

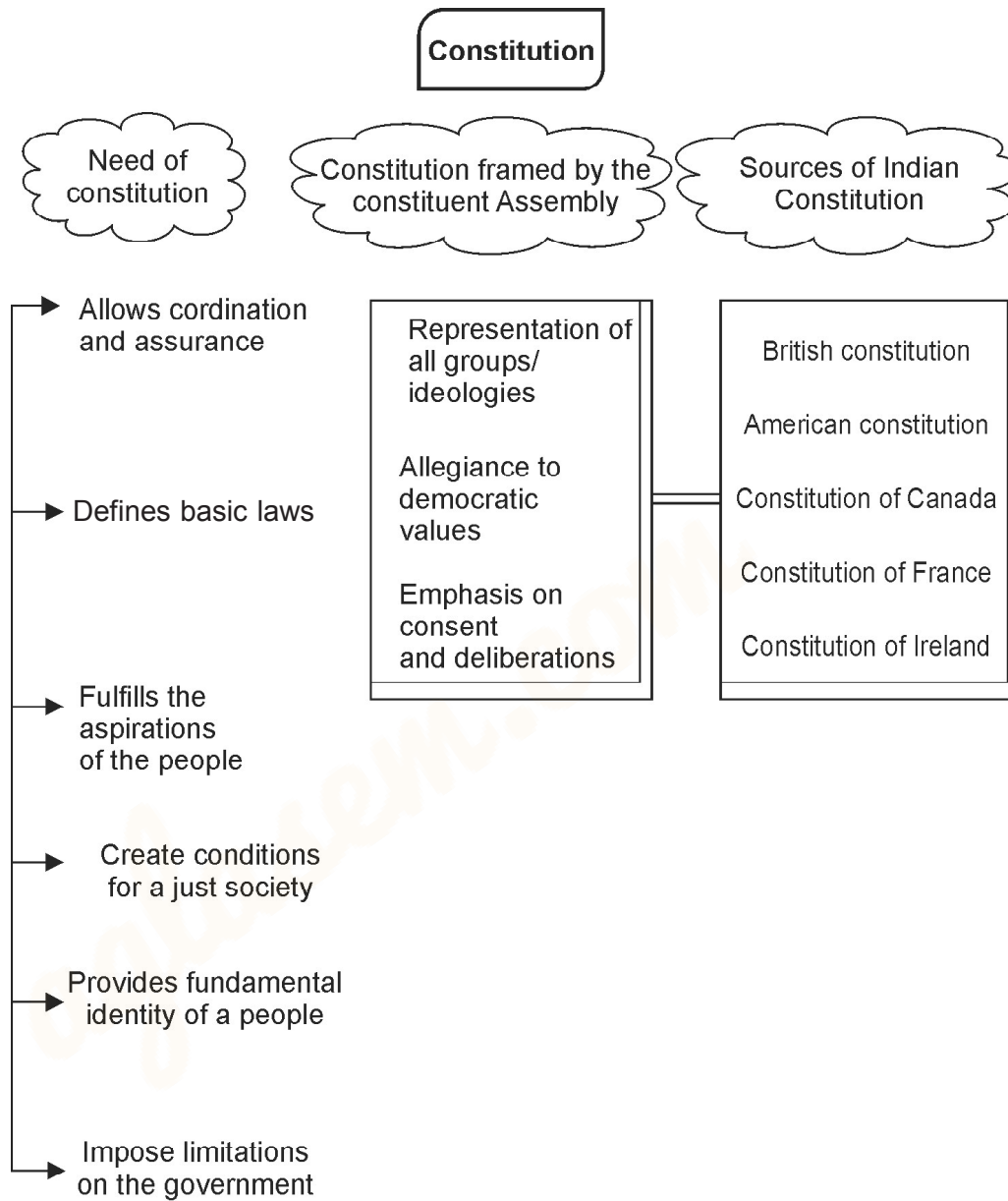


CLASS XI NOTES POLITICAL SCIENCE

KEY NOTES AND IMPORTANT QUESTIONS WITH ANSWERS

Chapter - 1

CONSTITUTION



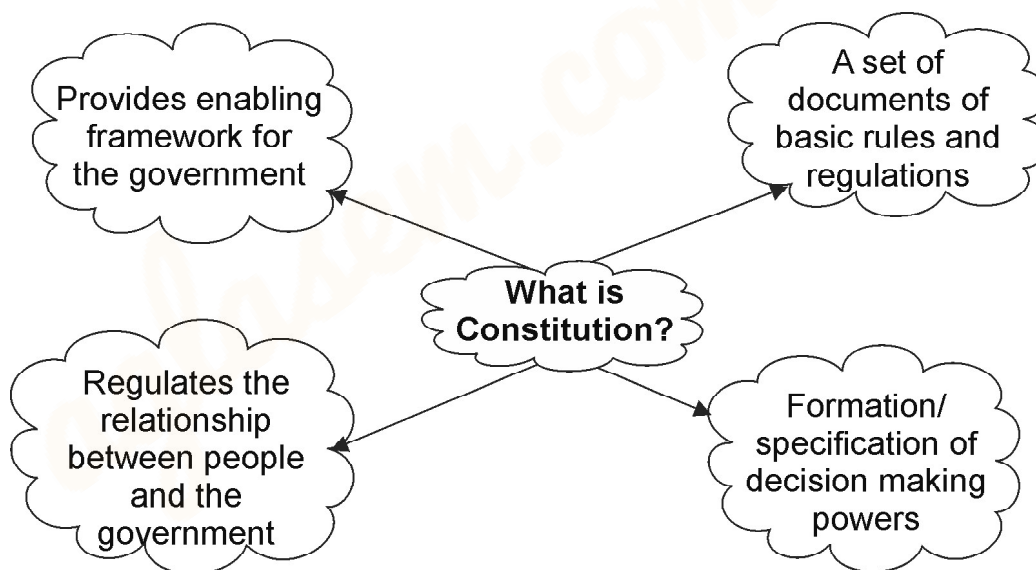
CONSTITUTION

Philosophy of the Constitution, Constitution as a Living Document

Key Points :-

- What is the Constitution?
- Need of the Constitution.
- Formation of the Constitution.
- Composition of the Constitution Assembly.
- Sources of the Indian Constitution.
- Political Philosophy of the Constitution.

Flow Chart of Constitution



Functions of the Constitution

Man is a social animal. Society is made up of different types of community. Constitution is necessary to keep pace with these communities. The constitution provides the set of basic rules by which a government is framed and the State is governed.

Why do we need a constitution?

1. Constitution allows coordination and assurance. The first function of a constitution is to provide a set of basic rules that allow for minimal coordination among its members of a society. These rules are legally enforceable and gives an assurance to everybody that others will follow these rules for if they do not do so they will be punished.
