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#### 17. Indian Government and Politics

1. Who takes the task of framing a constitution of a sovereign democratic nation?

It is performed by a representative body of its people.

2. What is constituent assembly?

A body elected by the people for the purpose of considering and adopting a constitution may be known as the Constituent Assembly.

3. Who framed the constitution of India?

The constitution of India was framed by the Constituent Assembly (1946-49). Dr. Rajendra Prasad was its President and Dr. B.R. Ambedkar was the Chairman of the Drafting Committee.

- 4. What are the features of our constitution?
  - 1. Preamble
  - 2. Written constitution
  - 3. Rigid constitution
  - 4. Federal system

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- 5. Secular state
- 6. Parliamentary democracy
- 7. Fundamental rights
- 8. Directive principles of state policy
- 9. Fundamental duties
- 10. Judicial review
- 11. Universal adult franchise.
- 5. Discuss about preamble?
  - The constitution of India starts with a Preamble.
  - The objective of the constitution is precisely given in the Preamble.
  - It serves as a guide to interpret the provisions of the constitution.
  - It is not a part of the constitution and hence not subject to judicial review.
- 6. How is Preamble of India read?

2

 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:

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- 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:
- IN OUR CONSTITUENT ASSEMBLY this twenty sixth day of November, 1949 do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.
- 7. What is written constitution?

A written constitution is one in which most of the basic rules and regulations are written down in a document.

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8. How is Indian constitution written?

It is written as one.

3

9. When did constitution of India come into force?

The constitution of India came into force on 26, January, 1950.

10. What are the major sources of Indian Constitution?

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The constitutions of Great Britain, Ireland, Canada and Australia were major sources for the Indian constitution.

11. What is rigid constitution?

According to Prof. Dicey, a rigid constitution is one under which certain laws generally known as constitutional or fundamental laws cannot be changed in the same manner as the ordinary laws are changed.

12. What are ordinary law?

Ordinary laws are those laws enacted by the Parliament with reference to the provisions of the constitution.

13. What is federal system?

Federalism is a system of government in which powers are divided and distributed between the Central Government and State Governments

14. What are the federal system of our constitution?

Our constitution has the following federal features:-

- 1. Supremacy of the constitution
- 2. Rigid constitution

4

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- 3. Division of powers
- 4. Independent judiciary

#### 15. What is secular state?

5

The Indian constitution establishes a secular state. It means there will be complete freedom to follow any religion. It guarantees to all citizens freedom of faith, worship and conscience. It also means equal respect for all religions. The basis of secularism is ethics and to bring about a society of equality and justice.

16. What is parliamentary form of government?

A parliamentary form of government is that in which the executive is responsible to the legislature.

17. What are the divisions of executive of India?

The executive of India has two divisions. One is the nominal and the other is real.

18. Who are the nominal and real executive of India?

In India, the nominal executive is the President of India. He is elected by an electoral college for a period of five years. The real executive is the Prime Minister and Council of Ministers.

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19. What is fundamental rights?

Part III of the Indian constitution consists of Fundamental Rights (Articles 12 to 35). These are indispensable for the growth of human personality. They not only create proper conditions for the fullest development of an individual, but also help in realising true democracy

20. How are fundamental rights classified?

The constitution of India classified the Fundamental Rights under six groups as follows: -

- (a) Right to Equality
- (b) Right to Freedom

6

- (c) Right against Exploitation
- (d) Right to Freedom of Religion
- (e) Cultural and Educational Rights
- (f) Right to constitutional Remedies

Right to property - has been abolished by the 44th Amendment Act, 1978.

21. What is directive principles of state policy?

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Part IV of the Indian constitution consists of Directive Principles of State Policy (Articles 36 to 51). They are fundamental in the governance of the country.

22. How are directive principles of state policy classified?

Directive Principles of State Policy may be grouped into following categories:

- I Socialist Principles
- II. Gandhian Principles
- III. International Principles
- IV. Miscellaneous Principles
- 23. What is socialist principles?
  - 1. adequate means of livelihood for citizens, men and women equally
  - 2. equal pay for equal work.
- 24. What are Gandhian ideologies?

