

Chapter 1: The Indian Constitution

Intext Questions

Question 1: Discuss with your teacher what you understand by the term 'constitutive'. Provide one example of 'constitutive rules' from your everyday life.

Answer : The term 'constitutive' means essential. In a country like India, where different communities of people share certain beliefs and may not necessarily agree on all issues. Thus, it becomes important to make certain rules and regulations which had to be essentially followed by each and every citizen of India. It is important for the smooth running of the country along with its diverse cultures, faiths, religions, etc.

Constitutive rules from everyday life:

Going to school daily: It is essential for every child to go to school daily. It not only helps to gain knowledge about various subjects but also inculcates various other good habits like obeying elders, respecting teachers, working in a group with cooperation, following discipline, etc.

Question 2: Why did the people of Nepal want a new Constitution?

Answer : People of Nepal want a new Constitution because the constitution which is prevailing in Nepal was made during the monarchical form of government. It does not reflect the ideals of the country they want Nepal to be, and that they have fought for. In other words, Nepal from a monarchy is converted into a democratic government. So, it needs to change all its constitutive rules in order to usher in a new society.

Question 3: In what way is the class monitor misusing his power?

Answer : The class monitor is making wrong complaints of the innocent students to the teacher. Thus, the innocent students are either scolded by the teacher or get punished for not doing anything wrong. In this way, the class monitor is insuring his power.

Question 4: In which of the following situations is a minister misusing his power:

- refuses to sanction a project of his ministry for sound technical reasons;
- threatens to send his security staff to rough up his neighbour;
- calls up the police station asking them not to register a complaint that is likely to be filed against his relative.

Answer :

(b) threatens to send his security staff to rough up his neighbour.

(c) calls up the police station asking them not to register a complaint that is likely to be filed against his relative.

Question 5: Who is in a minority in the above storyboard? In what way is this minority being dominated by the decision taken by the majority?

Answer :

Girls are in a minority in the above storyboard. Girls want to play basketball while boys are interested in cricket. The teacher settles the problem with a show of hands. As there are more boys in the class, more hands raise for cricket. Thus, it is decided to play cricket in the game period. In this way, a minority (girls) is dominated by the decision taken by the majority (boys).

Question 6: Why was Shabnam happy that she had not watched TV? What would you have done in a similar situation?

Answer :

Shabnam was happy that she had not watched TV because she got sufficient time to revise her last two chapters. In the test, many questions were asked from the last two chapters which she attempted correctly. I would have taken the same step as Shabnam took.

Question 7: Let us recap the reasons why the Constitution plays an important role in democratic societies by recalling the constitutive rules that you have read about through these examples:

Answer :

Example	Constitutive Rules
The people of Nepal adopted a new Constitution after the success of the people's movement for democracy.	It lays down ideals that define the kind of country that we want to live in.
Suresh, the class monitor wrongly picks on Anil, his classmate.	It lays down rules that guard against the misuse of power by our political leaders
The girls do not get to play basketball because the boys are a majority in class.	It contains rules that ensure that minorities are not excluded from anything that is routinely available to the majority.
Shabnam decides to revise her chapters instead of watching TV.	It means that we might at times feel particularly strong about an issue that might go against our larger interests.

Question 8: Discuss the difference between State and Government with your teacher.

Answer :

State	Government
State refers to a political situation that represents a sovereign people who occupy a definite territory. For example, the Indian State, the Nepal State	Government is responsible for administering and enforcing laws. The government can be changed by-elections. The Government (or the executive) is a part of the State.

Question 9: Which Fundamental Rights will the following situations violate :

- If a 13-year old child is working in a factory manufacturing carpets.
- If a politician in one state decides to not allow labourers from other states to work in his state.
- If a group of people is not given permission to open a Telugu- medium school in Kerala.
- If the government decides not to promote an officer of the armed forces because she is a woman.

Answer :

- Right against Exploitation
- Right to Freedom
- Cultural and Educational Rights
- Right to Equality

Question 10: The Constitution also mentions fundamental duties. Find out with the help of your teacher what these include and why it is important for citizens in a democracy to observe these.

Answer :

The ten fundamental duties are as follows :

- To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem.
- To cherish and follow the noble ideals which inspired our national struggle for freedom.
- To uphold and protect the sovereignty, unity, and integrity of India.
- To defend the country and render national service when called upon to do so.
- 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 the dignity of women.
- To value and preserve the rich heritage of our composite culture.
- To protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for living creatures.
- To develop the scientific temper, humanism, and the spirit of inquiry and reform.
- To safeguard public property and to abjure violence.
- 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.

