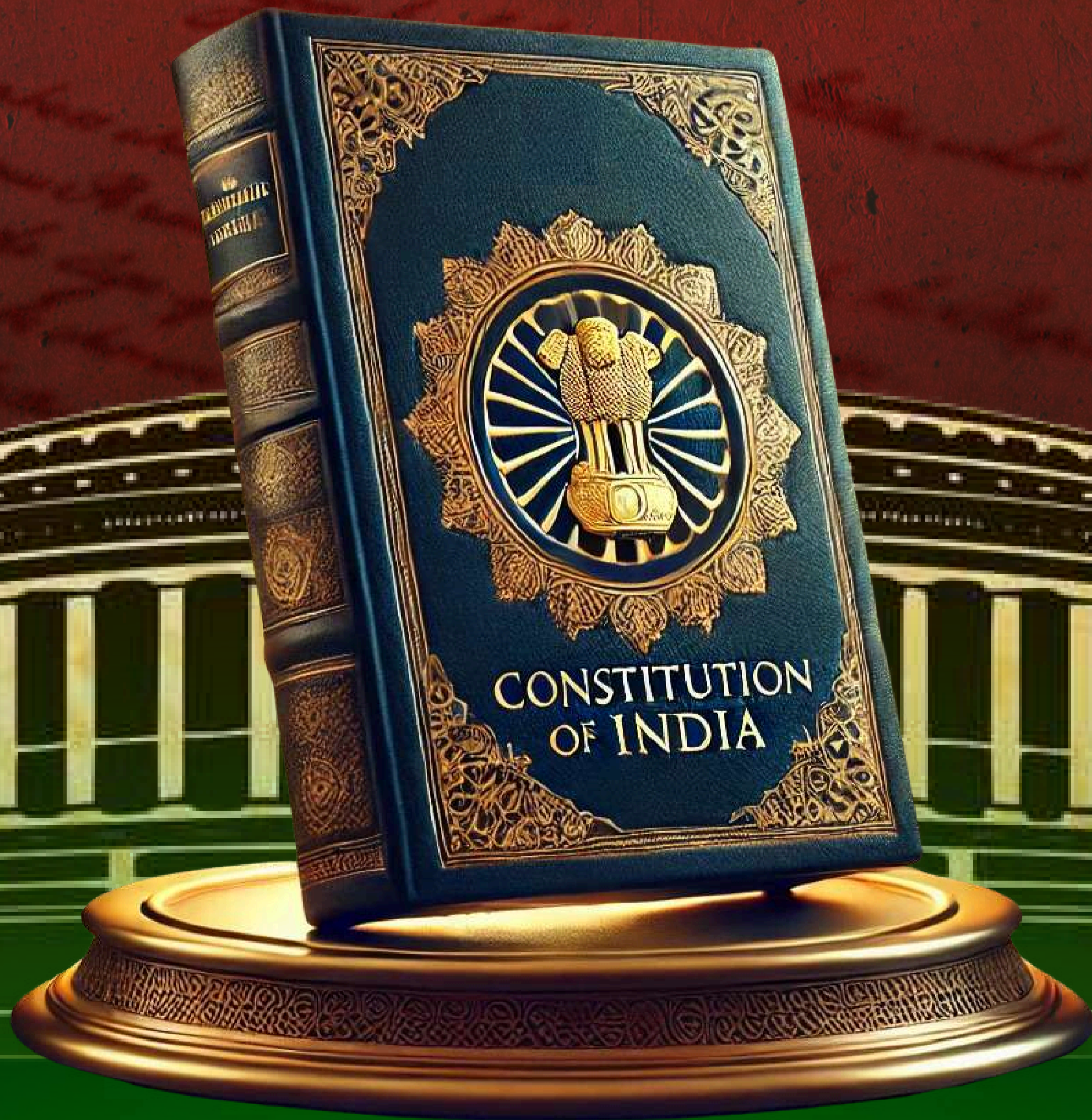




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# **MOST IMPORTANT TOPICS**

**IN THE CONSTITUTION OF INDIA**



**"80-90% of the questions in any question bank or test series related to this topic can be solved after preparing from our notes."**