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1. organisation of village panchayats to enable them to functions as units of self-government.

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- 2. promote cottage industries on an individual or co-operative basis in rural areas.
- 3. Promotion of educational and economic interest of Scheduled Castes, Scheduled Tribes and other weaker sections.
- 4. Raise the level of nutrition and the standard of living and to improve public health.
- 5. Organisation of agriculture and animal husbandry
- 6. Preserving and improving the breeds and prohibiting the slaughter of cows and calves and other milch and draught cattle.
- 25. What are international principles?
  - 1. Promote international peace and security
  - 2. Maintain just and honorable relations between nations
- 26. What is miscellaneous principles?

8

- 1. Equal justice and free legal aid
- 2. Uniform civil code for the citizens
- 27. Which talks about the fundamental duties of citizens?

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The Forty-Second Amendment Act of 1976 added Part IV A(Article 51 A) in the Indian constitution containing ten duties for citizens of India. According to former Prime Minister of India Mrs. Gandhi, moral value of the fundamental duties would be "not to smother rights but to establish a democratic balance" by making the people conscious of their duties equally as they are conscious of their rights.

- 28. What are the ten fundamental duties of citizens?
  - (a) To abide by the constitution and respect its ideals and institutions, the National Flag and the National Anthem
  - (b) To cherish and follow the noble ideals which inspired our national struggle for freedom
  - (c) To uphold and protect the sovereignty, unity and integrity of India
  - (d) To defend the country and render national service when called upon to do so
  - (e) To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, and regional or sectional diversities; to renounce practices derogatory to dignity of women
  - (f) To value and preserve the rich heritage of our composite culture

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- (g) To protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures
- (h) To develop the scientific temper, humanism and the spirit of inquiry and reform
- (i) To safeguard public property and to abjure violence
- (j) To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of Endeavour and achievement
- 29. Who enjoys the power of judicial review?

The Supreme Court and the High Courts in India enjoy the power of Judicial Review.

30. What is judicial review?

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The power of judiciary to declare law as unconstitutional and to interpret provisions of ordinary laws enacted by 82 legislatures is called Judicial Review.

31. What id universal adult franchise?

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The constitution of India has introduced universal adult franchise. All the adults above the age of 18 years, irrespective of their castes, colour and / sex are entitled to participate in the election.

32. Who is president?

The President is the first citizen of India. He is the Head of the State

- 33. What are the qualifications for president election?
  - 1. He should be a citizen of India.
  - 2. He must have completed the age of 35 years.
  - 3. He should be qualified to become the member of the Lok Sabha.
  - 4. He should not hold any office of profit under the government.
- 34. How is president election conducted?

The President is elected by members of an electoral college consisting of:-

- 1. The elected members of both Houses of Parliament
- 2. The elected members of the Legislative Assemblies of the States.

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- 3. The election of the President of India is in accordance with the system of proportional representation by means of single transferable vote.
- 4. The system of secret ballot is adopted for the election of the President.
- 5. The President of India is elected for a period of five years. He is eligible for reelection for a second term.
- 35. What are the powers of president?
  - 1. Executive Powers
  - 2. Legislative Powers
  - 3. Financial Powers
  - 4. Judicial Powers
  - 5. Emergency Powers

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# 36. Who is vice president?

The Vice-President of India is the ex-officio Chairman of the Rajya Sabha. In the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or removal, or otherwise, the Vice-President acts as the President until the date on which a new President takes charge. When the President

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is unable to discharge his functions owing to absence, illness or any other cause, the Vice-President shall discharge his functions until the date on which the President resumes his duties.

- 37. What are the qualifications of vice president?
  - 1. He should be a citizen of India
  - 2. He must have completed the age of 35 years 86
  - 3. He should possess the qualifications to become the member of the Rajya Sabha.
  - 4. He should not hold any office of profit under the government.
- 38. How is the election for vice president conducted?

