**Code No.5HS302HS**

**METHODIST COLLEGE OF ENGINEERING & TECHNOLOGY (An Autonomous Institution)**

**B.E. (ECE) III-Semester (AICTE) (Regular) Examination, Feb/March -2023**

**Answer Key; Detailed scheme of InstructionsSet-A**

**Subject: INDIAN CONSTITUTION**

**Time: 3 hoursMax.Marks:60**

**PART-A**

**Answer All the questions.**

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| **Q.No.** | **Questions** | **Marks** | **CO** | **BTL** |
| **1. a** | **What is the Purpose of Constituent Assembly?**  A: The Constituent Assembly of India was a sovereign body, which was formed on the recommendations of the Cabinet Mission which visited India in 1946 to draft a Constitution for the Country. The constituent assembly was formed for the purpose of writing a constitution for independent India. Elections of Constituent Assembly were held in July 1946. | **2** | **1** | **2** |
| **b** | **Who are the members of Drafting Committee?**  A: Drafting Committee was constituted on 29th August 1947 and  comprised of the following members.  i. Dr.B.R.Ambedkar ( Chairman)  ii. N.Gopala Swamy Iyyengar  iii. Sir Alladi Krishna Swamy Ayyar  iv. Dr.K.M.Munshi  v. Syed Mohammed Sadulla  vi. B.L.Mitter (Later N.Madhava Rao)  vii. D.P.Khaitan (Later T.T.Krishnamachari | **2** | **1** | **1** |
| **c** | **What are the Qualifications for Election as President of India?**  A: A person to be eligible for election as President should fulfil the following  qualifications:  1. He should be a citizen of India.  2. He should have completed 35 years of age.  3. He should be qualified for election as a member of the Lok Sabha.  4. He should not hold any office of profit under the Union government or  any state government or any local authority or any other public authority. | **2** | **2** | **3** |
| **d** | **Explain the Veto Powers of President?**  A:A bill can become an act only if it has received president’s assent. When a  bill is given to the president he can:  1. Absolute veto: withholding of assent to the bill passed by the legislature.  2. Suspensive veto: which can be over ridden by the legislature with an  ordinary majority.  3. Pocket veto: that is, taking no action on the bill passed by the legislature. | **2** | **2** | **3** |
| **e** | **What is Article 19?**  A:Protection of six rights regarding freedom of: (i) speech and  expression, (ii) assembly, (iii) association, (iv) movement,  (v)Residence, and (vi) profession (Article 19). | **2** | **3** | **1** |
| **f** | **Explain the Habeas CorpusWrit in Indian Constitution?**  A: Habeas Corpus: The Latin meaning of the word ‘Habeas Corpus’ is ‘To have the body of.’ This writ is used to enforce the fundamental right of individual liberty against unlawful detention. Through Habeas Corpus, Supreme Court/ High Court orders one person who has arrested other person to bring the body of the latter before the court. | **2** | **3** | **3** |
| **g** | **Which feature of Indian Constitution deals with Central-State relations?**  A: Federalism is the basic feature that deals with central-state relations. India is a union of states. The constitution of India has divided the legislative, executive and financial powers between the center and the states, which gives the constitution a federal character. | **2** | **4** | **2** |
| **h** | **Explain about Finance Commission of India?**  A: Finance Commission is a constitutional body formed for the purpose of  allocation of certain revenue resources between the Union and the State  Governments.   Finance Commission was formed in 1951.   It was established under Article 280 of the Indian Constitution by the Indian  President.   It was created to define the financial relations between the Centre and the  states. | **2** | **4** | **1** |
| **i** | **What is the Composition of National Commission of Women?**  A: The Commission consists of a minimum number of members which  includes  i. a chairperson  ii. a member secretary, and  iii. Other five members.   Central Government nominates Chairperson, other five members and a  member secretary. | **2** | **5** | **2** |
| **j** | **What is meant by constitutional body?**  A: Constitutional bodies derive their powers and authorities from the Constitution of India. They are mentioned in the Constitution. Since they get their power from the Indian Constitution, any change in the mechanism of the constitutional bodies would require a constitutional amendment. | **2** | **5** | **3** |