# HISTORY

**Nov 26, 1946**

*The Constituent Assembly met for the first time.*



**Dec 13, 1946**

*Nehru presented the Objective Resolution which outlined the constitution basic principles.*

**Jan 22, 1947**

*The "Objective Resolution" was adopted*



**Aug 29, 1947**

*The Drafting Committee was formed, with B.R Ambedkar as its Chairman.*

**Nov, 26 1949**

*Constitution was adopted*



**26 Jan, 1950**

*The Constitution came into force.*

# **PREAMBLE**

- It is an introductory statement that outlines the Constitution's goals and values.
- Sovereign Socialist Secular Democratic Republic.
- Amended only once by the 42nd Amendment Act in 1976.(Socialist and Secular added).

# **FUNDAMENTAL RIGHTS**

*Article 12 to 35 contained in Part III of the Constitution deals with six Fundamental Rights. These are:*

- **Right to equality**, including equality before law, prohibition of discrimination on grounds of religion, race, caste, sex or place of birth, and equality of opportunity in matters of employment.
- Right to freedom of speech and expression, assembly, association or union, movement, residence, and right to practice any profession or occupation (some of these rights are subject to security of the State, friendly relations with foreign countries, public order, decency or morality).

- Right against exploitation, prohibiting all forms of forced labour, child labour and traffic in human beings.
- Right to Freedom of Religion for free profession, practice, and propagation of religion. Right of any section of citizens to conserve their culture, language or script.
- Cultural and Educational Rights– right of minorities to establish and administer educational institutions of their choice
- Right to constitutional remedies for enforcement of Fundamental Rights. (Right to Property was made a constitutional right and is covered under Article 300(A)).



# **DIRECTIVE PRINCIPLE**

## **Of the state policy**

- The Directive Principles of State Policy ,as the name suggests, are guidelines to the Government in order that it may better carry out its duty of governance. The Government should strive to achieve them , and thus become a Welfare State. They are non-enforceable i.e., one cannot approach the court if they are violated. Eg-
- The Maternity Benefit Act enforced the DPSP given in Article 42 by providing maternity leave and benefits to working women.
- Article 39(d) was enforced by the Equal Remuneration Act which ensures equal pay for equal work for men and women
- Article 45 became a Fundamental Right by the 86th amendment act,2002.The amended version requires the state to provide early childhood care and education for all children up to 14 years.The Right to Education Act (RTE) of 2009 was introduced to implement the provisions of Article 45.)

# FUNDAMENTAL DUTIES

Based upon the recommendations of the Swarn Singh Committee, 10 Fundamental duties were added to the Constitution through the 42nd amendment act. In 2002, one more Fundamental Duty was added by the 86th Amendment Act. There are a total of 11 Fundamental Duties in Part IV A of the Constitution. These are not enforceable in the courts unless and until specific laws in this regard are violated.

## Emergency Provision



*The President has the power to declare an emergency. The emergency can be implemented as-*

- **National Emergency (Article 352)** – It refers to an emergency that is imposed due to war, external aggression or armed rebellion.
- **President's rule (Article 356)** – It is imposed due to failure of the Constitutional Machinery in the State.
- **Financial Emergency (Article 360)** – It is imposed when there is a threat to financial stability of the nation.

**The Info zone** - The President can declare a National emergency on the written advice of the Cabinet of ministers headed by the Prime Minister.



## ***Amendment (Article 368)***

The amendment can be done by 3 ways

- Simple majority-Majority of the members present and voting.
- Special majority-Majority of the total membership of the house and a majority of 2/3rd of the members present and voting.
- Special majority+ratification-Along with special majority,consent of half of the State Legislative Assemblies by simple majority.

The **2<sup>nd</sup>** Amendment

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A well regulated militia, being  
necessa

# Judiciary

The judiciary of India is a unified system of courts that intercept and apply the law in the country. The Supreme Court of India is placed at the top of the hierarchical position followed by High Courts on the state level and lower courts at micro-level.



