

CONSTITUTION OF INDIA (MC-01)

Module -1ST

QUESTION BANK

Q.N.	Questions	CO	Revised Bloom's Taxonomy Level	Marks
1	What is Constitutional Law?	CO-1	Level - 1	1.5
2	Define Constitutionalism.	CO-1	Level - 1	1.5
3	Who is considered the father of the Indian Constitution?	CO-1	Level - 1	1.5
4	What is the significance of the Preamble in the Constitution of India?	CO-1	Level - 2	1.5
5	When was the Constitution of India adopted?	CO-1	Level - 1	1.5
6	Describe the historical background leading to the drafting of the Constitution of India.	CO-1	Level – 2	5
7	Explain the importance of the Fundamental Rights provided under the Constitution of India.	CO-1	Level –2	5
8	Critically examine the importance of the Preamble of the Constitution of India, and discuss how it reflects the ideals of justice, liberty, and equality.	CO-1	Level - 2	5
9	Explain the relationship between Constitutional Law and Constitutionalism.	CO-1	Level - 2	10
10	What are the key features of the Indian Constitution?	CO-1	Level - 1	10

1. What is Constitutional Law?

Constitutional law refers to the body of law that defines the structure and function of government institutions, the relationship between the state and individuals, and the fundamental principles of the Constitution.

2. Define Constitutionalism.

Constitutionalism is the belief in and adherence to a system of government based on established laws and principles, ensuring that power is limited and exercised according to the Constitution to protect individual rights and liberties.

3. Who is considered the father of the Indian Constitution?

Dr. B.R. Ambedkar is considered the father of the Indian Constitution for his significant role as the Chairman of the Drafting Committee and his contributions to shaping the Constitution.

4. What is the significance of the Preamble in the Constitution of India?

The Preamble serves as the introductory statement of the Indian Constitution, outlining the guiding principles, values, and objectives, such as justice, equality, liberty, and fraternity, that the Constitution aims to achieve.

5. When was the Constitution of India adopted?

The Constitution of India was adopted on **26th November 1949**, and it came into effect on **26th January 1950**.

6. Historical Background Leading to the Drafting of the Constitution of India:

The historical background of the Indian Constitution is rooted in the struggle for independence and the need for a structured, democratic governance system post-independence. After India gained independence from British rule on August 15, 1947, the need for a constitution became urgent to lay the foundation for the new democratic republic. The Government of India Act, 1935, served as the temporary constitutional framework. The Constituent Assembly, formed in 1946, was tasked with drafting the Constitution. This assembly was a result of various political developments, including the Simon Commission, the Round Table Conferences, and the Cripps Mission, all of which reflected the demands for self-rule. Dr. B.R. Ambedkar was appointed the Chairman of the Drafting Committee,

and after extensive deliberations, the Constitution was adopted on November 26, 1949, and came into force on January 26, 1950.

7.Importance of the Fundamental Rights Provided Under the Constitution of India: The Fundamental Rights, enshrined in Part III of the Indian Constitution, are essential to ensuring the dignity, freedom, and equality of individuals. These rights are enforceable by the courts, making them a cornerstone of Indian democracy. The Fundamental Rights include:

- Right to Equality (Articles 14-18)
- Right to Freedom (Articles 19-22)
- Right Against Exploitation (Articles 23-24)
- Right to Freedom of Religion (Articles 25-28)
- Cultural and Educational Rights (Articles 29-30)
- Right to Constitutional Remedies (Article 32)

These rights protect individuals from arbitrary actions of the state, safeguard personal freedoms, and promote social justice. The right to Constitutional Remedies, particularly through Article 32, empowers citizens to approach the Supreme Court directly if their rights are violated.

8.Critically Examine the Importance of the Preamble of the Constitution of India and Discuss How It Reflects the Ideals of Justice, Liberty, and Equality: The Preamble to the Constitution of India is a brief introductory statement that sets forth the core values and principles that the Constitution aims to achieve. It is a guiding light for the interpretation of the Constitution, reflecting the aspirations of the people of India. The Preamble proclaims India as a sovereign, socialist, secular, democratic republic, and it expresses the commitment to securing justice, liberty, and equality for all citizens.

- **Justice** (Social, Economic, and Political): The Preamble commits to creating a just society by addressing inequalities and ensuring fair treatment for all.
- **Liberty** (of Thought, Expression, Belief, Faith, and Worship): It guarantees individual freedoms and protects citizens from undue interference by the state.

- **Equality** (of Status and Opportunity): The Preamble emphasizes removing social discrimination and providing equal opportunities for all citizens.

These principles reflect the core ideals of the Constitution and continue to guide India's legal and social reforms.