**PTO**

**PART-B**

**Answer Any Five questions**.

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| **Q.No.** |  | **Questions** | **Marks** | **CO** | **BTL** |
| **2.** | **a** | **Explain any seven Salient Features of Indian Constitution?**  A:Indian constitution being the most unique and the longest written constitution in the world, originally had 395 articles which are further divided into 22 parts and 8 schedules. As a result of various amendments over time, at present, our constitution contains 470 articles, 25 parts, and 12 schedules. The constitution of India was put together by a Constituent Assembly. After several meetings and discussions, finally, on 26th January 1950, our constitution came into effect.  **Any Seven** of the below stated salient features **explanation** is needed:  1. Longest Written Constitution 2. Single Citizenship  3. Mixture of rigidity and flexibility 4. Fundamental Rights  5. Universal adult Franchise 6. Fundamental Duties  7. Integrated and independent judiciary 8. Secular State  9. Federal with unitary bias 10. DPSP  11. Parliamentary system of government 12. Bicameralism  13. Panchayat Raj & Nagar Palika Acts 14. Judicial Review | **4** | **1** | **3** |
| **b** | **What are the Features of 1909 Act?**  A: This Act is also known as Morley-Minto Reforms (Lord Morley was the then  Secretary of State for India and Lord Minto was the then Viceroy of India).  1. It considerably increased the size of the legislative councils, both Central and  provincial. The number of members in the Central Legislative Council was  raised from 16 to 60. The number of members in the provincial legislative  councils was not uniform.  2. It retained official majority in the Central Legislative Council but allowed  the provincial legislative councils to have non-official majority.  3. It enlarged the deliberative functions of the legislative councils at both the  levels. For example, members were allowed to ask supplementary  questions, move resolutions on the budget, and so on.  4. It provided (for the first time) for the association of Indians with the  executive Councils of the Viceroy and Governors. Satyendra Prasad  Sinha became the first Indian to join the Viceroy’s Executive Council.  He was appointed as the law member. | **4** | **1** | **2** |
| **3.** | **a** | **Briefly Examine the Powers and Functions of President?**  A: In India, the powers of the Union government are treated as the powers of  the President as stated under Article 53, which reads:  “The executive powers of the Union shall be vested in the President and shall be exercised  by him either directly or through the officers subordinate to him in accordance with this  Constitution.”  The powers enjoyed and the functions performed by the President can  be studied under the following heads.  1. Executive powers  2. Legislative powers  3. Financial powers  4. Judicial powers  5. Diplomatic powers  6. Military powers  7. Emergency powers | **5** | **2** | **3** |
| **b** | **What are the Qualifications for Election as Prime Minister of India?**  A:To become an Indian prime minister one has to be   A citizen of India.   A member of either Rajya Sabha or Lok Sabha  He should have completed his 30 years if he is a member of the Rajya  Sabha or can be 25 years of age if he is a member of the Lok Sabha. | **3** | **2** | **1** |
| **4.** | **a** | **Explain in detail about the Liberal-Intellectual Principles of DPSP?**  A: DPSP – Liberal-Intellectual Principles  Definition: These principles reflect the ideology of liberalism. Under various articles, they direct the state to:  Article 44 Secure for all citizens a uniform civil code throughout the country  Article 45 Provide early childhood care and education for all children until they complete the age of six years  Article 48 Organize agriculture and animal husbandry on modern and scientific lines  Article 49 Protect monuments, places and objects of artistic or historic interest which are declared to be of national importance  Article 50 Separate the judiciary from the executive in the public services of the  State  Article 51 Promote international peace and security and maintain just and honorable relations between nations  Foster respect for international law and treaty obligations   Encourage settlement of international disputes by arbitration | **5** | **3** | **2** |
| **b** | **Right against Exploitation -Explain?**  A: Right against exploitation(Articles 23–24)  (a) Prohibition of traffic in human beings and forced labor (Article  23).  (b) Prohibition of employment of children in factories, etc. (Article  24). | **3** | **3** | **1** |
| **5.** | **a** | **Explain the Process of Supreme Court Judges appointment and their Oath of Office?**  A: Appointment of Judges: The judges of the Supreme Court are appointed by the president. The chief justice is appointed by the president after consultation with such judges of the Supreme Court and high courts as he deems necessary. The other judges are appointed by president after consultation with the chief justice and such other judges of the Supreme Court and the high courts as he deems necessary. The consultation with the chief justice is obligatory in the case of appointment of a judge other than Chief justice.  Oath or Affirmation: A person appointed as a judge of the Supreme Court, before entering upon his Office, has to make and subscribe an oath or affirmation before the President, or some person appointed by him for this purpose. | **4** | **4** | **3** |
