

# **DON BOSCO SCHOOL, RANCHI 2020-2021**

**CLASS- 9<sup>TH</sup> ABC**

**SUBJECT- CIVICS**

## **CHAPTER-1**

## **∴ OUR CONSTITUTION ∴**

### **Origin of the word Constitution:**

Old French word '**constitucion**' meaning- establishment

Latin word '**constitutionem**' meaning:- act of settling, settled condition, anything arranged or settled upon, regulation, order, ordinance

### **Meaning of Constitution:**

# a legal written document containing Laws.

# a set of rules & regulations by which the nation is governed.

# describes the relationship between citizens & Government.

# defines the powers of Government & the citizens.

# Set of basic rules accepted by all.

# It's binding on every one.

### **The Constituent Assembly:**

- A body framed the Constitution of India.
- Dr. Rajendra Prasad, permanent president of the CA.
- The Britishers sent a group of officials known as the **Cabinet Mission Plan**.
- **Two roles to play:-**

i) an interim (not permanent) government was appointed to run the State until the Constitution came into force/effect.

ii) To frame the Constitution of India.

- 389 members of the Constituent Assembly, 292 were elected from provincial govt & 93 from princely states.
- It worked in a systematic, open & consensual (agree with) manner.

Diversity has to be taken care of on the basis of **community, caste, creed, language group, classes, & occupation etc**

### **Cabinet Mission Plan:**

- Formulated at the initiative of Clement Attlee, the PM of UK.
- Aimed to discuss the transfer of power to Indian leaderships.

- Preserving India's unity & granting it independence.
- Cabinet Mission Plan had ensured three categories- Gen, Muslim (Zafar Imam & Md. Saadullah), Sikhs (Sardar Hukum Singh). But under Congress leaders- Anglo-Indian (Frank Anthony & S. H. Prater), Indian Christians (H. C. Mukherjee & Joseph D'souza), SC & ST got representation. Parsees (H. P. Modi)

i) Pethick-Lawrence, secretary of State for India.

ii) Sir Stafford Cripps, President of the Board of Trade.

iii) A.V.Alexander, first lord of Admiralty (head of Royal navy).

Thus, one can say that CA was truly national in character.

### Composition & Working of CA:

- Three members of the British Cabinet were sent to resolve the constitutional controversy.
- CA had 385 members, 292 elected from provinces & 93 from princely states.
- It included representatives from all sections (deprived sections, disadvantaged groups, backward classes) of Indian society.
- 284 members of the Constituent Assembly signed the documents on Jan 24<sup>th</sup>, 1950.
- Constituent Assembly took two years, eleven months & seventeen days to complete this historic task (drafting constitution).
- Eleven sessions held in 165 days (including 114 days to draft).
- The first session of the Constituent Assembly Dec 9<sup>th</sup>, 1946 at 11 a.m.
- Held in the **Central Hall of the Parliament House** in New Delhi.
- 207 members attended.
- **Dr. Sachidanand Sinha** was appointed as the temporary chairman of the Constituent Assembly.
- **Dr. Rajendra Prasad** was elected as the President of the Constituent Assembly.

### Objective Resolution:

- It was moved by Pandit Nehru on 13<sup>th</sup> Dec, 1946.
- Fundamentals accepted (passed by CA) by all on 22<sup>nd</sup> Jan, 1947.
- It served as the roadmap for the constitution.
- It was the precursor to the Preamble to the constitution.
- It sought to confirm India's **ideals, hopes & aspirations**.
- **'Resolution'** highlighted the objectives & laid down the *'national goals'*

- i) Free India will be nothing but a '*Republic*'.
- ii) The ideals of social, political & economic democracy would be guaranteed to all people.
- iii) Republic would grant Fundamental Rights to citizens.

State would safeguard the rights of minorities & backward classes.

