prepares and maintains electoral rolls for local elections.
3. **Monitoring:** Ensures free and fair elections at the state and local levels.
4. **Voter Awareness:** Conducts awareness programs to encourage voter participation in local elections.
5. **Dispute Resolution:** Handles disputes related to local elections.

Institutes and Bodies for the Welfare of SC/ST/OBC and Women

Several institutions and bodies work towards the welfare of Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), and women:

1. **National Commission for Scheduled Castes (NCSC):** Ensures the rights and interests of SCs are protected, monitors government schemes, and addresses grievances.
2. **National Commission for Scheduled Tribes (NCST):** Focuses on the welfare and development of STs, ensuring their rights and addressing issues specific to tribal communities.
3. **National Commission for Backward Classes (NCBC):** Addresses the concerns of OBCs and recommends measures for their socio-economic development.
4. **Ministry of Women and Child Development:** Implements policies and programs for women's empowerment, safety, and health.
5. **Women's Reservation Bill:** Seeks to reserve a certain percentage of seats for women in legislative bodies, promoting their representation in politics.
6. **Self-Help Groups (SHGs):** Encourage women's entrepreneurship and provide them with financial independence.

5. Question Bank: CONSTITUTION OF INDIA

Unit I:

S.No	Question	BL	CO	POs
1.	Explain the History of Making of the Indian Constitution	L2	CO1	4,3,6, PSO2
2	Discuss the History of Drafting Committee.	L3	CO1	11,3,2 ,PSO1
3.	Describe the Timeline of formation of the Constitution of India.	L4	CO1	12,3,1 ,PSO2
4	List and explain the various layers in the background of the Indian Constitution	L2	CO1	11,3,2 ,PSO3
5	Explain the Salient Features of Indian Constitution.	L2	CO1	1,3,5, PSO2

Unit 2:

S.No	Question	BL	CO	POs
1.	What are the core values enshrined in the Indian Constitution?	4	2	2,3,5, PSO1
2	Explain the concept of "social justice" in the Indian Constitution.	2	2	1,3,4 PSO2
3.	Discuss the significance of secularism in the Indian Constitution.	3	2	4,3,5, PSO1
4	How does the Constitution balance individual rights with national interests?	4	2	3,5, PSO3
5	Analyze the influence of Western and Eastern philosophies on the Indian Constitution.	3	2	11,5, PSO1

Unit 3:

S.No	Question	BL	CO	POs
1.	Explain the Right to Equality and Right to Freedom	2	3	12,3,1

				,PSO2
2	Discuss the Right against Exploitation	4	3	11,3,2 ,PSO3
3.	Describe the Right to Freedom of Religion	2	3	1,3,5, PSO2
4	Explain the Cultural and Educational Rights	4	3	2,3,5, PSO3
5	Describe the Directive Principles of State Policy	3	3	4,3,5, PSO1

Unit 4:

S.No	Question	BL	CO	POs
1.	What is the composition of the Indian Parliament? Explain	3	4	2,3,5, PSO1
2	Explain the process of passing a bill in Parliament.	4	4	1,3,4 PSO2
3.	Discuss the structure of the Indian judiciary	3	4	4,3,5, PSO1
4	Discuss the legislative process in Parliament.	2	4	3,5, PSO3
5	Describe the procedures Appointment and Transfer of Judges, Qualifications, Powers and Functions.	3	4	11,5, PSO1

Unit 5:

S.No	Question	BL	CO	POs
1.	Explain the Mayor and role of Elected Representative.	2	5	4,3,5,P SO2
2	Discuss the Importance of grass root democracy.	3	5	11,3,4, PSO2
3.	Explain the History of local administration	4	5	2,3,5,P SO1
4	What are Panchayats and Municipalities? Explain	2	5	4,5,PS O3
5	List and explain the Types of Urban Local Government	3	5	11,5,P SO1

Unit 6:

S.No	Question	BL	CO	POs
1.	Explain the duties of the State Election Commission.	2	6	4,3,5,P SO2
2	Describe the Election Commission.	3	6	11,3,4, PSO2
3.	Discuss the Chief Election Commissioner.	4	6	2,3,5,P SO1
4	Explain the Institute and Bodies for the welfare of SC/ST.	2	6	4,5,PS O3
5	Discuss the Institute and Bodies for the welfare of OBC and women.	3	6	11,5,P SO1

6. Assignment Questions (2024-2025)

II-B.TECH I & II SEMESTER- ASSIGNMENT: 1

CONSTITUTION OF INDIA

S.No		Question	CO	BL	POs
1.	a)	Explain the History of Making of the Indian Constitution	1	3	4,3,5,PSO2
	b)	Discuss the History of Drafting Committee.	1	2	11,3,4,PSO2
2.	a)	Describe the Timeline of formation of the Constitution of India.	1	4	2,3,5,PSO1
	b)	List and explain the various layers in the background of the Indian Constitution	1	3	4,5,PSO3
3	a)	What are the core values enshrined in the Indian Constitution?	2	2	11,5,PSO1
	b)	Explain the concept of "social justice" in the Indian Constitution.	2	3	12,3,6PSO2
4.	a)	Discuss the significance of secularism in the Indian Constitution.	2	4	7,6,5,PSO3
	b)	How does the Constitution balance individual rights with national interests?	2	2	8,3, PSO1
5	a)	Explain the Right to Equality and Right to Freedom	3	1	2,3,5,PSO1
	b)	Discuss the Right against Exploitation	3	4	4,3,5,PSO2

II-B.TECH I & II SEMESTER- ASSIGNMENT: 2

CONSTITUTION OF INDIA

S.No		Question	CO	BL	POs
1.	a)	Describe the Right to Freedom of Religion	3	3	4,3,6,PSO2
	b)	Explain the Cultural and Educational Rights	3	2	11,3,2,PSO1
2.	a)	What is the composition of the Indian Parliament? Explain	4	4	12,3,1,PSO2
	b)	Explain the process of passing a bill in Parliament.	4	3	11,3,2,PSO3
3	a)	Discuss the structure of the Indian judiciary	4	2	1,3,5,PSO2
	b)	Discuss the legislative process in Parliament.	4	3	2,3,5,PSO3
4.	a)	Explain the duties of the State Election Commission.	5	4	4,3,5,PSO1
	b)	Describe the Election Commission.	5	2	6,3,5,PSO1
5	a)	Discuss the Chief Election Commissioner.	5	4	2,3,5,PSO2
	b)	Explain the Institute and Bodies for the welfare of SC/ST.	5	3	12,3,5,PSO1