**Quizzzy Braniacs!** – Some states share a common High Court. For instance–Haryana, Punjab, and Chandigarh have a common High Court in Chandigarh. Can you name any such states?



The Supreme court is the highest judicial authority in India. There are a total of 34 judges (including the Chief Justice of India).

**Justice Sanjiv Khanna** is serving as the 51st Chief Justice of the Supreme Court of India.





- The National Judicial Appointment Commission (NJAC) recommends persons for appointment as Chief Justice of the Supreme Court / High Court, other judges of the Supreme Court / High Court and their transfer.
- The Supreme Court has three types of jurisdiction – a) Original jurisdiction, b) Appellate jurisdiction and c) Advisory jurisdiction (Only the President can refer a matter of public interest or law to the Supreme Court for Advisory jurisdiction).
- The Supreme Court and the High Court derive the power to grant writs by Article 32 and 226 respectively.
- The Supreme Court may, in its discretion, grant special leave to appeal from any judgment, decree, determination, sentence or order in any cause or matter passed or made by any court or tribunal in the territory of India.

-The SC/HC are also known as the **"Court of Records"**.

# Executive

*The President, Vice-President and Governor* are the executive positions of the State. Article 52 of the Constitution establishes the presidency.

**The President is the first citizen of the country**, the Executive Head of the State and the Supreme Commander of the Defence Forces.

**Election:** The President of India is elected by an electoral college consisting of

- the elected members of both houses of Parliament.
- the elected members of the State Legislative Assemblies of the states. (In this article state includes the National Capital Territory of Delhi and the Union Territory of Pondicherry)

–The election of the President shall be held in accordance with the system of proportional representation by means of the single transferable vote and the voting at such election shall be by secret ballot system.

**Term:** The term of office of the President is 5 years from the date he enters upon his office.

**The Vice-President** acts as the ex-officio chairman of Rajya Sabha and carries out the President's duties in his/her absence.

The term and election is similar to the President.

-The Supreme Court deals if any dispute arises between the President and Vice-President.

### **Governor**

-The head of the State Executive.

## **Parliament**

Parliament is made up of:

- President
- Lok Sabha/Lower House
- Rajya Sabha/Upper House

# Lok Sabha

*-House of the People*

*-Presided over by a Speaker*



**Strength** – not more than 550 members of which –

- not more than 530 are representatives from the States
- not more than 20 representatives of the Union Territories

**Term** – 5 years but can be dissolved earlier and can be extended during Emergency

**Election** – Directly elected by the people through universal adult franchise Qualification – a) Indian citizenship and b) not less than 25 years of age.

**Qualification:**

- Indian citizenship
- Not less than 25 years of age.

# Council of the States



Presided over by a chairman (Vice-President as an ex-officio chairman)

**Strength** – not more than 250 members of which –

- not more than 238 State and Union territories representative
- 12 nominated by the President

**Term** – 6 years not subject to dissolution, 1/3rd members retire every 2nd year.

**Election** – By elected members of the State legislature assembly

**Qualification:**

- Indian citizenship
- Not less than 30 years of age.

# Amendments

## List of important Amendments:

Amendment Number	Year	Description
1st Amendment	1951	To fully secure the constitutional validity of zamindari abolition laws and to place reasonable restrictions on freedom of speech. A new constitutional device, called Schedule 9 introduced to protect laws that are contrary to the Constitutionally guarantee.
4th Amendment	1955	This amendment was passed in order to correct the property rights rules that the Supreme Court had invalidated in the State of West Bengal v. Bela Banerjee case, which involved state acquisition legislation. The amendment permitted the state to purchase private lands for public use, provided that fair and sufficient compensation was paid.
24th Amendment	1971	This amendment was intended to challenge the Supreme Court's decision in Golaknath versus State of Punjab, which ruled that Parliament could not change basic rights. This empowered Parliament to modify any part of the Constitution. It also required the President to give his consent to any constitutional bill.