#### **Eight Major Committees:**

➤ Assembly was divided into eight major committees:-

~ Drafting Committee – **Dr. B.R. Ambedkar**

~ Committee on Fundamental Rights – **Sardar Patel**

~ Union Powers Committee – **Jawaharlal Nehru**

~ Union Constitution Committee - **Jawaharlal Nehru**

~ Provincial Constitution Committee - **Sardar Patel**

~ Rules of Procedure Committee – **Dr. Rajendra Prasad**

~ States Committee - **Jawaharlal Nehru**

~ Steering Committee - **Dr. Rajendra Prasad**

#### **Drafting Committee:**

- Dr. B. R. Ambedkar was the chairman of Drafting Committee
- Main function was to prepare a drafting constitution.
- First Draft was ready by Feb, 1948.
- Indian people's opinions & suggestions were welcomed on the first draft in Nov.
- Draft was considered a section of legal document in Nov, 1948.
- The third & final draft was ready by Nov, 1949.
- Thus, President of India signed the constitution officially.

#### **Commencement of the Constitution:**

- The Indian Constitution was **adopted** on Nov 26<sup>th</sup>, 1949.
- The Indian Constitution came into **force** or **effect** on Jan 26<sup>th</sup>, 1950.

- 'Complete independence of the country' was passed by the Indian National Congress at its Lahore session in Dec 1929.
- The first Independence Day was celebrated on Jan 26<sup>th</sup> 1930.

### **Written & Longest Constitution:**

- Indian Constitution is a written one like USA.
- British Constitution is unwritten one or oral.
- Due to diverse cultures & communities it became a very lengthy.
- Its original composition is **395 Articles, 22 Parts & 8 Schedules**.
- Presently, it has a Preamble, **448 Articles, 25 Parts, 12 Schedules, 5 appendices & 101 amendments**.

### **Preamble:**

- It's the essence of the Constitution.
- It's the preface which highlights to the entire Constitution.
- It contains the spirit & values of the Constitution.
- It reflects the aim & objectives of our Constitution.
- It sought to confirm India's **ideals, hopes & aspirations**
- It's not enforceable in a court of law.

### **Assimilation of Features:**

- Very unique & special document containing with best ideas of freedom inspired from around the world.

#### ❖ **British Constitution:-**

~Parliamentary form of Government,

~Institution of Speaker & his role

~Lawmaking procedure

~Single citizenship,

~Rule of law,

#### ❖ **Irish Constitution**

~Directive Principles of State policy.

~ Method of election of president.

~nomination of members to Rajya Sabha.

#### ❖ Constitution of USA:-

~ Preamble

~ Fundamental Rights

~ Power of Judicial review

~Independence of the Judiciary

~President, the supreme commander of armed forces

#### ❖ Constitution of USSR (Russia):-

~ Fundamental Duties.

~the idea of justice (social, economic, political)

#### ❖ France:-

~ The ideals of Republic, liberty, equality & Fraternity in the preamble.

### Objectives of Constitution:

❖ **Sovereign** :- old French-**Soverain**~ independence. Latin- **Supernus** ~ above or autonomy

~ independent authority of a State.

~‘independent with the ability to take responsibility for all decisions.’

~ ‘Sovereign’ is taken from article 5 of the constitution of Ireland

~ denotes supreme & ultimate/absolute power.

❖ **Secular** :- (42<sup>nd</sup> Amendment in 1976)

~no official State religion.

~equality of all religions & religious tolerance

~right to profess, preach, practice & propagate any religion.

~No favour or discrimination against any religion.

~All religions & its citizens should be treated with equal respect.

~Relationship between

the State (govt) & the religious groups.

~It separates the power of the State & religion.

~ **Alexander Owics** “*Secularism is a part of basic structure of the Indian Constitution & it means equal freedom & respect for all religion.*”

❖ **Socialist:-** refers to ‘democratic socialism’ (42<sup>nd</sup> Amendment in 1976)

~e.g. wealth should be shared equally by society through distributed justice.

~ not concentrated in the hands of few.

~Govt should regulate the ownership of land & industry to reduce socio-economic inequalities

• **Democratic :-**

~ Citizens elect their government.

~ “one man one vote”

~ right to vote (universal adult franchise).

~ refers to political as well as social & economic democracy.

~ every Indian (18 years & above) enjoys the right to vote irrespective of caste, creed, colour, sex, religion or race.

**Republic:-**

~ A country is governed by president & politicians elected by people & where there is no king or queen.

~ ‘Democratic republic’ means head of the State is elected directly or indirectly.

~ elected for a fixed tenure (duration).

~ post of the President of India is not hereditary.

• **Ideals of Preamble**

✓ **Justice:-**

**i) Social justice:-**

~ Elimination of all forms of the society.

