

NCERT SOLUTIONS

CLASS - 11th



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Class : 11th

Subject : Political science

Chapter : 9

Chapter Name : Constitution as a living document

Q1 Choose the correct statement from the following.A constitution needs to be amended from time to time because,

- (a) Circumstances change and require suitable changes in the constitution.
- (b) A document written at one point of time becomes outdated after some time.
- (c) Every generation should have a constitution of its own liking.
- (d) It must reflect the philosophy of the existing government.

Answer. (a)circumstances change and require suitable changes in the constitution

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Q2 Write True / False against the following statements.

- a. The President cannot send back an amendment bill for reconsideration of the Parliament.
- b. Elected representatives alone have the power to amend the Constitution.
- c. The Judiciary cannot initiate the process of constitutional amendment but can effectively change the Constitution by interpreting it differently.
- d. The Parliament can amend any section of the Constitution.

Answer.

- (a) True
- (b) True
- (c) True

(d) False

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Q3 Which of the following are involved in the amendment of the Indian Constitution? In what way are they involved?

- a. Voters
- b. President of India
- c. State Legislatures
- d. Parliament
- e. Governors
- f. Judiciary

Answer.

- (a) Voters are not involved in the amendment of the Constitution.
- (b) The President of India has to give assent to the respective amendment after it has been ratified by both the houses of the Parliament.
- (c) The State legislatures are concerned with the amendments pertaining to their jurisdictions and for that half of the state legislatures have to ratify the amendment bill.
- (d) Both the houses of Parliament have to ratify the bill under the simple majority or the avenues of special majority.
- (e) Governors are not the part of Amendment procedure. (exception in cases of an emergency)
- (f) Judiciary has to check the principles of the amendment, so that it does not violate the basic structure of the Constitution.

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Q4 You have read in this chapter that the 42nd amendment was one of the most controversial amendments so far. Which of the following were the reasons for this controversy?

- a. It was made during national emergency, and the declaration of that emergency was itself controversial.
- b. It was made without the support of special majority.
- c. It was made without ratification by State legislatures.
- d. It contained provisions, which were controversial.

Answer.

- (a) It was made during national emergency, and the declaration of that emergency was itself controversial.
- (d) It was made without ratification by State legislatures.

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Q5 Which of the following is not a reasonable explanation of the conflict between the legislature and the judiciary over different amendments?

- a. Different interpretations of the Constitution are possible.
- b. In a democracy, debates and differences are natural.
- c. Constitution has given higher importance to certain rules and principles and also allowed for amendment by special majority.
- d. Legislature cannot be entrusted to protect the rights of the citizens.
- e. Judiciary can only decide the constitutionality of a particular law; cannot resolve political debates about its need.

Answer. (d) Legislature cannot be entrusted to protect the rights of the citizens.

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Q6 Identify the correct statements about the theory of basic structure. Correct the incorrect statements.

- a. Constitution specifies the basic tenets.
- b. Legislature can amend all parts of the Constitution except the basic structure.
- c. Judiciary has defined which aspects of the Constitution can be termed as the basic structure and which cannot.
- d. This theory found its first expression in the Kesavananda Bharati case and has been discussed in subsequent judgments.
- e. This theory has increased the powers of the judiciary and has come to be accepted by different political parties and the government.

Answer.

- (a) Incorrect. Constitution does not mention basic tenets.
- (b) Correct
- (c) Correct
- (d) Correct
- (e) Correct

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Q7 From the information that many amendments were made during 2000-2003, which of the following conclusions would you draw?

- a. Judiciary did not interfere in the amendments made during this period.
- b. One political party had a strong majority during this period.
- c. There was strong pressure from the public in favour of certain amendments.
- d. There were no real differences among the parties during this time.
- e. The amendments were of a non-controversial nature and parties had an agreement on the subject of amendments.

Answer.

- (c) There was strong pressure from the public in favour of certain amendments.

(d) There were no real differences among the parties during this time.

(e) The amendments were of a non-controversial nature and parties had an agreement on the subject of amendments.

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Q8 Explain the reason for requiring special majority for amending the Constitution.

Answer. The provision of special majority is to gain the two-thirds of the majority in the Parliament and the respective amendment bill to be ratified by both the houses of the legislature. The provision was introduced by the constitution drafters, to ensure the policy of deliberation and discourse to take place before any bill passes both houses of the Parliament. It restricts the growth of any arbitrary bill or hegemonized imposition of all the laws and policies by the respective governments. It allows both the houses of Parliament to have discourse upon the bill upon the principles of participation of opposition leaders and other parliamentarians also.

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Q9 Many amendments to the Constitution of India have been made due to different interpretations upheld by the Judiciary and the Parliament. Explain with examples.

Answer. The Judicial Review and the restrictions upheld by the Supreme Court of India has affected the amendments introduced by the executives in legislatures. The First Amendment (1951), made some changes to the structure of the Constitution but later on, the arbitrary amendments by the Congress Government in 1975-1977 changed the course of the conventional and structured constitutional amendments. In the Kesavananda Bharati Case Vs Union of India (1973) , judiciary stated that the legislature cannot amend the basic structure of the Indian Constitution but the amendments introduced in Emergency (1975) , limited the powers of the Judiciary. After that, the 44th Amendment and other interpretations by courts, affect the amendments introduced by the parliament as it restricts them and clarifies its constitutional validity.

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Q10 If amending power is with the elected representatives, judiciary should NOT have the power to decide the validity of amendments. Do you agree? Give your reasons in 100 words.

Answer. No, the elected representatives have the amending power but judiciary has the power to review it to check its constitutional validity. It's very important for the judiciary to interfere so that it can check the arbitrary nature of different acts or bills introduced by the elected representatives. It's imperative in its basic sense as it increases the accountability and checks whether the government is true to its people and not working under the prism of "majoritarianism".

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