9. **Explain the Relationship Between Constitutional Law and Constitutionalism:**

Constitutional law is the body of legal principles and rules that governs the functioning of the state and defines the powers, duties, and rights of the government and citizens. It includes the Constitution, statutes, and judicial precedents that shape governance. Constitutionalism, on the other hand, is the broader principle or philosophy that advocates the establishment of a government in which power is limited by law and the rights of individuals are protected. It emphasizes the idea that government authority must be exercised in accordance with constitutional principles to prevent arbitrary rule. While constitutional law provides the legal framework, constitutionalism emphasizes the belief in limited government, rule of law, and the protection of fundamental rights.

10. Key Features of the Indian Constitution: The Indian Constitution is one of the longest and most detailed in the world. Some of its key features include:

- **Written Constitution:** The Constitution is a written document, providing a clear and structured legal framework.
- **Federal Structure:** The Constitution provides for a federal system of government with a division of powers between the central government and states, though it is federal in nature, it is unitary in spirit.
- **Parliamentary System:** India follows a parliamentary system of government, where the executive is responsible to the legislature.
- **Secular State:** The Constitution declares India as a secular state, meaning there is no state religion, and it ensures freedom of religion for all citizens.
- **Independent Judiciary:** The judiciary is independent of the executive and legislature, with the power of judicial review to uphold the Constitution.
- **Fundamental Rights:** A set of guaranteed rights that protect individual freedoms and ensure equality before the law.

- **Directive Principles of State Policy:** These are guidelines to the government to promote social justice and the welfare of the people, though not legally enforceable.
- **Single Citizenship:** Indian citizens are governed by the same set of laws, regardless of which state they belong to.
- **Amendment Process:** The Constitution provides for a flexible amendment process that allows it to be updated to address changing needs while maintaining its core principles.

CONSTITUTION OF INDIA (MC-01)

Module -2nd

QUESTION BANK

Q.N.	Questions	CO	Revised Bloom's Taxonomy Level	Marks
1	What are the Fundamental Rights provided under the Constitution of India?	CO-2	Level - 1	1.5
2	What is the legal status of the Fundamental Duties in India?	CO-2	Level - 1	1.5
3	When were the Fundamental Rights incorporated into the Indian Constitution?	CO-2	Level - 1	1.5
4	What is the main purpose of the Directive Principles of State Policy?	CO-2	Level - 1	1.5
5	How are the Fundamental Rights protected in the Constitution of India?	CO-2	Level - 2	1.5
6	Explain the scheme of Fundamental Rights as provided in the Constitution of India.	CO-2	Level – 2	5
7	Discuss the importance of the Directive Principles of State Policy in the governance of India.	CO-2	Level - 2	5
8	Discuss the Directive Principles of State Policy. How do they aim to promote social and economic justice in India	CO-2	Level – 2	5
9	Examine the relationship between Fundamental Rights and Fundamental Duties.	CO-2	Level – 2	10
10	Evaluate the scheme of the Fundamental Rights under the Constitution of India. How do they ensure individual freedoms and equality in India?	CO-2	Level - 2	10

1 What are the Fundamental Rights provided under the Constitution of India?

The Fundamental Rights, enshrined in Part III of the Indian Constitution, include:

- **Right to Equality** (Articles 14-18)
- **Right to Freedom** (Articles 19-22)
- **Right Against Exploitation** (Articles 23-24)
- **Right to Freedom of Religion** (Articles 25-28)
- **Cultural and Educational Rights** (Articles 29-30)
- **Right to Constitutional Remedies** (Article 32)

2 What is the legal status of the Fundamental Duties in India?

The Fundamental Duties, incorporated in Part IVA (Article 51A) of the Indian Constitution, are non-justiciable, meaning they are not legally enforceable by the courts. However, they serve as moral obligations for citizens to promote responsible and ethical behavior.

3 When were the Fundamental Rights incorporated into the Indian Constitution?

The Fundamental Rights were incorporated in the Constitution of India when it was adopted on **26th November 1949** and came into force on **26th January 1950**.

4 What is the main purpose of the Directive Principles of State Policy?

The Directive Principles of State Policy, outlined in Part IV of the Constitution, provide guidelines for the government to establish a just society by promoting welfare, social justice, and economic equality. They are non-justiciable but aim to influence lawmaking and governance.

5 How are the Fundamental Rights protected in the Constitution of India?

Fundamental Rights are protected through judicial review. **Article 32** provides the right to approach the Supreme Court directly if any of the rights are violated. The **High Courts** also have the power to protect these rights under **Article 226**.

6 Explain the scheme of Fundamental Rights as provided in the Constitution of India: The **Fundamental Rights** under the Indian Constitution are enshrined in **Part III** (Articles 12-35) and are designed to guarantee individual liberties, equality, and justice. They are enforceable by the courts and serve as a protection against arbitrary state actions. The scheme includes:

- **Right to Equality** (Articles 14-18) ensures equality before the law and prohibits discrimination on grounds of religion, race, caste, sex, or place of birth.
- **Right to Freedom** (Articles 19-22) protects individual freedoms such as freedom of speech, expression, assembly, movement, and protection against arbitrary arrest and detention.
- **Right Against Exploitation** (Articles 23-24) prohibits human trafficking, forced labor, and child labor.
- **Right to Freedom of Religion** (Articles 25-28) guarantees religious freedom, allowing individuals to freely practice, profess, and propagate religion.
- **Cultural and Educational Rights** (Articles 29-30) protect the rights of minorities to conserve their language, script, and culture, and to establish educational institutions.
- **Right to Constitutional Remedies** (Article 32) provides the right to approach the Supreme Court or High Courts for enforcement of Fundamental Rights.