~ means absence of socially privileged classes.

~ safeguards for interests of backward classes & minorities

~ No discrimination against any citizens on grounds of caste, creed, colour, gender, or birth place etc.

**ii) Economic justice:-**

~ Equitable distribution of wealth, economic equality etc.

~ decentralisation of economic resources.

- ~ securing the adequate opportunities to all for earning their living.
- ~ end of monopolistic control over means of production & distribution.
- ~no discrimination between man & woman on the basis of income, wealth & economic status.

**iii) Political Justice:-**

- ~ deals with legal aspects.
- ~ equal political rights to all without discrimination.
- ~ Constitution provides equal right & freedom to participate
- ~ It means equal, free & fair opportunities to all for participating in political process.

✓ **Liberty :-**

- ~ Freedom of speech and expression
- ~ No unreasonable restrictions.
- ~ It does not mean freedom to do anything.
- ~ It must be exercised within the constitutional limits.
- ~ No restriction on the basis of gender, religious beliefs or social conditions

✓ **Equality:-**

- ~ Irrespective of their religion, caste, creed, social position & gender.
- ~ In the eyes of law all are equal.

✓ **Fraternity :-**

- ~ it means 'brotherhood'
- ~ leaves no room for regionalism, communalism & casteism etc.  
(hinders the unity of the State).
- ~ it embraces the **psychological** as well as **territorial dimensions** of National Integration.
- ~ sense of belonging with the country among its people
- ~ share & spread the feeling of brotherhood.
- ~ foster the feeling of unity & promote national integration.
- ~ India like diverse & multiple communities has its own importance.

1. Explain the term 'Constitution'.

**ANS-** The word constitution is derived from old French and Latin words '**constitucion**' and '**constitutionem**' which means- establishment and act of settling respectively. A constitution is a set of rules and laws which define the position and powers of the three organs of the government- the legislature, the executive, and the judiciary.

2. Who framed the Constitution of India?

**ANS-** The constitution of India was framed by the elected scholars and leaders of the Constituent Assembly.

3. When was the body that framed the Constitution of India constituted?

**ANS-**The body that framed the constitution of India was constituted in 1946. The assembly originally had 389 members but after the partition from Pakistan it came down to 299 seats.

4. Who was the permanent president of the Constituent Assembly?

**ANS-**Dr. Rajendra Prasad, who was the permanent president of Constituent Assembly and other prominent leaders such as Dr. B.R.Ambedkar, Maulana Abul Kalam Azad, Sardar Patel etc.

5. When did the Constitution of India come into force?

**ANS-**The constitution of India came into force on 26<sup>th</sup> January, 1950.

6. What is meant by the term 'Preamble' to the Constitution?

**ANS-**Preamble is the preface or an introduction to the Constitution.

7. What is the significance of the Preamble to the Constitution?

**ANS-**It highlights and reflects the aim & objectives of the constitution that it intended to achieve & promote. It also contains the spirit & values of the Constitution.

8. What do the words "we the people of the India" in the Preamble signify?

**ANS-**The words "*We the people of India*" signify to the people of the country are one under one law. There should be no discrimination on the basis of cast, creed, sex, language, birth place, food habits etc.

9. What do you mean by a secular state?

**ANS-**Secular means that India doesn't have a state religion and doesn't identify itself with one particular religion. It also means that all religions & its citizens should be treated with equal respect. It was added to our constitution under 42<sup>nd</sup> constitutional amendment in 1976.

10. The Preamble of the Constitution describe India as are public .What are its main features?

**ANS-**The word 'Republic' means a form of government that has an elected representative as the head of the State. This elected representative has no hereditary rights.

11. What are the salient features of the Constitution?

**ANS-**The salient features of the constitution are as follow;

i) It is legally sanctified document consists the basic principles for the governance of the state.

ii) It ensures the certain basic rights to the citizens of India and defines their duties as well.

iii) It is a written and most lengthy and detailed document in the world.

iv) It has the Parliamentary form of government which has the supreme political body in India.

v) It divides the powers of governance between the centre and the state.

vi) The Indian constitution recognises only a single citizenship.

vii) It establishes a system of Universal Adult Franchise through which a citizen who is 18 and above irrespective of cast, creed, religion, sex, language, birth place, food habits etc. has right to vote.