2. The second function of a constitution is to specify who has the power to make decisions in a society. Constitution decide how the government will be constituted. It decides who gets to decide what the laws will be. In the Indian Constitution for example, it is a specified that in most instances, Parliament gets to decide laws and policies and Parliament itself be organised in a particular manner.
3. The third function of a constitution is to set, some limits on what a government can impose on its citizens. These limits are fundamental in the sense that governments may never trespass them. The government has to specify certain fundamental rights that all of us possess as citizens and which no citizens can never be allowed to violate.
4. The fourth function of a constitution is to enable the government to fulfil the aspirations of a society and create conditions for a just Society. For example, India aspires to be a society that is free of caste discrimination.
5. Constitution provides fundamental identity of a people. It means that people as a collective entity come into being only through the basic constitution.

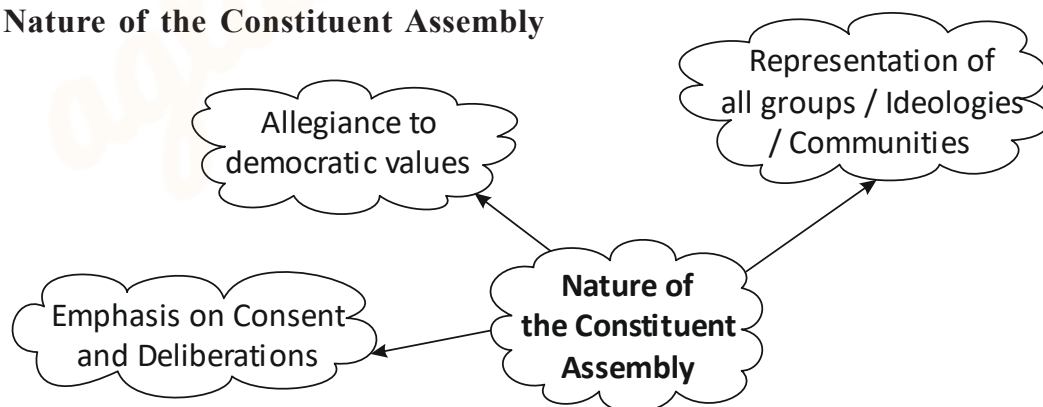
How was the Indian constitution made?