7 Discuss the importance of the Directive Principles of State Policy in the governance of India: The **Directive Principles of State Policy (DPSP)**, enshrined in **Part IV** (Articles 36-51) of the Constitution, serve as guidelines to the government in formulating policies that promote welfare, social justice, and economic development. While non-justiciable (not enforceable by the courts), the DPSPs provide a vision for a just society and direct the state to work towards the betterment of its citizens, especially in areas like education, health, labor rights, and social security. They help balance the governance between the state's duties and individual freedoms, ensuring that social and economic justice is achieved progressively.

8 Discuss the Directive Principles of State Policy. How do they aim to promote social and economic justice in India? The **Directive Principles of State Policy**

cover a wide range of social, economic, and political issues. Some key areas they address are:

- **Social Welfare and Justice:** Promoting the welfare of the people by ensuring adequate means of livelihood, equal distribution of wealth, and social security (Articles 38, 39).
- **Economic Equality:** Directs the state to provide facilities for work, health, and welfare, thereby addressing inequalities in wealth, status, and opportunities (Articles 39, 41, 42).
- **Education and Culture:** Aims to provide free and compulsory education for children, ensure opportunities for education to all, and promote cultural and educational advancement (Articles 41, 45, 46).
- **Environmental Protection:** Calls for the protection of the environment and safeguarding the forests and wildlife (Article 48A).

These principles aim to reduce economic and social inequalities by guiding the government to formulate policies that benefit the marginalized sections of society, thus working towards a more equitable and just society.

9 Examine the relationship between Fundamental Rights and Fundamental Duties: The **Fundamental Rights** and **Fundamental Duties** are both essential elements of the Indian Constitution, but they serve different purposes. **Fundamental Rights** are legally enforceable rights provided to individuals, ensuring their freedoms and equality and protecting them from the actions of the state. **Fundamental Duties**, enshrined in Article 51A, are moral obligations of the citizens to uphold the Constitution and contribute to the betterment of society. While **Fundamental Rights** protect individual freedoms, **Fundamental Duties** emphasize the responsibilities of citizens towards the state and society.

The relationship between the two is complementary: Fundamental Rights provide individuals with liberties, while Fundamental Duties encourage citizens to exercise these rights responsibly, ensuring a balance between individual freedom and social harmony.

10 Evaluate the scheme of the Fundamental Rights under the Constitution of India. How do they ensure individual freedoms and equality in India? The **scheme of Fundamental Rights** in the Constitution of India plays a critical role in safeguarding individual freedoms and promoting equality. The rights ensure that:

- **Equality before the law and non-discrimination** (Article 14-18) guarantee equal treatment for all citizens.
- **Personal freedoms** such as freedom of speech, assembly, and movement (Article 19-22) empower individuals to express their opinions and live freely within the boundaries of law.
- **Protection from exploitation** (Article 23-24) ensures that people are not subjected to forced labor, human trafficking, or child labor.
- **Religious freedoms** (Article 25-28) allow individuals to practice their religion freely, creating a secular environment.
- **Cultural and educational protections** (Article 29-30) protect the rights of minorities to preserve their culture and establish educational institutions.

Through these provisions, the Constitution not only guarantees individual freedoms but also ensures equality, creating an inclusive environment that upholds justice for all citizens. The **right to constitutional remedies** (Article 32) further strengthens this protection by enabling citizens to approach the courts if their rights are violated, ensuring judicial enforcement of these rights.

CONSTITUTION OF INDIA (MC-01)

UNIT-3rd

QUESTION BANK

Q.N.	Questions	CO	Revised Bloom's Taxonomy Level	Marks
1	What is the federal structure of India?	CO-1	Level - 1	1.5
2	Who has the power to amend the Constitution of India?	CO-1	Level - 1	1.5
3	Define the Parliamentary form of Government in India.	CO-1	Level - 1	1.5
4	What is the role of the President in the Parliamentary system of Government in India?	CO-1	Level –2	1.5
5	List the powers of the President of India.	CO-1	Level – 1	1.5
6	Explain the procedure for the amendment of the Indian Constitution.	CO-1	Level – 2	5
7	Differentiate between the powers of the Union and the States in India.	CO-1	Level - 2	5
8	Explain the significance of the "Union List" under the federal structure of India.	CO-1	Level - 1	5
9	Assess the procedure and the challenges involved in the amendment of the Constitution of India	CO-1	Level - 2	10
10	Explain the powers of the President of India, focusing on their role in times of national emergency, and their relations with the Union Government and States.	CO-1	Level - 2	10

1.What is the federal structure of India?