# Amendments

## List of important Amendments:

Amendment Number	Year	Description
42nd Amendment	1976	The words 'Socialist', 'Secular', and 'integrity' were added to the Preamble and fundamental duties were imposed.
52nd Amendment	1985	Anti Defection Law – Provide disqualification of members from parliament and assembly in case of defection from one party to another.
61st Amendment	1988	Reduce the age of voting rights from 21 to 18.
86th Amendment	2002	Provides Right to Education until the age of fourteen and early childhood care until the age of six.
91st Amendment	2003	Restrict Cabinet size to 15% of legislative members and to strengthen Anti-Deflection laws.
99th Amendment	2014	This amendment aimed to establish the National Judicial Appointments Commission (NJAC) for the appointment and transfer of judges in the higher judiciary. However, it was later declared unconstitutional by the Supreme Court, emphasizing the independence of the judiciary.

# Amendments

## List of important Amendments:

Amendment Number	Year	Description
100th Amendment	2015	This amendment facilitated the implementation of the land boundary agreement between India and Bangladesh, specifically addressing the exchange of enclaves between the two nations.
101st Amendment	2016	This landmark amendment introduced the goods and services tax (GST), transforming India's tax structure by creating a unified tax system.
106th Amendment	2023	It reserves one-third of seats for women in the following bodies: Lok Sabha, state legislative assemblies, and legislative assemblies and legislative assembly of NCT of Delhi.

# QUESTION BANK

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# QUESTION BANK

Q1. The voting age was reduced from 21 to 18 by which of the following amendments?

- a) 23rd Constitutional Amendment
- b) 57th Constitutional Amendment
- c) 61st Constitutional Amendment
- d) 83rd Constitutional Amendment

Q2. Which Article was termed as the "heart and soul" of the Indian Constitution by Dr. BR Ambedkar?

- a) Article 14
- b) Article 21
- c) Article 32
- d) Article 262

Q3. Which was the first reported case of Public Interest Litigation in India?

- a) Hussainara Khatoon Vs. State of Bihar
- b) Keshavananda Bharti Vs. State of Kerala
- c) Vishaka Vs. State of Rajasthan
- d) Maneka Gandhi v. Union of India

Q4. Who presides over the joint sitting of the Lok Sabha and Rajya Sabha?

- a) Prime Minister
- b) Speaker of Lok Sabha
- c) Chairman of Rajya Sabha
- d) President

# QUESTION BANK

Q5. A district court 'X' exceeds its authority and goes beyond its jurisdiction. Which writ can be issued by the higher court in this scenario?

- a) Quo Warranto
- b) Mandamus
- c) Certiorari
- d) Prohibition

Q6. As per the Constitution of India, an Ordinance promulgated by the President shall cease to operate at the expiration of-

- a) Six weeks from the re-assembly of Parliament
- b) One week from the re-assembly of Parliament
- c) Two weeks from the re-assembly of Parliament
- d) Twelve weeks from the re-assembly of Parliament

Q7. Which of the following positions is not provided for in the Constitution of India?

- a) Attorney General of India
- b) Deputy Speaker
- c) Solicitor General
- d) Chairperson of the Union Public Service Commission

Q8. What are the grounds for the proclamation of national emergency in India?

- a) War, external rebellion, natural calamities
- b) War, external aggression and internal disturbances
- c) War, external aggression and internal disturbances
- d) External aggression, natural calamities and internal disturbances

# QUESTION BANK

Q9. What is the retirement age for the judge of a Supreme Court?

- a) 70
- b) 75
- c) 62
- d) 60

Q10. Who was the first woman Justice of the Supreme Court?

- a) Justice Fathima Beevi
- b) Justice Anna Chandy
- c) Justice Leila Seth
- d) Justice Indira Banerjee

The words 'Socialist' and ' \_\_\_\_\_ ' were added in the Preamble by \_\_\_\_\_ Amendment Act.

Q11. Which other word was added?

- a) Republic
- b) Democratic
- c) Sovereign
- d) Secular

Q12. And by which amendment?

