

9. The Indian Constitution

Multiple Choice Questions

1. Question

By which plan Indian constitution was framed-

- A. Mountbatten
- B. Wavell
- C. Cabinet
- D. Crapps

Answer

After the Labour Party came to power in 1945, it sent a commission of three members in 1946 known as the 'cabinet mission'. The Constituent Assembly, which finally drafted the constitution, was assembled by this mission.

2. Question

First meeting of constituent assembly was held on –

- A. 9th December, 1946
- B. 11th December, 1946
- C. 13th December, 1946
- D. 6th December, 1946

Answer

Constituent Assembly was inaugurated in the central hall of the Parliament by law on this day. 211 members participated in this meeting.

3. Question

When was Indian constitution adopted?

- A. 26, January, 1950
- B. 26, November, 1949
- C. 30 January, 1948
- D. 15, August, 1947

Answer

After the Drafting Committee published its first draft in 1948, Indian people were given 8 months to give their input. A revised draft was created with the public's input, and it was recited three times in the assembly. After this, the Indian Constitution was framed and adopted on 26th November, 1949. It was enacted on 26th January, 1950.

4. Question

How many fundamental rights do Indians have?

- A. 7
- B. 8
- C. 5
- D. 6

Answer

The Fundamental Rights given to Indian citizens are as follows- Right to Equality, Right to Freedom, Right Against Exploitation, Right to Religious Freedom, Right to Culture and Education, and Right to Constitutional Remedies. Previously, there were 7 Fundamental Rights, but in 1978, the 7th right (right to property) was removed from the constitution by the 44th amendment.

5. Question

Which article makes provision for equal citizen code?

- A. Article 44
- B. Article 48
- C. Article 49
- D. Article 50

Answer

Article 44 is a part of the directive principles of state policy. It is meant to create a code for common or equal conduct for every citizen. It means that citizens will be treated equally in different aspects of social life, such as marriage, divorce, property, etc. However, such a law has not been enacted yet.

Very Short Answer**1. Question**

How much time did Indian Constitution take for its composition?

Answer

The constituent assembly was inaugurated on 9th December, 1946 and the Indian constitution was finally framed and adopted on 26th November, 1949. This means the composition of the Indian constitution took a period of 2 years, 11 months and 17 days (roughly, 3 years).

2. Question

How many members were in the constituent assembly?

Answer

The constituent assembly originally consisted of 389 members, but after the Mountbatten plan of 1947, it was re-organised and the number was reduced to 324 members. Finally, 284 members signed on the Indian constitution.

3. Question

What did Dr. Ambedkar address for right to constitutional remedies?

Answer

Dr. Ambedkar addressed the right to constitutional remedies as the heart and soul of the constitution. He said this because without this right, any violation of the other 5 fundamental rights could not be remedied in court. If this right weren't there, then there would be no point of the other fundamental rights. This is why Dr. Ambedkar thought this right is extremely important. The Supreme Court can issue the following in order to make constitutional remedies – Habeas Corpus, Mandamus, Certiorari, Quo Warranto, and Prohibition.

4. Question

When were fundamental duties included in the constitution?

Answer

Fundamental duties were included in the constitution by the 42nd constitutional amendment in 1976. This included 11 amendments in section 4A and article 51A of the Indian constitution. Some of the fundamental duties included in the constitution are- to protect the unity, integrity and sovereignty of the state, to protect the nation and serve the nation on summon, to cherish the ideals of the freedom struggle, etc. The Duties cover a wide range of topics. However, violation of these Duties is not punishable by law.

Since the Indian Constitution guarantees citizens 6 Fundamental Rights, which are inalienable rights given to every citizen of the country, this also means that citizens have Fundamental Duties also. This is because Rights and Duties are two sides of the same coin. When we are given rights by the state, we also have duties towards the state.

5. Question

How many articles are there in the constitution?

Answer

There are 395 articles in the constitution. It is the largest constitution in the world. In the basic constitution, there were also 8 schedules (now it is 12 schedules), and 22 sections.