India follows a **federal structure** with a division of powers between the central government and state governments. The Constitution provides for a dual polity consisting of the **Union (Central) Government** and **State Governments**, with a clear demarcation of powers through the Union List, State List, and Concurrent List.

2.Who has the power to amend the Constitution of India?

The **Parliament of India** has the power to amend the Constitution under **Article 368**. Amendments can be made with the approval of both Houses of Parliament, and in certain cases, the consent of state legislatures is required.

3.Define the Parliamentary form of Government in India.

The **Parliamentary system** of government in India is based on the **Westminster model**, where the executive is derived from and is accountable to the legislature. The **Prime Minister**, as the head of the government, works in coordination with the **Council of Ministers** and is responsible to the **Lok Sabha** (Lower House of Parliament).

4.What is the role of the President in the Parliamentary system of Government in India?

In the **Parliamentary system**, the **President of India** is the **constitutional head of state**, but the actual executive powers lie with the **Prime Minister** and the **Council of Ministers**. The President's role is largely ceremonial, though they have important duties such as appointing the Prime Minister, summoning Parliament, and giving assent to bills.

5. List the powers of the President of India.

The powers of the President of India include:

- **Executive Powers:** Appoints the Prime Minister, other ministers, and key officials.
- **Legislative Powers:** Summons and prorogues Parliament, gives assent to bills, and can issue ordinances when Parliament is not in session.
- **Judicial Powers:** Appoints judges to the Supreme Court and High Courts, grants pardons, reprieves, respites, or remits punishment.
- **Diplomatic Powers:** Represents India internationally, signs treaties and agreements.

- **Military Powers:** Acts as the Supreme Commander of the Armed Forces.

6. Procedure for the Amendment of the Indian Constitution (10 points)

1. **Article 368** of the Indian Constitution lays down the procedure for amendments.
2. Amendments can be proposed either by **Parliament** or through a **State Legislature**.
3. A **Bill** for the amendment must be introduced in either House of Parliament.
4. The Bill must be passed by a **two-thirds majority** of the members present and voting in both Houses of Parliament.
5. For amendments affecting the federal structure (such as the distribution of powers between the Union and the States), **ratification by at least half of the State Legislatures** is required.
6. The **President** of India must give **assent** for the amendment to be valid.
7. Some provisions of the Constitution can be amended by **simple majority** (e.g., changes in the representation of States in Parliament), while others require a **special majority**.
8. The **amendment process** is flexible but requires political consensus for sensitive changes.
9. The process has been used **104 times** (as of 2024) to adapt to the changing needs of the country.
10. **Amendments cannot alter the basic structure** of the Constitution, a principle established by the Supreme Court in the **Kesavananda Bharati case (1973)**.

7. Differentiation Between the Powers of the Union and the States in India (10 points)

1. **Union Powers:** These are enumerated in the **Union List** (Article 246), which includes matters like **defense, foreign affairs, atomic energy, and banking**.

2. **State Powers:** These are defined in the **State List** (Article 246), covering matters like **police, public health, agriculture, and local government**.
3. **Concurrent List:** Both Union and States can legislate on matters listed here, but in case of conflict, Union law prevails.
4. **Supremacy of the Union:** The Union has greater powers in certain areas like **national defense, foreign relations, and currency**.
5. The **Union Government** can legislate on State List subjects during a **national emergency** under Article 352.
6. States have **autonomy** in matters related to **local administration** and issues that concern them directly.
7. In case of a **disagreement** between Union and State laws in the Concurrent List, the Union law prevails.
8. The **Union Government** has the power to **dissolve the State Government** if it fails to comply with the Constitution (President's Rule).
9. Certain subjects in the **State List** can be regulated by the Union under **National Interest** (e.g., education and labor laws).
10. The Constitution provides a **dynamic relationship**, allowing for flexibility in the governance system through **inter-state cooperation**.

8. Significance of the "Union List" Under the Federal Structure of India (10 points)

1. The **Union List** is essential to ensuring **national unity** and maintaining **uniformity** in laws across the country.
2. It includes matters that concern the **entire nation**, such as **defense, foreign policy, and currency**, which require a **centralized approach**.
3. It helps maintain **consistency** in policies related to critical national interests (e.g., **education** at the national level, **banking**, etc.).
4. The **Union List** is a reflection of the **concurrent authority** of the central government, enabling it to have control over matters vital to **national security** and **sovereignty**.