- a) 52th Amendment
- b) 42nd Amendment
- c) 66th Amendment Act
- d) 102nd Amendment Act

# QUESTION BANK

Q13. The term of Rajya Sabha members is for-

- a) 5years
- b) 6years
- c) 3years
- d) 2years

Q14. Which of the following is not a principle covered under Article 20 of the Constitution of India?

- a) Double Jeopardy
- b) Self incrimination
- c) Ex post facto laws
- d) Preventive Detention

Q15. Who was the first Attorney General of India?

- a) Dr. Nagendra Singh
- b) M.C. Setalvad
- c) Harilal J. Kania
- d) Anna Chandi

Q16. Right against Exploitation prohibits children below the age of \_\_\_\_ from working in any factory or mine or in any other hazardous employment.

- a) 14
- b) 18
- c) 16
- d) 12

# QUESTION BANK

Q17. Which Schedule has provisions as to the administration of Tribal Areas of Assam, Meghalaya, Tripura and Mizoram?

- a) Seventh
- b) First
- c) Third
- d) Sixth

Q18. In Part VIII of the Constitution of India, the Parliament is empowered to create a local legislature and council of ministers for certain Union Territories. Name the Union Territory or Territories in India that have a legislature assembly and council of ministers.

- a) NCT of Delhi
- b) NCT of Delhi and Puducherry
- c) Chandigarh only
- d) NCT of Delhi, Puducherry and Jammu and Kashmir

Q19. Which Schedule of the Constitution of India, 1950 prescribes the forms of oaths or affirmations for constitutional functionaries?

- a) Third Schedule
- b) Fifth Schedule
- c) First Schedule
- d) Seventh Schedule

Q20. According to the Constitution of India, which of the following fundamental rights cannot be suspended during an emergency?

- a) Article 14 and 16
- b) Article 19 and 20
- c) Article 14 and 21
- d) Article 20 and 21

# QUESTION BANK

Q21. Which committee recommend inclusion of Fundamental duties in the Constitution of India?

- a) Nehru Committee
- b) Swaran Singh Committee
- c) B.R. Ambedkar Committee
- d) Mandal Committee

Q22. The Parliament in the \_\_\_\_\_ provided that the term of office of a member of the Rajya Sabha.

- a) Constitution of India
- b) Representation of the People Act
- c) Parliament (Prevention of Disqualification) Act
- d) Parliament Act

Q23. The 'Right to Privacy' is implicit in which of the following articles?

- a) Article 14
- b) Article 45
- c) Article 21
- d) Article 20

Q24. The President can proclaim National Emergency on grounds of

- a) threat to financial machinery of the State
- b) war, external aggression
- c) war, external aggression, or armed rebellion
- d) war, armed rebellion

# QUESTION BANK

Q25. What is the maximum strength of Lok Sabha?

- a) 252
- b) 250
- c) 225
- d) 550

Q26. The President can be only impeached on the grounds of-

- a) proven misconduct or incapacity
- b) violation of the Constitution
- c) proven misbehaviour or incapacity
- d) insanity

Q27. The Directive Principles are enforced -

- a) by the Judiciary
- b) by laws passed by the Parliament
- c) on orders of President
- d) by the Constitution itself

Q28. 'Judicial Review' is taken from the Constitution of which country?

- a) USA
- b) Russia
- c) Ireland
- d) Japan

# QUESTION BANK

Q29. The President of India nominates 12 members with special knowledge or practical experience in art, literature, science and social service-

- a) Lok Sabha
- b) Council of Ministers
- c) Rajya Sabha
- d) Legislative Assembly

Q30. Which Article empowers the President to promulgate ordinances when Parliament is not in session, having the same force and effect as laws passed by Parliament.

- a) Article 111
- b) Article 123
- c) Article 85
- d) Article 72

Q31. In case a President dies while in office, the vice President can act as a President for a maximum period of

- a) 6months
- b) 1year
- c) 3months
- d) 6months

Q32. Minimum age required to contest for Presidentship is

- a) 21years
- b) 35years
- c) 25years
- d) 31years

# QUESTION BANK

Q33. Under whose advice the President of India declares Emergency under Article 352?