These articles of the Indian Constitution contain some very important things, such as the Fundamental Rights. Fundamental Rights are the inalienable rights given to all citizens of the country. There are 6 Fundamental Rights, and they are covered by Articles 14-32 of the Indian Constitution. The Directive Principles of State Policy are also a part of the Articles of the Constitution, such as Article 44, which provides for equal citizen code.

Short Answer

1. Question

Write a note on Right to Equality

Answer

The Right to Equality is a Fundamental Right guaranteed by the Constitution of India. It is covered by Articles 14-18. Right to Equality removes discrimination based on caste, religion, gender, and place of birth, and provides equal opportunities to all citizens. Therefore, it is important because it talks about not only legal equality, but also social equality.

2. Question

Write any four directive principles

Answer

Directive Principles are present in the Indian Constitution to make India a welfare state. Some directive principles are:

- a. Organization of village panchayats
- b. Minimum wages for workers
- c. Health and maternity relief for women
- d. Promotion of education and economic equality for weaker sections of society (eg. Scheduled Castes and Scheduled Tribes)

3. Question

Mention any four fundamental rights

Answer

- a. Right to Equality (Articles 14-18)

- b. Right to Freedom (Articles 19-22)
- c. Right against Exploitation (Articles 23-24)
- d. Right to Religious Freedom (Articles 25-28)

4. Question

Tell any three key features of the Indian Constitution

Answer

- a. The Indian Constitution is the largest in the world. It consists of 12 Schedules, 22 Sections, and 395 Articles.
- b. It creates a federal system of government, which means it separates the powers of the Union and State governments.
- c. It is based on Universal Adult Franchise, which means that every citizen above the age of 18 has the right to vote.

5. Question

Write importance of free and fair judiciary.

Answer

A free and fair judiciary means that the judiciary is independent of the other two organs of the government (which are the legislature and the executive). This is important because it provides a system of “checks and balances”, which means that no single organ of the government is in full control of the country. The Supreme Court is the highest court in India. It is meant to interpret the constitution, and also protect the Constitution. So, because of a free and fair judiciary, disputes between different levels of government can be resolved, and also, the citizens of India can avail their fundamental rights if they are violated.

Essay Type

1. Question

Describe the Constituent Assembly of India

Answer

The Constituent Assembly was formally inaugurated on 9th December, 1946, at the Parliament. 211 members participated in its first session.

- a. Dr. Rajendra Prasad was elected the permanent chairman of the Constituent Assembly soon after.
- b. Many committees were formed in order to make the constitution.

c. One of the most important committees was the Drafting Committee. It was formed in August 1947, and was chaired by Dr. Ambedkar (who was later referred to as the father of the Indian Constitution) and 7 other members with legal expertise. The draft they created was passed in the Constituent Assembly.

d. In February 1948, the Drafting Committee published its first draft after discussions with other committees. Then, the Indian people were given 8 months to discuss it and suggest ideas, and finally a revised version of the constitution was created, and was read out thrice in the assembly.

e. The final version of the Indian Constitution was framed on November 26, 1949, and it was finally adopted on January 26, 1950.

The Constituent Assembly thus took almost 3 years to frame the Constitution. It further accepted the tricolor of India, and the national song and anthem. It also elected Dr. Prasad as the first President of the country. The work of the Constituent Assembly has been critical to the foundation of India.

2. Question

Write a note on the Right to Freedom

Answer

The Right to Freedom is one of the 6 Fundamental Rights present in the Constitution that are available to every Indian citizen. It is covered by Articles 19-22 of the Constitution. The Right to Freedom goes hand in hand with the Right to Equality, as it ensures that every citizen has the right to freely develop his/her identity or personality, and are considered as the rights of individuals.

The Right to Freedom covers many different aspects to help protect and empower people.