5. The **Union List** ensures that **external threats** or issues such as **foreign relations** and **national defense** remain under the control of the **Union Government**.
6. By managing **common resources** like **airways, railways, and waterways**, the Union List plays a critical role in ensuring **economic integration**.
7. The **Union List** reduces the chances of **conflict** between States by making certain powers **exclusive** to the Union Government.
8. The presence of a strong **central government** through the Union List helps in maintaining **cohesion** between States, avoiding fragmentation.
9. The **Union List** ensures the **integrity of the Indian federation** by guaranteeing the **central government's power** in areas requiring uniformity.
10. The **centralization of powers** through the Union List helps in dealing with **emergencies**, and **major national issues**, thus ensuring swift and decisive action.

9. Procedure and Challenges in the Amendment of the Constitution of India (10 points)

1. Amendments are initiated by introducing a **Bill** in either House of **Parliament**.
2. The **Bill** must be passed by a **two-thirds majority** of the members present and voting in both Houses.
3. Some amendments require **ratification by the States** (e.g., those affecting the federal balance and allocation of legislative powers).
4. The **President** must give **assent** for the amendment to become law.
5. The **difficulty of consensus** among political parties, especially on sensitive issues like **fundamental rights** and **secularism**, creates challenges.
6. Amendments involving **federal balance** or state autonomy face resistance from States and political parties.
7. The process can be delayed due to **political differences** or **lack of agreement** on contentious issues.

8. The need for **state ratification** for certain provisions (like changes to the powers of Parliament) complicates the process.
9. **Judicial scrutiny** can be a challenge, as courts may examine whether the amendment violates the **basic structure** of the Constitution.
10. Despite these challenges, the **amendment process** remains flexible, allowing India to adapt to changing political, social, and economic conditions.

10. Powers of the President of India, Focusing on National Emergency and Relations with Union and States (10 points)

1. The **President** is the **formal head** of the State and exercises **executive powers** vested in the Council of Ministers.
2. The **President** plays a **ceremonial role** but can assume significant powers during an **emergency**.
3. During a **national emergency** (Article 352), the President can exercise **emergency powers**, including the **suspension of fundamental rights**.
4. The **President** can **dissolve State Assemblies** and take over the governance of states under **President's Rule** during a state emergency.
5. The **President** can **issue ordinances** when Parliament is not in session, exercising legislative power.
6. The **President** is involved in the **appointment** of the **Prime Minister**, **Council of Ministers**, and **Governors** for states.
7. In times of **national emergency**, the President can **centralize power** in the Union Government and override state laws.
8. The **President** has the discretion to **appoint Governors** and **dismiss** them under specific circumstances, influencing state governance.
9. The **President's** powers are largely exercised on the **advice** of the Union Cabinet, especially in regular governance.
10. The **President's emergency powers** ensure that the **unity and integrity** of India are maintained during times of national crisis, with enhanced central authority and control.

CONSTITUTION OF INDIA (MC-01)

UNIT-4th

QUESTION BANK

Q.N.	Questions	CO	Revised Bloom's Taxonomy Level	Marks
1	Who was the Chairman of the Drafting Committee of the Indian Constitution?	CO-1	Level - 1	1.5
2	When was the Indian Constitution adopted and when did it come into effect?	CO-1	Level - 1	1.5
3	Explain the significance of the 42nd Amendment (1976) to the Indian Constitution.	CO-1	Level - 2	1.5
4	Which amendment to the Indian Constitution first introduced the provision of the "Right to Information"?	CO-1	Level - 1	1.5
5	Under which Article can the President of India declare a National Emergency?	CO-1	Level - 1	1.5
6	How does the imposition of a National Emergency affect the fundamental rights of Indian citizens?	CO-1	Level – 2	5
7	What is the maximum duration for which a National Emergency can be imposed without the approval of Parliament?	CO-1	Level – 1	5
8	What impact does the declaration of President's Rule have on the legislative assembly of a state?	CO-1	Level - 1	5
9	Under what conditions can the President of India impose a Financial Emergency?	CO-1	Level - 1	10
10	Explain the provisions of the 73rd Amendment concerning the structure and function of Panchayats.	CO-1	Level - 2	10

1. **Chairman of the Drafting Committee of the Indian Constitution:**
Dr. **B.R. Ambedkar** was the Chairman of the Drafting Committee of the Indian Constitution.
2. **Adoption and Implementation of the Indian Constitution:**
The Indian Constitution was **adopted** on **26th November 1949** and **came into effect** on **26th January 1950**.
3. **Significance of the 42nd Amendment (1976):**
The 42nd Amendment, also known as the "**Constitutional Amendment of 1976**", made several significant changes, including the addition of the words "**Socialist**", "**Secular**", and "**Integrity**" to the Preamble, and expanded the power of the Parliament while curtailing judicial review.
4. **First Amendment Introducing "Right to Information":**
The **44th Amendment of 1978** introduced the **Right to Information** by amending Article 19, guaranteeing the freedom of speech and expression, which includes access to information under certain conditions.
5. **Article for National Emergency Declaration:**
The President of India can declare a **National Emergency** under **Article 352** of the Constitution.