| **b** | **Explain the Composition of NITI Aayog?**  A: Composition of NITI Aayog:   Chairperson -The Prime Minister   Vice chairmen- appointed by the Prime Minister   Governing Council- Chief Ministers of the States and Lieutenant  Governors of Union Territories   Regional Council-Formed on the basis of need as and when required and comprises of CMs of States and Lieutenant Governors of Union  Territories   Full & Part time members-Four full-time members and two part-time  Members   Ex-officio members-Four Cabinet Ministers appointed by the Prime  Minister   Special invitees- Specialists and experts in relevant fields   Chief Executive Officer-Appointed by the Prime Minister for a fixed  tenure of the rank of Secretary | **4** | **4** | **2** |
| **6.** | **a** | **Explain the Powers of Election Commission of India?**  A: The powers of the Election Commission are defined in the following articles  of the Indian Constitution:   Article 324: Superintendence, control and direction of national and state level elections are to be directly handled by the ECI   Article 325: Inclusion and exclusion of names in electoral rolls are based on Indian Citizenship. No citizen of India above the voting age should be excluded from the rolls or included in a special electoral roll based on any criteria such as race, caste, religion or sex.   Article 326: Defines universal adult franchise as the basis for elections to all levels of the elected government.   Article 327: Defines responsibilities of the ECI and parliament for the  conduct of national elections.   Article 328: Defines the role and responsibilities of the state legislatures with respect to state level elections.   Article 329: Prohibits court interference in matters related to elections  unless specifically asked to provide their views. | **4** | **5** | **3** |
| **b** | **Briefly explain about National Green Tribunal?**  A: It is a specialized body set up under the National Green Tribunal Act (2010) for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources. With the establishment of the NGT, India became the third country in the world to set up a specialized environmental tribunal, only after Australia and New Zealand, and the first developing country to do so.NGT is mandated to make disposal of applications or appeals finally within 6 months of filing of the same.  The NGT has five places of sittings, New Delhi is the Principal place of sitting and Bhopal, Pune, Kolkata and Chennai are the other four.  The Tribunal comprises of the Chairperson, the Judicial Members and Expert Members. They shall hold office for term of three years or till the age of sixty-five years, whichever is earlier and are not eligible for reappointment. The Chairperson is appointed by the Central Government in consultation with Chief Justice of India (CJI). | **4** | **5** | **2** |
| **7.** | **a** | **What are the Functions of Constituent Assembly?**  A:Functions: a) Framing the Constitution. b) Enacting laws and involved in the decision-making process. c) It adopted the National flag on July 22, 1947. d) It accepted and approved India's membership of the British Commonwealth in May 1949. e) It elected Dr. Rajendra Prasad as the first President of India on January 24, 1950. 7 f) It adopted the National anthem on January 24, 1950. g) It adopted the National song on January 24, 1950. h) On 13 December, Jawaharlal Nehru moved the ‘Objective Resolution’. This resolution enshrined the aspirations and values of the constitution makers. Under this, the people of India were guaranteed social, economic and political justice, equality and fundamental freedoms. This resolution was unanimously adopted on 22 January 1947 and it became the Preamble to the Constitution. i) The final document had 22 parts, 395 articles and 8 schedules, the assembly had met for 11 sessions. | **4** | **1** | **3** |
| **b** | **Write about Evolution of Local Government in India?**  A: In 1882, Lord Rippon, the-then Viceroy of India, took the initiative to form elected local government body. Following the Government of India Act 1919, village Panchayats were established in many provinces and the trend continued after the Government of India Act of 1935.When the Constitution was prepared, the subject of local government was assigned to the States and it was one of the provisions of the Directive Principles of State Policy (DPSP). After the independence, a three-tier Panchayati Raj system of local government was recommended for the rural areas; resultantly, some of the states including Gujarat and Maharashtra adopted the system of elected local bodies (1960).After 1987, a thorough review of the functioning of local government institutions was initiated and in 1989, the P. K. Thungon Committee recommended constitutional recognition to the local government bodies. Finally, in 1992, the 73rd and 74th Constitutional Amendments were passed by the Parliament.The 73rd Amendment is about the rural local governments, which are also known as Panchayati Raj Institutions (PRIs). The 74th Amendment made the provisions relating to the urban local government (also known as Nagarpalikas (or) Municipalities). | **4** | **2** | **3** |