12. Explain the term 'Written Constitution'.

**ANS-**A constitution is a legal and formal document which defines the nature of the constitutional settlement. The rules that govern the political system and the rights of the citizens is known as written constitution.

13. Why is our Constitution the lengthiest in the world?

**ANS-**Our constitution is lengthiest in the world because it touches every aspects of the life of its citizens. Our country is the most diverse country on basis of cast, creed, religion, sex, language, birth place, food habits etc. It



empowers its citizens with fundamental & legal rights and also limits where it is necessary to give social equality for various schedule casts and tribes.

14. Which form of government exists in India?

**ANS-**The parliamentary form of government exists in India where the President of India is the head of the State and the Prime Minister of India is responsible for running of the State.

15. What do you understand by a federal government?

**ANS-**The Federal government refers to a system of governance where there is the division of the powers between the central national government & the local state governments.

16. In how many list are the legislative powers of the government divided?

**ANS-**The legislative powers of the government are divided into three lists;

i) The Union List with 97 subjects of national importance.

ii) The State Lists with 66 subjects on which state can make laws.

iii) The Concurrent List with 47 subjects on which both the central & the state governments can make laws.

17. Why was the Indian Constitution unitary in spirit?

**ANS-**India has the federal government through which the powers are divided into central & state. But the power at the time of emergency goes into the hands of central government completely.

18. Mention the type of citizenship followed by India. How does it differ from the type of citizenship followed in the USA?

**ANS-**India has a single citizenship which means a person who is born anywhere in India can only be a citizen of India. It means he/she doesn't have a separate citizenship of the state. In USA, on the other hand, a person living in a particular state can be the citizen of the state as well as a citizen of the USA.

19. Who all are eligible to vote in India?

**ANS-**Every Indian citizen who has completed the age of 18 years has the right to vote.

20. What do you mean by universal adult franchise?

**ANS-**Every Indian citizen who has completed the age of 18 years irrespective of cast, creed, religion, sex, language, birth place, food habits etc. has the right to vote. It is called **Universal Adult Franchise**.

## **PART-II STRUCTURED QUESTIONS (Answer in detail)**

### **1. Picture Study**

a) Can you name this personality?

**ANS-** Dr. Bhim Rao Ambedkar.

b) When was the Constitution in framing the Constitution of India?

**ANS-**Dr. B. R. Ambedkar was the chairperson of Drafting Committee. It was first constituted on 29<sup>th</sup> August, 1947. He was also the one the prominent members of Constituent Assembly. It had seven members. He played the crucial role in bringing up the constitution so called the Father of Indian Constitution.

c) When was the Constitution of India adopted?

**ANS-**The constitution was adopted on 26<sup>th</sup> November, 1949.

d) Name some prominent members of the constituent Assembly.

**ANS-**Dr. Rajendra Prasad, the permanent president of Constituent Assembly, Pandit Jawaharlal Nehru, Dr. Bhim Rao Ambedkar, Maulana Abul Kalam Azad, K. M. Munshi, H. N. Kunzru, Sardar Vallabhbhai Patel and C. Rajagopalachari were the prominent members of Constituent Assembly.

2. With reference to the constitution of India, What is the significance of 26 January? Why was this day chosen for the promulgation of the Constitution?

**ANS-The significance of 26<sup>th</sup> January:-** The date 26<sup>th</sup> January has its historical importance in our struggle for freedom. It was on this date in December 1929 that the Lahore Session of the National Indian Congress had for the first time given the call of *Purna Swaraj* or Complete Independence resolution. The Congress Working committee later met on 2<sup>nd</sup> January 1930. The Committee then decided to take pledge which was taken by the public on 26<sup>th</sup> January 1930 and was celebrated as first Independence Day. Since then the day 26<sup>th</sup> January was celebrated as Independence Day up to 1947.

On achieving Independence on 15<sup>th</sup> August 1947 became the Independence Day. The completion of the Constitution was done by 26<sup>th</sup> November 1949. However the day 26<sup>th</sup> January, the subsequent year was chosen for the promulgation of the Constitution.