6. How does the imposition of a National Emergency affect the fundamental rights of Indian citizens? (10 points)

1. **National Emergency** can be declared under **Article 352** when the **security of India** is threatened by war, external aggression, or armed rebellion.
2. During a National Emergency, **certain fundamental rights** may be **suspended** or **restricted**.
3. **Article 19** (freedom of speech, assembly, etc.) can be **suspended** during the emergency, which restricts the right to freedom of speech, movement, and association.
4. The **Right to Life and Personal Liberty** under **Article 21** is not automatically suspended, but it can be restricted through laws passed during the emergency.

5. **Article 20** (protection against retrospective punishment) remains in force, ensuring that no one can be punished for an offense that was not an offense at the time it was committed.
 6. The **President** can issue ordinances or laws during the emergency, which can restrict citizens' rights.
 7. The **Power of Judicial Review** is **limited** as courts cannot review the legality of actions taken during the emergency period.
 8. **Rights related to property** under **Article 31** may be modified or suspended.
 9. **Suspension of rights** can be applied for a limited period, and they can be restored through **Parliament's approval**.
 10. After the **emergency is lifted**, the suspended rights are typically restored unless otherwise specified by the Parliament.
-

7. What is the maximum duration for which a National Emergency can be imposed without the approval of Parliament? (10 points)

1. The **maximum duration** for which a National Emergency can be imposed without the approval of Parliament is **one month**.
2. **Article 352** requires the **President** to get **approval** from both Houses of Parliament within **one month** of the declaration.
3. After the approval, the emergency can be extended by **six months** at a time, with Parliament's approval.
4. The **initial approval** requires a **resolution** to be passed by both Houses of Parliament.
5. Parliament must approve any extension of the emergency by a **resolution** passed by a **simple majority**.
6. The total duration of a National Emergency can extend up to **three years**, after which further extensions require special **ratification** by Parliament.
7. Each extension must be approved by **Parliament** before **six months** from the previous approval.

8. If Parliament does not approve the emergency, the President must **withdraw** it immediately.
 9. The emergency can end sooner if the **President** decides to lift it without Parliament's consent.
 10. The **duration of National Emergency** reflects the need for **legislative oversight** to prevent misuse of powers.
-

8. What impact does the declaration of President's Rule have on the legislative assembly of a state? (10 points)

1. **President's Rule** is imposed under **Article 356** when a state government is unable to function according to the provisions of the Constitution.
 2. **Dissolution of State Legislature:** Under President's Rule, the **State Legislative Assembly** can be **dissolved**.
 3. If the Assembly is not dissolved, it is **suspended**, and the **Governor** assumes the powers of the State Legislature.
 4. The **State Cabinet** is **dismissed**, and the **Governor** is given the responsibility to run the state.
 5. The **Governor** can **legislate** on behalf of the state government by issuing **ordinances** during President's Rule.
 6. The **state executive** (Chief Minister and Council of Ministers) is replaced by the **Governor's administration**.
 7. The **Governor** works directly with the Union Government, representing the **central authority** in the state.
 8. The **President's Rule** can last up to **six months** but can be extended with **Parliament's approval**.
 9. The **elected government** is replaced by **central government control**, which affects state autonomy.
 10. The imposition of President's Rule may lead to **political instability** in the state and disrupt normal governance.
-

9. Under what conditions can the President of India impose a Financial Emergency? (10 points)

1. A **Financial Emergency** can be declared under **Article 360** of the Constitution of India.
2. It can be imposed when the **financial stability** or the **credit of India** or any part of its territory is threatened.
3. The **President** must be satisfied that the financial conditions of the country require central intervention.
4. The emergency can be imposed if there is a **serious economic crisis** affecting the nation or any state.
5. **Proclamation of Financial Emergency** can be made if **public finance** or **currency** is at risk.
6. The **President's decision** is **not subject to judicial review** in the case of a Financial Emergency.
7. The **financial authority** of the state can be transferred to the **central government**.
8. During a Financial Emergency, the **President** can **reduce salaries** of officials, including the judiciary, and reallocate financial powers.
9. **Financial Emergency** can last indefinitely, with **no specific time limit** on its duration, as long as the emergency conditions persist.
10. The declaration of a **Financial Emergency** affects the **autonomy of states** regarding financial matters and centralizes financial control.