The Indian Constitution was made by the constituent assembly which had been elected for undivided India. It held its first sitting on 9th December 1946 and reassembled as constituent assembly for divided India on 14th August 1947. Its members were elected by indirect election by the members of the provisional legislative assemblies. These provisional legislative assemblies had been established in 1935. The constituent assembly was composed roughly along the lines suggested by the plan proposed by the committee of the British cabinet known as the cabinet mission.

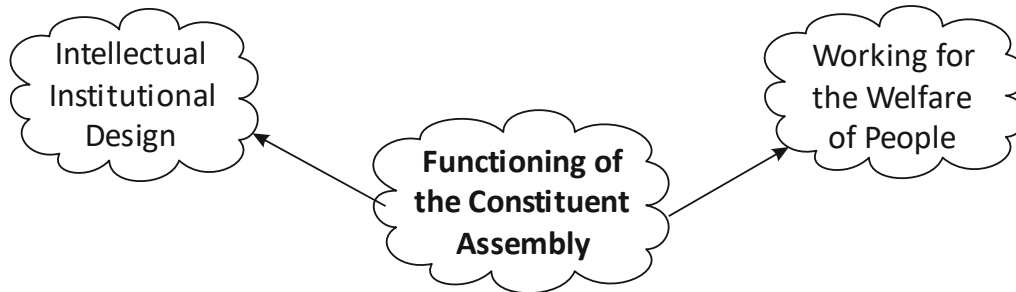
Composition of the Constituent Assembly

Dr. Sachchidananda Sinha was appointed as the temporary Chairman and on 11th December 1946. Dr. Rajendra Prasad was elected as the permanent Chairman of the Constituent Assembly. On 13th December 1946, Pandit Jawaharlal Nehru presented the objective resolution of the Constitution. This resolution encapsulated the aspirations and values behind the constitution. Dr. BhimRao Ambedkar was elected as the Chairman of the draft committee of India. It was submitted on 22nd January 1947 by the Constituent Assembly that outlined the future sovereign democratic republic of India. On 26th November 1949, the Constitution of India had 395 articles and 8 schedules. It took 2 years, 11 months and 18 days to make the constitution. At this time, the schedules have increased from 8 to 12.