- a) Cabinet
- b) Vice-President
- c) Prime Minister
- d) Parliament

Q34. The President and the Governor of India have been granted immunity from criminal proceedings and arrest during their term of office by which Article?

- a) Article 361
- b) Article 159
- c) Article 252
- d) Article 300

Q35. The President takes his oath in presence of-

- a) Vice-President
- b) Chief Justice of India
- c) Prime Minister
- d) Parliament

Q36. Which of the following is the function of the Pro-Term Speaker?

- a) Give assent to the bills passed by the Parliament
- b) Conduct proceedings in absence of the Speaker
- c) Swear in the members of the house and hold the charge till the permanent speaker is appointed
- d) Assist the Speaker in the Parliamentary debates

# QUESTION BANK

37. The President can award a lesser sentence in place of one originally awarded due to some special fact, such as the physical disability of a convict or the pregnancy of a woman offender by granting

- a) Pardon
- b) Commute
- c) Remit
- d) Reprieve

Q38. Which Article empowers the Supreme Court to grant 'special leave to appeal' against decisions of the lower courts and tribunals ?

- a) Article 134(2)
- b) Article 124(4)
- c) Article 1226(2)
- d) Article 132(3)

Q39. Which amendment introduced the Right to Education as a Fundamental Right?

- a) 86th Amendment
- b) 104th Amendment
- c) 75th Amendment
- d) 28th Amendment

Q40. How many States are required to ratify certain Amendments to the Constitution?

- a) At least 10 states
- b) All the states
- c) Not less than half of the states
- d) Two-thirds of the states

# QUESTION BANK

41. How many states and union territories are there in India?

- a) 27 states and 8 union territories
- b) 28 states and 8 union territories
- c) 29 states and 8 union territories
- d) 28 states and 9 union territories

Q42. In India, which of the following has the power to govern the right of citizenship through law?

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- a) President
- b) Prime Minister
- c) Parliament
- d) State Legislature

43. According to the Constitution of India, the executive power of the Union shall be vested in :

- a) President
- b) Attorney General
- c) Prime Minister
- d) Solicitor General

Q44. The charge of impeachment against the President of India for his removal can be preferred by-

- a) Speaker of the Lok Sabha
- b) Chairperson of the Rajya Sabha
- c) Either house of Parliament
- d) House of the People

# QUESTION BANK

45. Which of the following rights conferred by the Constitution is also available to non-citizens-

- a) Freedom to move, reside and settle in any part of territory of India
- b) Freedom of speech, assembly and association
- c) Right to Constitutional remedies
- d) Freedom to acquire property or to carry on any occupation, trade or business

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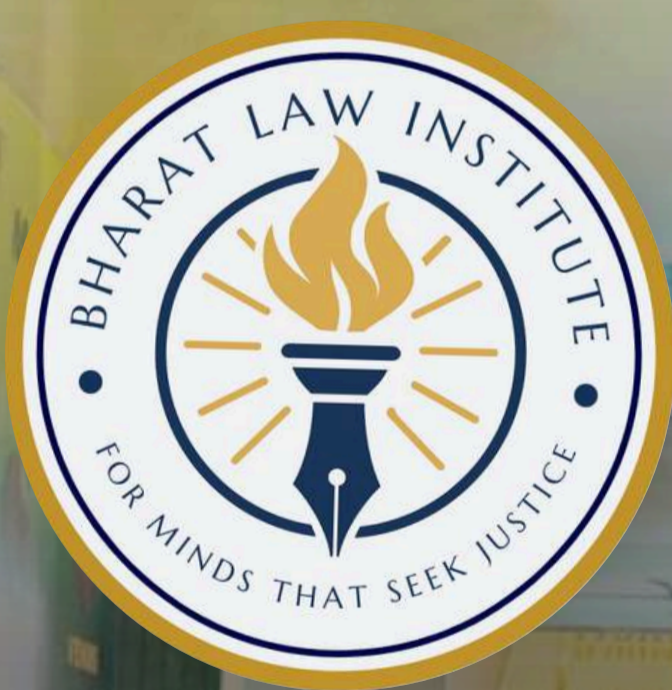
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