10

. Explain the provisions of the 73rd Amendment concerning the structure and function of Panchayats (10 points)

1. The **73rd Amendment** of the Indian Constitution, enacted in 1992, specifically focuses on the **decentralization of power** to local self-governments.
2. It added **Article 243** to **Article 243-O** to regulate the functioning of **Panchayats** (rural local bodies) across India.
3. It provides for the establishment of **three-tier Panchayat system** at the **village, intermediate, and district levels**.
4. **Gram Sabha**, comprising all adult residents of a village, is recognized as the **basic unit** of local governance.
5. The Amendment mandates the **direct election** of **Panchayat members** at all levels and ensures **reservations** for **Scheduled Castes (SCs)**, **Scheduled Tribes (STs)**, and **women**.
6. It ensures that **Panchayats** have the authority to manage and execute plans relating to **economic development, social justice, and rural development**.
7. The **State Election Commission** is empowered to conduct **elections** for Panchayats and ensure regular elections every five years.
8. The Amendment also requires the **establishment of State Finance Commissions** to ensure the **devolution of finances** to Panchayats.
9. It mandates the **empowerment of women** by ensuring **one-third reservation** for women in Panchayat elections.
10. The **73rd Amendment** aims to make Panchayats more **accountable** and **effective** in managing local issues and promoting grassroots democracy.

CONSTITUTION OF INDIA (MC-01)

UNIT-5th

QUESTION BANK

Q.N.	Questions	CO	Revised Bloom's Taxonomy Level	Marks
1	What does Article 14 of the Indian Constitution guarantee?	CO-1	Level - 1	1.5
2	Explain the difference between "equality before law" and "equal protection of the laws" under Article 14.	CO-1	Level - 2	1.5
3	Which right under Article 19 allows Indian citizens to reside and settle in any part of India?	CO-1	Level - 2	1.5
4	Which Article of the Indian Constitution prohibits discrimination based on religion, race, caste, sex, or place of birth?	CO-1	Level - 1	1.5
5	How does Article 15 ensure equality by prohibiting discrimination? Explain with examples.	CO-1	Level - 1	1.5
6	Explain the Scheme of the Fundamental Right to Equality	CO-1	Level – 2	5
7	Explain the Scope of the Right to Life and Personal Liberty under Article 21	CO-1	Level – 2	5
8	Explain the scope of Article 21 and its relationship with the concept of "due process of law."	CO-1	Level - 1	5
9	Define the Right to Life and Personal Liberty under Article 21 of the Indian Constitution.	CO-1	Level - 1	10
10	Explain the Scheme of the Fundamental Right to certain Freedoms under Article 19	CO-1	Level - 2	10

1. **Article 14 of the Indian Constitution guarantees:**

Article 14 guarantees **equality before the law** and **equal protection of the laws** within the territory of India, ensuring that all individuals are treated equally by the law, without any arbitrary discrimination.

2. **Difference between "equality before law" and "equal protection of the laws" under Article 14:**

- **Equality before law** means **no one is above the law**, and all individuals are subject to the same legal standards.
- **Equal protection of the laws** means that **laws should apply equally** to all people, but reasonable classifications may be made to address differences (e.g., laws for children or women).

3. **Right under Article 19 allowing Indian citizens to reside and settle in any part of India:**

Article 19(1)(e) grants Indian citizens the **right to reside and settle** in any part of India, allowing freedom of movement within the country.

4. **Article of the Indian Constitution prohibiting discrimination on grounds of religion, race, caste, sex, or place of birth:**

Article 15 prohibits discrimination on the grounds of **religion, race, caste, sex, or place of birth**.

5. **How Article 15 ensures equality by prohibiting discrimination:**

Article 15 prohibits **discrimination** in access to public places, employment, and education on the basis of religion, race, caste, sex, or place of birth.

For example, **reservations in educational institutions** and government jobs for **Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs)** ensure that historically disadvantaged groups have equal opportunities.

6. **Scheme of the Fundamental Right to Equality**

1. The **Right to Equality** is enshrined in **Articles 14 to 18** of the Indian Constitution.

2. **Article 14** guarantees **equality before the law** and **equal protection of the laws**, ensuring that all individuals are treated equally.
 3. **Article 15** prohibits discrimination on grounds of **religion, race, caste, sex, or place of birth**.
 4. **Article 16** ensures **equality of opportunity** in matters of public employment, preventing discrimination in government jobs.
 5. **Article 17** abolishes **untouchability**, making it an offense to practice untouchability in any form.
 6. **Article 18** abolishes **titles** that distinguish people on the basis of honor, except for military or academic titles.
 7. The scheme also allows for **affirmative action**, like **reservations**, to uplift disadvantaged sections (SCs, STs, and OBCs).
 8. The concept of **reasonable classification** allows differential treatment only when it is based on **intelligible differentia** and has a **rational nexus** to the objective.
 9. The **Right to Equality** is essential for maintaining **social justice**, and it guarantees fairness in law and governance.
 10. Equality under the Constitution is not absolute, and reasonable restrictions can be placed to ensure fairness, such as **laws for positive discrimination**.
-

7. Scope of the Right to Life and Personal Liberty under Article 21

1. **Article 21** guarantees **the right to life and personal liberty** to every individual, stating, "No person shall be deprived of his life or personal liberty except according to the procedure established by law."
2. The right to life includes the **right to live with human dignity**, including the right to adequate nutrition, clothing, and shelter.
3. **Personal liberty** covers a broad range of rights, such as **freedom from arbitrary arrest** and **freedom of movement**.