| **8.** | **a** | **Explain about the Socialistic Principles of DPSP?**  A: Directives based on Socialist Principles  Article 38: The State shall strive to promote the welfare of the people by securing and protecting a social order by ensuring social, economic and political justice and by minimizing inequalities in income, status, facilities and opportunities  Articles 39: The State shall in particular, direct its policies towards securing:Right to an adequate means of livelihood to all the citizens.  The ownership and control of material resources shall be organized in a manner to serve the common good.  The State shall avoid concentration of wealth in a few hands.  Equal pay for equal work for both men and women.  The protection of the strength and health of the workers.  Childhood and youth shall not be exploited.  Article 41: To secure the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disability.  Article 42: The State shall make provisions for securing just and humane conditions of work and for maternity relief.  Article 43: The State shall endeavor to secure to all workers a living wage and a decent standard of life.  Article 43A: The State shall take steps to secure the participation of workers in the management of industries.  Article 47: To raise the level of nutrition and the standard of living of people and to improve public health. | **4** | **3** | **2** |
| **b** | **Explain about Composition and Functions of Inter State Council?**  A:  Article 263 of Indian constitution provides the establishment of an InterState Council. This is to enhance the coordination between the center and  states.   It is not a permanent constitutional body, Council can be created at any  time if it seems to the President that the public interest would be served  by the establishment of such council.   It was set up in 1990 through a presidential ordinance for the first time  as per the recommendations of the Sarkaria Commission under the  Ministry of Home affairs.  Composition:  The Inter-State Council composes of the following members   Prime Minister, Chairman.   Chief Ministers of all states.   Chief Ministers of the union territories having legislative assemblies.   Administrators of the union territories not having legislative assemblies.   6 Union Cabinet Ministers, including Home Minister, to be nominated  by the Prime Minister.   Governors of the states being administered under President's rule.  Functions:   The interstate council is the most dynamic platform to discuss policies  and strengthen the Centre- State relations.   This works as an instrument for cooperation, coordination and the  evolution of common policies and acts as a bridge between center and  state.   To analyze and discuss subjects in which the States or the Union has a  common interest.   To enquire into the disputes amongst the States and advice on resolving disputes. | **4** | **4** | **2** |
| **9.** | **a** | **What is the role of CAG in India?**  A: CAG is an independent authority under the Constitution of India.  He is the head of the Indian audit & account department and chief Guardian of Public purse. It is the institution through which the accountability of the government and other public authorities (all those who spend public funds) to Parliament and State Legislatures and through them to the people is ensured.  CAG audits the accounts related to all expenditure from the Consolidated Fund of India, Consolidated Fund of each state and UT’s having a legislative assembly. CAG audits all expenditure from the Contingency Fund of India and the Public Account of India as well as the Contingency Fund and Public Account of each state. CAG audits all trading, manufacturing, profit and loss accounts, balance sheets and other subsidiary accounts kept by any department of the Central Government and the state governments.  CAG audits the receipts and expenditure of all bodies and authorities substantially financed from the Central or State revenues; government companies; other corporations and bodies, when so required by related laws. | **4** | **5** | **3** |
| **b** | **What are the Powers and Functions of NHRC?**  A:NHRC investigates grievances regarding the violation of human rights either Suo moto or after receiving a petition.   It has the power to interfere in any judicial proceedings involving any  allegation of violation of human rights.   It can visit any jail or any other institution under the control of the State Government to see the living conditions of the inmates and to make recommendations thereon.   It can review the safeguards provided under the constitution or any law for the protection of the human rights and can recommendappropriate remedial measures.   NHRC undertakes and promotes research in the field of human rights.   NHRC works to spread human rights literacy among various sections of society and promotes awareness of the safeguards available for the  protection of these rights through publications, media, seminars and other means.   The Commission takes an independent stand while providing opinions for the protection of human rights within the parlance of the Constitution or in law for the time being enforced.   It has the powers of a civil court and can grant interim relief.   It also has the authority to recommend payment of compensation or  damages.   NHRC credibility is duly reflected in large number of complaints received every year and the trust reposed in it by the citizens. | **4** | **5** | **2** |

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