The Vice - President of India is elected by the members of an electoral college consisting of the members of both Houses of Parliament.

39. Who is Prime Minister?

The Prime Minister is the Head of the Government. He is the real executive. The Prime Minister is appointed by the President. The President invites the leader of the majority party in the Lok Sabha to become the Prime Minister.

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- 40. What is the functions of prime minster?
  - 1. Leader of the majority party
  - 2. Leader of the Cabinet
  - 3. Leader of the Parliament
  - 4. Link between the President and Council of Ministers
  - 5. Link between the President and Parliament
  - 6. The Chief Spokesman of the Nation 87
  - 7. Responsible for running the administration of the country
  - 8. Responsible for conduct of international relations.
  - 9. The Prime Minister is described as the 'Keystone of the Cabinet Arch' and 'First among equals'.
- 41. What is cabinet?

In the parliamentary government, the cabinet is described as the committee of parliament. The cabinet brings together the executive and legislative branches.

42. What are the features of the cabinet?

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- 1. Cabinet real executive
- 2. Real executive drawn from parliament
- 3. Link between the real executive and the legislature
- 4. Leadership of the Prime Minister
- 5. Political homogeneity
- 6. Cabinet responsible to the legislature
- 7. Executive subordinate to the legislature
- 8. Party government
- 9. Ministerial individual and collective responsibility
- 10. Opposition party

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- 11. Cabinet secrecy.
- 43. Who are council of ministers?

There are two categories of members in the Council of Ministers. They are Cabinet Ministers and Ministers of State. The Cabinet is comparatively a smaller body and

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the most powerful organ of the government. The Cabinet Ministers are incharge of important portfolios and form the inner circle of the Council of Ministers.

### 44. Who is a speaker?

The constitution provides for a Speaker and a Deputy Speaker for the Lok Sabha and a Chairman and a Deputy Chairman for the Rajya Sabha. The Speaker and the Deputy Speaker are chosen by the Lok Sabha from among its members. In the absence of the Speaker in the House, the Deputy Speaker discharges the functions of the Speaker.

#### 45. What is Rajya Sabha?

It consists of not more than 250 members. Out of these, 12 are nominated by the President for their special knowledge or practical experience in the fields of literature, science, art and social service. The remaining 238 seats are allocated to various States and Union Territories. The number of seats allocated varies from State to State in proportion to their population. Elections to the Rajya Sabha are indirect.

#### 46. What is Lok Sabha?

According to the constitution, the strength of Lok Sabha should not be more than 552 members - 530 members to represent States, 20 to represent Union Territories

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and not more than 2 members of Anglo-Indian Community to be nominated by the President, if in his opinion, that community is not adequately represented in the House. The number of members of each State to be elected is determined on the basis of the population. At present, the Lok Sabha consists of 545 members.

- 47. What are the sessions of parliament?
  - (a) budget Session which is normally summoned in February
  - (b) Monsoon Session which ordinarily meets in July and
  - (c) Winter Session, which commences in November.
- 48. What are the functions of parliament?
  - 1. Parliament of India has the functions of legislation
  - 2. Overseeing of administration
  - 3. Passing of budget
  - 4. Ventilation of public grievances
  - 5. Discussion of various subjects like development plans. international relations and national policies.
- 49. What is supreme court?

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For the entire republic of India, there is one unified judicial system - one hierarchy of courts — with the Supreme Court as the highest or the Apex Court and as the only arbiter in nature of relations between the union and the states.

50. What is hebeas corpus?

The words Habeas corpus literally mean to have body'. A writ of habeas corpus is in the nature of an order calling upon the person who has been detained another to produce the latter before the court, in order to let court know on what ground he has been confined and set him free if there is no legal justification from the imprisonment. This is a very powerful safeguard to the subject against arbitrary acts not only of private individuals but also of the executive.

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