Nature of the Constituent Assembly



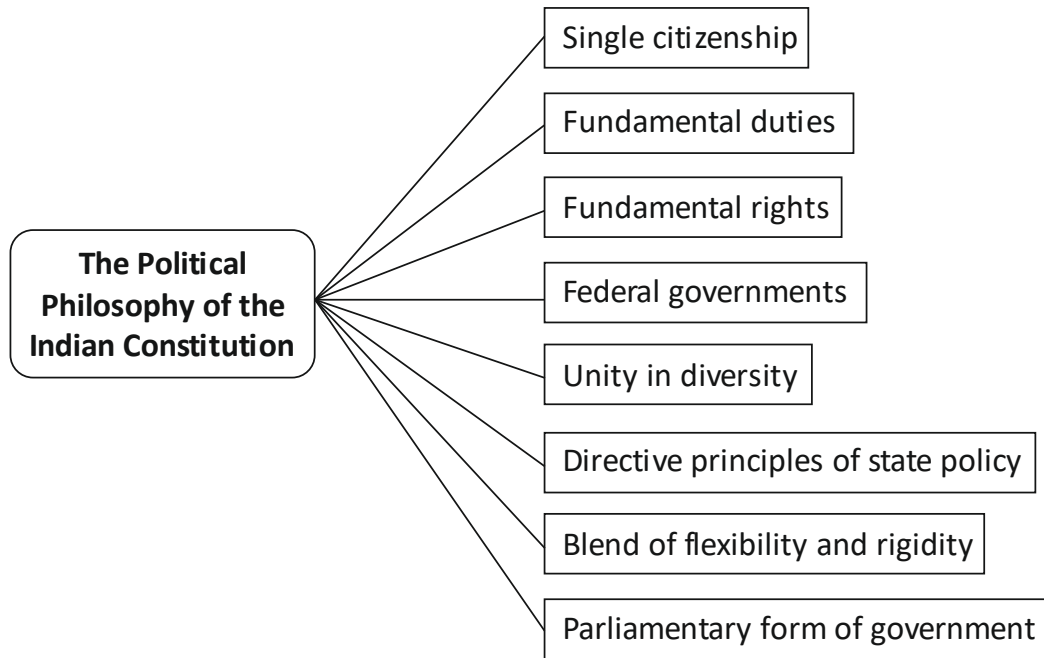
Functioning of the Constituent Assembly



Sources of Indian Constitution

- **The constitution of India was a by -** Product of the legacy started by the Government of India Act 1935. The constitution borrowed from its federal structure, provision of Supreme Court etc.
- **The British Constitution** - First Past the Post System, the Parliamentary form of the government, the idea of the rule of law, the role of Speaker in the legislature and its law making method.
- **The US Constitution** - The list of fundamental rights, the Preamble and the independence of the judiciary.
- **The Constitution of Ireland** - The Directive Principles of the State Policy of the State, the provision of nominated members in the Rajya Sabha, the principle of independence, equality and fraternity.
- **The Constitution of Canada** - Quasi-federal government.

Hence Indian constitution is also called the bag of borrowing, in which various provisions had been borrowed. But borrowing these ideas was not a slavish imitation. Each provision has been done in context of Indian circumstances. Each provision of the Constitution had to be depended on the grounds that it was suited to Indian contexts, problems, aspirations. India was extremely lucky to have an Assembly that instead of being parochial in its outlook could take the best available.



The political philosophy of the Indian constitution means that constitution is not only set of some rules only but it is connected to some moral values as well.

The basic concepts of the constitution such as rights, citizenship, democracy, equality, and freedom etc. are the ideals enshrined in the Indian constitution. Our constitution emphasizes that its philosophy is peaceful and democratic. It implements the values on which the welfare policies are framed and follow these ethical fundamental concepts.

Process of on achievement

The members of the Assembly placed a great emphasis on discussion and reasoned argument. Each member deliberated upon the constitution with the interests of the whole nation in mind. There were legitimate differences of principal but they worked together. Each committee usually drafted a particular provisions of the constitution which were then subjected to debate by the entire assembly and decisions were taken with consent of all.

Thus constitution gave institutional expression to all fundamental commitments such as equality, Liberty, democracy, sovereignty and a Cosmopolitan identity. So our constitution is not merely a maze of rules and procedures but a commitment to establish a government and that will fulfil the aspirations of the people.

Criticism of the constitution

- Very long and detailed.
- 448 article 22 part and 12 schedules.
- Provisions from Western countries had been borrowed.
- Representatives of all the groups were not present in the framing of the constitution.

CONSTITUTION IS A LIVING DOCUMENT

The constitution is a reflection of the wishes and aspirations of the society. It is a written document prepared by representatives of the society. The constitution was adopted on 26th November 1949 and implemented on 26th January 1950.

The Constitution has vibrancy because,

- changed according to circumstances.
- The constitution is a living document.
- Dynamic over time.
- Modification as required.

Main Points :-

- Amendment of Constitution.
- Methods of amending the Constitution.
- Why many amendments in the Constitution.
- Controversial Amendment.
- Principle of Basic Structure of the Constitution.

- The Constitution is a Living Document.

Amendment of Constitution

1. The amendment process starts only in the Parliament.
2. The amendment process is in Article 368.
3. The amendments do not mean that the basic structure of the Constitution is changed.
4. In the case of amendments, the Indian Constitution is flexible and rigid.
5. More than 100 amendments to the constitution so far.
6. In case of Constitution Amendment Bill, the President is not empowered to send for reconsideration.