4. The scope of the right has been expanded by the **Supreme Court** to include **right to privacy, right to education, right to health, and right to a clean environment.**
 5. The right to life is not limited to mere survival but extends to **quality of life.**
 6. The **right to live with dignity** also includes **freedom from torture and inhuman treatment.**
 7. **Article 21** applies to all persons, including **foreign nationals**, within the territory of India.
 8. The right is subject to **restrictions** under **reasonable procedure established by law.**
 9. **Judicial activism** has interpreted this right broadly, emphasizing that it cannot be taken away without **due process of law.**
 10. The **scope** of the right continues to evolve with the **Supreme Court's interpretation**, enhancing the protection of personal freedoms.
-

8. Scope of Article 21 and its Relationship with the Concept of "Due Process of Law"

1. **Article 21** ensures the **right to life and personal liberty** but specifies that this right can only be taken away by the **procedure established by law.**
2. Initially, the Constitution mentioned **"procedure established by law"**, which led to **judicial interpretation** focusing on the legality of procedures but not fairness.
3. The **Supreme Court** in **Maneka Gandhi v. Union of India (1978)** broadened the interpretation of Article 21 by incorporating the **principle of "due process of law"** into Indian jurisprudence.
4. The Court held that laws must not only be **valid** but also **just, fair, and reasonable** to ensure that they meet the standards of due process.
5. The incorporation of the **"due process"** principle ensures that any procedure to deprive an individual of their life or liberty must be **just and reasonable.**

6. The **due process of law** ensures that laws must not be arbitrary, and the procedure must follow the **principles of natural justice**.
 7. **Fundamental rights** cannot be suspended or restricted in an unreasonable or arbitrary manner under the **due process doctrine**.
 8. **Article 21** safeguards against laws that are **vague** or **excessively broad** and ensures **accountability** in the administration of law.
 9. The Court's acceptance of **due process** transformed Article 21 into a robust safeguard for **individual freedoms** and **rights**.
 10. **Due process of law** is now an integral component of **protecting citizens' rights** under Article 21, ensuring that all legal procedures adhere to principles of **justice and fairness**.
-

9. Define the Right to Life and Personal Liberty under Article 21 of the Indian Constitution

1. **Article 21** of the Indian Constitution guarantees that **no person shall be deprived of his life or personal liberty except according to the procedure established by law**.
2. This right applies to **all persons**, including **citizens** and **foreign nationals**, within India.
3. The **Right to Life** is not limited to mere survival but extends to **living with dignity**.
4. **Personal Liberty** encompasses **freedom from arbitrary detention**, **freedom of movement**, and **protection against unlawful detention**.
5. The right to life includes the right to access **essential resources** such as **healthcare**, **education**, and **safe living conditions**.
6. The **Supreme Court** has broadened the scope of Article 21 to include rights like **privacy**, **right to a clean environment**, and **right to shelter**.
7. **Right to Life** ensures that the state cannot deprive a person of their life or liberty unless it follows **procedures that are just, fair, and reasonable**.
8. The **procedural requirements** include that the laws must be **reasonable** and applied in accordance with the **principles of natural justice**.

9. **Deprivation of life or personal liberty** must be **done in accordance with the law**, meaning it must adhere to **due process**.
 10. The **right to life and personal liberty** under Article 21 is a **fundamental right** and can only be limited by **fair and reasonable laws**.
-

10. Scheme of the Fundamental Right to Certain Freedoms under Article 19

1. **Article 19** guarantees **six fundamental freedoms** to Indian citizens: **freedom of speech and expression, freedom of assembly, freedom of association, freedom of movement, freedom of residence, and freedom of profession, occupation, trade, or business**.
2. The freedom of **speech and expression** (Article 19(1)(a)) guarantees the right to **express opinions** freely without undue interference from the state.
3. **Freedom of assembly** (Article 19(1)(b)) allows individuals to **assemble peacefully** and **without arms**, subject to reasonable restrictions.
4. **Freedom of association** (Article 19(1)(c)) allows individuals to **form associations** or unions for any lawful purpose.
5. **Freedom of movement** (Article 19(1)(d)) grants every citizen the right to **move freely** throughout the territory of India.
6. **Freedom of residence** (Article 19(1)(e)) guarantees the right to **reside and settle** in any part of India.
7. **Freedom of profession, occupation, trade, or business** (Article 19(1)(g)) allows individuals to **engage in any lawful profession** or trade.
8. These freedoms are not absolute and can be **restricted by the state** for reasons such as **security of the state, public order, morality, or maintenance of law and order**.
9. Restrictions on these freedoms must be **reasonable** and are subject to **judicial review** to ensure they do not violate constitutional principles.
10. The right to **freedom of expression** is particularly important in a **democratic society**, ensuring that citizens can **question the government** and participate in the **political discourse**.