Exercises

Question 1: Why does a democratic country need a Constitution?

Answer : A democratic country needs a Constitution because:

- It lays out the important guidelines that govern decision making within the various societies of the country.
- It lays down the ideals that form the basis of the kind of country that its citizens aspire to live in.
- It serves as asset of rules and principles as the basis by which the country has to be governed.
- It provides rules to safeguard the interests of minorities and prevent any kind of domination by the majority on minorities.
- It lays down rules that guard against the misuse of power by any politician leader.
- It also provides rights to its citizens and protects their freedom.

Question 2: Look at the wordings of the two documents given below. The first column is from the 1990 Nepal Constitution. The second column is from the more recent Constitution of Nepal.

Answer :

1990 Constitution of Nepal Part 7: Executive	2007 Interim Constitution Part 5: Executive
Article 35: Executive Power: The executive power of the Kingdom of Nepal shall be vested in His Majesty and the Council of Ministers.	Article 37: Executive Power: the executive power of Nepal shall be vested in the council of Ministers.

Question : What is the difference in who exercises 'Executive Power' in the above two Constitutions of Nepal?

Answer :

The difference in who exercises "Executive Power" in the given two Constitutions of Nepal is that in the 1990 Constitution, this power was vested in the King and his Council of Ministers, while in the 2007 Interim Constitution of Nepal, "Executive Power" changed hands to being vested only in the Council of Ministers, thereby making Nepal a democracy from being a monarchy.

Nepal needs a new Constitution today because it is no longer a monarchy. The older Constitution vested power in the King, but when the country is now a democracy, a new Constitution is needed to reflect the "democratic" ideals of Nepal that the peoples' movement desired and fought for. In order to achieve this, all its constitutive rules must be changed.

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

Answer : If there are no restrictions on the power of the elected representatives the leaders might misuse the powers given to them. The Constitution provides safeguards against this misuse of power by our political leaders.

Question 4: In each of the following situations, identify the minority. Write one reason why you think it is important to respect the views of the minority in each of these situations.

- (a) In a school with 30 teachers, 20 of them are male.
- (b) In a city, 5 per cent of the population are Buddhists.
- (c) In a factory mess for all employees, 80 per cent are vegetarians.
- (d) In a class of 50 students, 40 belong to more well-off families.

Answer :

- (a) Female teachers are in minority. The female teachers must be allowed space to voice their opinion so that their efforts at teaching are not hindered by their minority status.
- (b) Buddhists are in minority. Every individual has the right to follow the religion of his/her choice. People of other faith must respect the religion other than their own.
- (c) Non-vegetarians are in minority. Food choice is personal wish so he/she should have the freedom to eat what he/she wants.
- (d) Under privileged are in minority. Citizens cannot be discriminated by their birth so their views have to be respected.

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

Key Feature	Significance
Federalism	
Separation of Powers	
Fundamental Rights	
Parliamentary Form of Government	

Significance

Answer :

1. **Federalism:** It ensures national unity and at the same time allows individual progress. A federal government allows the Centre to hold supreme power but its Constituent States have some power as well.
2. **Separation of Powers:** This serves two purposes: firstly, tyrannical use of power is avoided since it does not vest power in any single authority. Secondly, the 3 organs of power also work as a check on each other, thereby maintaining a good balance.
3. **Fundamental Rights:** These are important because they conform to a humane society. They also protect citizens against arbitrary and absolute use of power by the State.
4. **Parliamentary Form of Government:** It upholds universal adult franchise. This entails the fact that the people of a country play a direct role in electing their representatives to run the state as well as the nation.

Question 6: Write down the names of the Indian States, which share borders with the following neighboring nations:

- (a) Bangladesh
- (b) Bhutan
- (c) Nepal

Answer :

(a) States which share borders with Bangladesh are:

- West Bengal
- Assam
- Meghalaya
- Tripura
- Mizoram

(b) States which share borders with Bhutan are:

- Sikkim
- Assam
- Arunachal Pradesh
- West Bengal

(c) States which share borders with Nepal are:

- Uttarakhand
- Sikkim
- Uttar Pradesh
- Bihar
- West Bengal