Ways to amend the Constitution

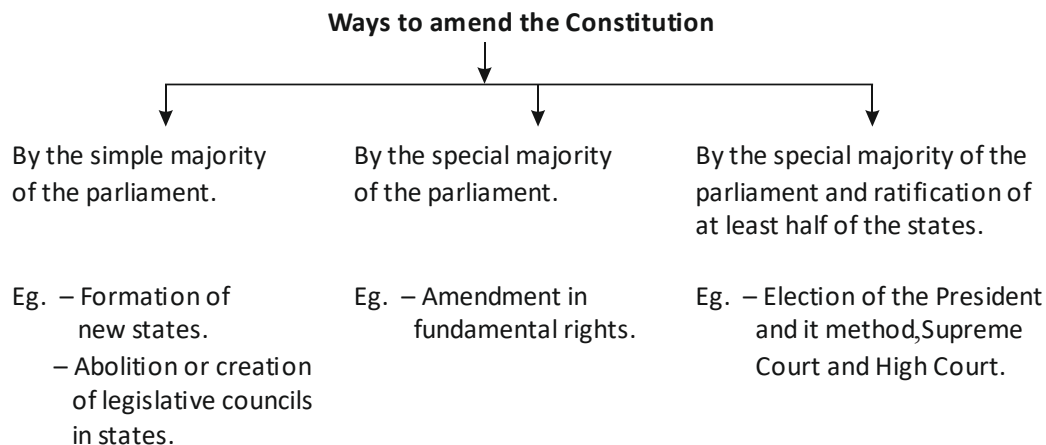
- On the basis of a simple majority in Parliament.
- Proposal to amend the Constitution on the basis of separate special majority in both the Houses of Parliament.
- Amendment by special majority and further state support.

Provision :-

- Creation of new states.
- Changes in names on state borders.
- Creation or abolition of Upper House Legislative Council in states.
- Attainment and termination of citizenship.
- Increasing the jurisdiction of the Supreme Court.

Provision :-

- The manner of election of the President.
- Distribution of powers between the Center and the States.
- Representation of States in the Parliament.



Why so many amendments to the Constitution ?

The constitution was formed after the Second World War, it was working smoothly under the conditions of that time, but when the situation changed, amendments were made to maintain the constitution as a living machine. So many amendments were made in our constitution to run democracy as per the need of the hour.

Division of the amendments to the Constitution into three categories.

- i) Administrative Amendment.
- ii) Relating to the interpretation of the constitution.
- iii) Amendments arising from political consensus.

Controversial Amendment

- Amendments 38th, 39th, 40th, 41st, are considered controversial. These amendments made during the Emergency fall in this category.

Principle of Basic Structure of the Constitution

This principle was given by the Supreme Court in 1973 in the Kesavananda Bharati case. This decision gave the following support in the development of the

constitution :-

1. The limits of powers to amend the constitution were fixed.
2. It allows amendment of various parts of the constitution but within the limits.
3. The judiciary's decision on any amendment that violates the basic structure of the constitution will be final.

The Constitution a Living Document

- The constitution is a movable document.
- The existence of the Indian constitution is more than 73 years hence, it has gone through many tensions here, even after so many changes in India, this constitution is working in harmony with its dynamics and changing circumstances.
- The Constitution of India stands up to the challenge of new challenges successfully by changing the circumstances, this is the proof of its liveliness.

CONSTITUTION

MCQ

1. Which provision of the Indian Constitution was passed without any debate?
(a) Parliamentary system (b) Powers of Judiciary
(c) Decentralized system (d) Adult suffrage
2. How many fundamental rights do a person have in the Indian Constitution?
(a) 4 (b) 6
(c) 7 (d) 8

3. Constituent assembly was constituted by :
 - (a) The members of cabinet mission
 - (b) Members of Legislative assembly of 1935
 - (c) Mount batter plan
 - (d) Cripps mission
4. The nature of the constituent assembly was :
 - (a) Representative
 - (b) Authoritarian
 - (c) Dictatorship
 - (d) None
5. The principle of residuary powers was taken from the constitution of which country?
 - (a) American constitution
 - (b) Franch constitution
 - (c) Constitution of Srilanka
 - (d) Constitution of Canada

Assertion and Reason

Assertion: The India constitution is called the bag of borrowing.

Reason: Many provisions in the Indian constitution have been taken from the provisions of other countries.

- (A) Both A and R true and R is the correct explanation of A
- (B) Both A and R are true but R is not the correct explanation of A
- (C) A is false but R is true
- (D) A is true but R is false

Assertion: The constitution decides who will have the power to give the final decision.

Reason: Constitutino is a set of rules and regulations.