1. First, Indian citizens have the right to move freely anywhere within India without hindrance.
2. Secondly, citizens are empowered to choose their own means of livelihood.
3. Third, it ensures that citizens can freely assemble/call meetings, but without the presence of weapons, and government restricts can be put on this.
4. Fourth, citizens have the right to freedom of expression and speech. However, this may be done in a way that does not restrict the same freedom for others, and should not be in a derogatory fashion.
5. Some other aspects to the Right to Freedom are that nobody can be forced to produce evidence against himself/herself (in fact, this is also a key feature of the US Constitution), and further, cannot be convicted for the same crime twice.

As part of the Right to Freedom, one of the most important articles is Article 21, which is the right to life.

a. However, this right also comes with legal restrictions, as the judiciary can deprive persons of this right in certain circumstances.

b. In 2002, the 86th Amendment created Article 21A, which is the right to education for children between 6-14 years.

c. The Right to Freedom also provides citizens protection against arbitrary arrest and detention (with certain exceptions, such as for reasons of national security) and therefore, the person arrested has to be presented in court/local magistrate by the police within 24 hours.

The rights included in the Right to Freedom are integral to the Constitution of India.

3. Question

How do directive principles make a state a welfare state?

Answer

The directive principles for state policy are an idea that has been borrowed from the Irish Constitution. They are a part of Section 4, Articles 36-51, of the Constitution.

a. The Directive Principles are important because they guide the state to improve the collective development of the society at large, which means empowering every section of society, both socially and economically. These are considered as duties of the state towards its citizens, and they represent the ideal form for the state, which is the welfare state.

b. There are various directive principles, and governments have tried to implement them in order to improve the condition of society. There are many examples of this, and they show that an attempt is being made to better the welfare of every citizen. There have been many attempts taken in this direction, and there are many examples.

c. One is the establishment of factory laws and minimum wages for workers, in order to ensure better working conditions and livelihoods.

- Further, there have also been efforts to improve the conditions of households and small industries, which is very empowering for a large section of society.

- Many marginalized sections of society, such as Scheduled Castes and Scheduled Tribes have been provided additional schemes to better their welfare.

- Women's empowerment is also an effort made, by providing maternity relief. - NREGA, the mid-day meal scheme, and public insurance are some additional efforts that have been made, and are good examples of public welfare.

- Delegation of authority to the Panchayati Raj system is another example.

All these above-mentioned examples show how directive principles, which led to the government making all these efforts, help transform a state into a welfare state. These examples show the attempts made to empower all sections of society, and the attempt to make collective development instead of only individual development important.

While there are many things lacking, such as unequal wages for different genders, the lack of uniformity in the legal treatment of social rights of different communities (such as those of marriage), all the steps that have been taken, and will be taken in the future, will ensure that India becomes a welfare state.

4. Question

Describe the fundamental duties of the citizen.

Answer

There cannot be any rights without duties.

The Fundamental Duties of citizens were included in the Constitution through the 42nd Amendment in 1976. They are mentioned in section 4A and article 51A of the Constitution. Not performing these duties is not a punishable offense.

- Article 51A mentions 11 duties that citizens of the country have, and they cover a broad range of topics.
- These include duties to protect the sovereignty, unity, and integrity of the nation, and to further serve the nation when summoned. Further, the citizens have a duty to show respect to the ideal of the freedom struggle, and honor the tricolor, national emblem, the national anthem, and the constitution.
- At the same time, citizens have duties towards society at large. This includes fostering harmonious relationships across different communities and building a sense of fraternity, eliminating anti-women practices, all while protecting and understanding the importance of the culture of the nation. This includes collective action to help the country gain more success, and to continuously engage in knowledge learning and humanism.
- In order to build a fraternal collective, there is also the duty to protect public property and protect others against violence. It also includes the duty to protect and preserve nature and the environment.
- Finally, it mentions that it is the duty of parents and guardians to ensure their children's/wards' education until the age of 14.

All these duties are meant to build a better country by the people themselves, not just the state, and in the same way that citizens have rights, they also have duties.