3. With reference to the Preamble to the constitution of India, answer the following question:

a) **What is meant by a sovereign state?**

**ANS-**The term '**Sovereign**' is derived from old French word '*Soverain*' which means independence and from Latin word '*Supernus*' means 'above or autonomy'. It means the country which is not dependent upon any outside authority governance. It suggests that the country is independent with the ability to take responsibility for all decisions. Indian constitution has a place for it in preamble. The term '**Sovereign**' is taken from article 5 of the constitution of **Ireland**. It denotes supreme & ultimate/absolute power.

b) When did India become a sovereign state?

**ANS-**India became a sovereign state after its constitution came into force/effect on 26<sup>th</sup> January 1950.

c) Why was the term socialist inserted in the preamble by the 42<sup>nd</sup> Amendment to the Constitution of India in 1976?

**ANS-** The term '**Socialist**' refers to 'democratic socialism'. This was inserted in the Preamble under 42<sup>nd</sup> Constitutional Amendment Act 1976 that the constitution may govern the State with equitable distribution of national resources and opportunities among all sections of the people. In this way the resources are not concentrated in the hands of few. Government regulates the ownership of land & industry to reduce socio-economic inequalities.

d) **Why is India considered a secular State?**

**ANS-** 'Secular' means that India doesn't have a state religion and doesn't identify itself with one particular religion. India is a secular state because it has no official State religion. Also there should be no favour or discrimination against any religion. Every religion is free to profess, preach, practice & propagate own religion. **Alexander Owics** rightly comments: "[Secularism is a part of basic structure of the Indian Constitution & it means equal freedom & respect for all religion.](#)"

4. With reference to the constitutional divisions of powers into three lists, write a short note on each of the following:

a) **Union List:** - It contains matters over which only the centre can make the laws. The List has 97 subjects of national importance.

For example defense, foreign affairs, finance, railways, banking, posts & telegraph, currency, elections, election commission etc.

b) **State List:** - It contains matters over which only the state can make the laws. The List has 66 subjects on which state can make laws.

For example education, agriculture, water supply, irrigation, markets & fairs, police, public health & sanitation, hospitals & dispensaries etc.

- c) **Concurrent List:** - It contains matters over which both the centre & the states can make the laws. The List has 47 subjects on which both the central & the state governments can make laws.  
For example education, factories, trade unions, electricity, labour, economic & social planning, prevention to cruelty to animals, criminal law, wildlife, forests etc.

5. With reference to the constitution of India, answer the following questions:

- a) What do you mean by single citizenship?

**ANS- Single Citizenship:** - the Indian Constitution provides for a single citizenship. This means that a person born anywhere in India can only be a citizen of India. He/she does not have a separate citizenship of the state to which he/she belongs to this is unlike the system prevailing in the USA, where one can be the citizen of New York as well as an American citizen. In India a person is born in Punjab or in Kerala can only be a citizen of India and not the citizen of the state. This has been done to prevent separatist tendencies and promote fraternity and unity among the people of the country. Every Indian is a citizen of India and enjoys the same rights of citizenship.

- b) What are the main features of the Citizenship (Amendment) Act of 2003?

**ANS- The main features of the Citizenship (Amendment) Act 2003:** By the Citizenship Act 2003 the government of India has decided to grant dual citizenship to all the Persons of India Origin (PIO), who migrated to other countries after January 26, 1950. All privileges of an Indian citizen except the right of voting could be enjoyed by those holding dual citizenship.

6. Answer the following questions:

- a) Explain the term **Universal Adult Franchise:**

**ANS- Universal Adult Franchise:** Universal means 'every'. Its open to all, no matter a person is high or low, rich or poor, man or woman. Adult means one who is 18 and above. Franchise means right to vote. Thus, one can aptly say that the Universal Adult Franchise is that every Indian citizen who has completed the age of 18 years irrespective of cast, creed, religion, sex, language, birth place, food habits etc. has the right to vote.

- b) What is the minimum age of voting in India?

**ANS-** The minimum age of voting in India is 18. They have right to vote and participating in choosing the government at different levels, for example, the central, the state and the local levels.

- c) Which old British system did the Constitution of India abolish?

**ANS-** The old British system of communal electorate was abolished by the Constitution of India. And it established joint electorate. Communal Electoral means a system of communal representation for Muslim by accepting the concept of 'separate electorate'. Under this, Muslim members were to be elected only by Muslim voters. The Act therefore was legalized communalism. **Lord Minto** came to be known as the father of Communal Electorate.

**## THE END ##**