- (A) Both A and R true and R is the correct explanation of A

- (B) Both A and R are true but R is not the correct explanation of A
- (C) A is false but R is true
- (D) A is true but R is false

One Mark Questions

1. Who was the President of the Indian Constituent Assembly?
 - (a) Dr. Ambedkar
 - (b) Rajendra Prasad
 - (c) Pandit Jiharlal Nehru
 - (d) Sardar Vallabhbhai Patel
2. What do you understand by a rigid constitution?
 - (a) Which can be amended easily.
 - (b) Based on the decisions of the public.
 - (c) Which cannot be easily amended.
 - (d) None of these
3. How many members of Indian Constituent Assembly signed the constitution?
 - (a) 284 members
 - (b) 288 members
 - (c) 290 members
 - (d) 294 members
4. How many schedules are in the Indian Constitution?
 - (a) 8
 - (b) 10
 - (c) 11
 - (d) 12
5. Provision of Fundamental Rights was taken from the constitution of which country?
 - (a) Britain
 - (b) United States of America
 - (c) Ireland
 - (d) Japan

Replacement of spaces.

6. Crips mission came to India in the year
7. The constitution of India was adopted on
8. The Constituent Assembly was elected by
9. Objective resolution of constitution was presented by in the Constituent Assembly.
10. Indian Constitution was adopted and enacted in

Correct the following statement.

11. The main function of the Constituent Assembly is to set up a minimal coordination amongst the members of a society.
12. Provision of fundamental rights has been taken from Great Britain.

State the following statement as correct.

13. First past the post system has been adopted in the Indian constitution.
14. Rule of law means that all persons are subject to the law, and the law will not be enforceable in all cases.
15. The Indian Constituent Assembly was composed by the committee of the British cabinet, known as the Mountbatten Plan.
16. The Constituent Assembly was not a representative one.

Short Questions

17. What do you understand by the preamble of the constitution?
18. What did the Crips mission say about the Indian Constitution?
19. Indian Constitution is committed to whom?
20. Why does the state need to be interfered into religious matters?
21. The constitution of which country is called as the Peace constitution?

22. What do you understand by mutual exclusion?
23. What is article 371-A?
24. Who opposed the ban on the freedom of press at the beginning of the 19th century?
25. What were the suggestions given by the Nehru Report regarding universal suffrage?
26. Who was the permanent chairman of the Constituent Assembly?
27. How much time was taken by the Indian constitution to be framed?
28. Which provisions were borrowed from the Constitution of France?

29. Match the following.

- | | |
|--------------|-----------------|
| (i) UK | Judicial Review |
| (ii) US | DPSP |
| (iii) Canada | Residual Powers |
| (iv) Ireland | Rule of Law |

30. Read the passage and answer the following questions.

The constitution is a group of some fundamental principles based on which government is framed and the state is governed. Constitution specifies the basic allocation of power in a society.

Constitution decides who gets to decide what the laws will be. Constitution sets some limits on what a government can impose on its citizens. Constitution is an essential pre condition for a civil society. Constitution provides fundamental identity to the people. It means that people as a collective entity come into being only through the basic constitution.

- (i) What is the Constitution?
- (a) A set of rules

- (b) A set of fundamental principles based on which government is framed.
- (c) A set of instructions (d) None of the above
- (ii) Who has the power of law making in the Indian constitution?
- (a) Executive (b) Judiciary
- (c) Legislative (d) Government
- (iii) Which institution provides the fundamental identity to people?
- (a) Government (b) Executive
- (c) Constitution (d) All of the above
- (iv) When was the constitution of India framed?
- (a) 24 November 1949 (b) 26 November 1949
- (c) 28 November 1949 (d) 30 November 1949

31. Read the passage and answer the following questions.

The members of the constituent assembly placed a great emphasis on discussion and reasoned argument. They did not simply advance their own interests, but gave principled reasons to other members for their positions. The very act of giving reasons to others makes you away from simply in narrow consideration of your own interest because you have to give reasons to others to make them along with your viewpoint. The voluminous debate in the constituent assembly, where each clause of the Constitution was subjected to scrutiny and debate, is a tribute to public reason at the best. These debates deserve to be memorialised as one of the most significant chapters in the history of constitution making.

- (i) What was the way / style of the Constituent Assembly?
- (a) Authoritarian (b) Democratic
- (c) Different (d) None of the above

- (ii) Do you think that the Constituent Assembly was representing all classes of the society?
- (a) Representing all sections of the society.
 - (b) Representing some sections of the society.
 - (c) Not representing any sections of the society.
 - (d) None of the above
- (iii) What was the popularity of the Constituent Assembly?
- (a) Principled organisation
 - (b) Narrow approach
 - (c) Public credibility
 - (d) All of the above
- (iv) How were the differences resolved in the Constituent Assembly?
- (a) By Conflicts
 - (b) By disputes
 - (c) By deliberations
 - (d) All of the above

Two Marks Questions

1. Why is constitution important?
2. What will happen, if there is no basic rules and regulations in the society?
3. Write two functions of the Constitution.
4. How much time was taken by the Indian constitution to be framed?
5. Briefly explain the constitutional draft committee.
6. Write two ideals of objective resolution presented by Nehru in 1946.

Four Marks Questions

1. Explain the process of the composition of the Indian Constituent Assembly.

4. 12 Schedules
5. United States
6. in March 1942
7. 26th January 1949
8. Indirect Electoral System
9. Jawaharlal Nehru
10. 26th November 1949
11. The function of the Constitution is to establish minimal coordination and cooperation among the members of the society.
12. The provision of fundamental rights were taken from the United States.
13. Correct
14. Incorrect
15. Incorrect
16. Incorrect
17. The Preamble to the Constitution incorporates the democratic ideals, values of the Indian Constitution.
18. The Cripps Mission suggested that the Union of India must be established by the Constitution which would be created by the Constituent Assembly.
19. Our Constitution is committed to democratic values.
20. State and religion will stay away from the internal affairs of one another.
21. Japan
22. Religion and state must be separated from each other's internal affairs.
23. Nagaland has been given special status in Article 371a.
24. Raja Ram Mohan Roy

25. Motilal Nehru report recommended human rights in 1928.
26. Dr. Rajendra Prasad
27. It took 2 years, 11 months and 18 days to frame the Indian Constitution and a total of 166 meetings were held.
28. From the Constitution of France, we adopted the principle of equality, freedom and fraternity.
29. 1. UK Constitution Rule of Law
2. US Judicial review
3. Canada Canada principle of residual powers
4. Ireland Directive Principles of state Policy
30. (a) The constitution is a group of some fundamental principles based on which government is framed and the state is governed.
(b) 26th November 1949
(c) Legislature
(d) Constitution
31. (a) representing all sections of the society
(b) Democratic
(c) Public credibility
(d) By deliberations

Two Marks Answers

1. It plays an important role in creating a minimum coordination and cooperation among the members of the society.
2. In the absence of constitution, every member of the society feels insecure. Because it will be difficult for the people about how to treat others.

3. Constitution provides minimum coordination and trust among the members of the society. Constitution specifies the basic allocation of power in a society. It decides who gets to decide what the laws will be.
4. 2 years, 11 months, 18 days, 166 meetings
5. It drafted the constitution. Dr. B. R. Ambedkar was the Chairperson of the Draft Committee.
6. India will be an independent, sovereign and socialist state. All the people of India will be guaranteed fundamental rights like equality before law, socio economic and political justice.

Four Marks Answers

1. Constituent assembly held its first meeting on 9th December, 1946. Vice chairperson was Sachidanand Sinha, Cabinet Mission. Dr. Rajender Prasad was the permanent chairperson of constituent Assembly. Members 389, total meetings 166.
2. Decentralization of powers, division of powers between union list, State list, Concurrent list, and distribution of powers in legislature, executive and judiciary.
3. Ensuring social security of minorities from the majority group, Providing basic facilities, strengthening the powers of small social groups, protecting the liberty of all in the society.
4. The Constituent Assembly was very thoughtful to establish a proper balance between the three organs of government and distribution of powers among the centre and state government.

Six Marks Answers

1. Need of the constitution- To make the supreme law of the country; to form the government; specifications of decision making powers, limitations on the powers of the government, to fulfil the aspirations and goals of a society, provides fundamental identity of a people.

2. According to cabinet mission plan.

Each province and each princely states or a group of states were allotted seat proportional to their respective population.

The seats in each provinces were distributed among the three main communities Muslims, Sikhs and general in proportion to their respective population.

Method of Single Transferable Vote system

The method of selection in the case of representatives of princely states was to be determined by consultation

3. Features of the Indian Constitution

Written constitution, Sovereign, democratic, socialist, secular, Republic, fundamental rights and fundamental, independent Judiciary, parliamentary system of government, directive principle of State Policy

4. Indian constitution is a blend of flexibility and rigidity. Indian constitution accepts the necessity of modifications according to changing needs of the society. Indian constitution is a document made by human being and may need revisions, changes and re-examination. It is not so ordinary instrument that it can be modified just like any other ordinary law. So Indian Constitution framers were aware of this problem and so to strike a balance. Students can give examples of simple majority and special majority.