

**SIXTH SEMESTER DIPLOMA EXAMINATION IN ENGINEERING AND
 TECHNOLOGY / COMMERCIAL PRACTICE/MANAGEMENT, NOVEMBER 2024
 (Common to all Diploma Programmes)**

INDIAN CONSTITUTION

Time: 3hours

Maximum Marks: 75

ANSWER SCHEME

PART A

1. Answer all questions in one word or one sentence. Each question carries 1mark.

(9X1=9marks)

		Module outcome	Cognitive level
1	A) The Fundamental Duties are defined as the moral obligations of all citizens to help promote a spirit of patriotism and to uphold the unity of India.	M1.02	R
2	A) It declares India to be a Sovereign Socialist Secular Democratic Republic committed to Justice, Equality and Liberty for the people.	M1.01	U
3	A) The Legislature, Executive and Judiciary	M3.04	R
4	A) Fundamental rights are the basic human rights enshrined in the Constitution of India which are guaranteed to all citizens.	M2.01	U
5	A) The Lokayukta is an authority at state level which deals with corruption and mal-administration complaints made by the general public	M4.02	U
6	A) Executive: It is the organ where all the plans and policies are implemented to maintain the security in the society and maintain the peace with those laws in the society.	M3.02	R
7	A) 5 years	M3.03	A
8	A) What/Why/How/When	M4.02	U
9	A) Within 30 days from the receipt of application by the public authority.	M4.04	U

PART B

II. Answer any Eight questions from the following

(8 x 3= 24 Marks)

		Module outcome	Cognitive level
1	<p>These are:</p> <p>a. the right to equality</p> <p>b. right to freedom</p> <p>c. right against exploitation</p> <p>d. right to freedom of religion, cultural and educational rights</p> <p>e. right to property</p> <p>f. right to constitutional remedies.</p>	M2.02	U
		0.5 each	3

2	The functions of Election Commission are: a. Prepares the list and issues the identity card to voters. b. Prepares the timetable for the election. c. The responsibility to conduct an election in a state. d. Allows the eligible candidate to contest the election. e. The responsibility to resolve the disputes that may arise during the election.	M4.04	U
		0.5 each	3

3	A) There are some important keywords in the Preamble of India like: Sovereign Socialism Secular Democratic Republic Justice Liberty Equality Fraternity	M1.01	U
		0.5 each	
4	A) Composition of Lok Sabha - The maximum strength of Lok Sabha provided by the Constitution is 552. Total 530 members of Lok Sabha are elected by direct election on the basis of universal adult franchise and 20 represent Union territories. President nominates 2 members from the Anglo-Indian Community. Speaker is the chairman. Composition of Rajya Sabha - Rajya Sabha has 250 members. Out of these, 238 members are elected by the states and the union territories and 12 members are nominated by the President of India Elections to the Rajya Sabha are indirect; members representing States are elected by elected members of legislative assemblies of the States. Vice president is the chairman.	M3.01	A
		1.5 1.5	3
5	A) The judgement listed some basic structures of the constitution as: <ul style="list-style-type: none"> • Supremacy of the Constitution • Unity and sovereignty of India • Democratic and republican form of government • Federal character of the Constitution • Secular character of the Constitution • Separation of power • Individual freedom 	M1.03	A
		0.5 each	3
6	A) With the objective of having a more democratic form of governance, the 73rd and 74th Amendment Acts were introduced. These Amendment acts played a major role in decentralizing power in India by transferring power from the central and state governments to the local bodies.	M4.04	R
		3	3

7	<p>A) The main features of Directive Principles of State Policy are:</p> <ul style="list-style-type: none"> • These are guidelines for the central and state governments of India. The governments must keep these principles in mind while framing laws and policies. • These are not enforceable by any court of law. But the principles are considered fundamental in the governance of the country. • It is the duty of the central and state governments to apply these principles in making laws to establish a just society in the country. • The principles have been inspired by the Directive Principles stated in the Constitution of Ireland and also by the principles of Gandhian philosophy. • The main aim of these principles is to create social and economic conditions under which all the citizens can lead a good life. • These principles act as a yardstick in the hands of the people to measure the performance of governments in respect of achieving the objective. • All executive agencies have to be guided by these principles. Even the judiciary has to keep them in mind while deciding cases. 	<p>M2.01</p> <p>0.5 each</p>	<p>A</p> <p>3</p>
8	<p>Constitutional Bodies: They are considered as an important body in India that derives their power and authorities from the constitution in India. Their functions and roles are specifically mentioned in the constitution and they have specific dedicated articles in the constitution. For doing any kind of changes in constitutional bodies they will need a constitutional amendment.</p> <p>Statutory Bodies in India:</p> <p>These bodies were established by parliamentary acts or state Legislatures concerned. The establishment of these bodies is done by the act because of which it derives its powers, functions, duties from the respective act.</p>	<p>M4.02</p> <p>1.5</p> <p>1.5</p>	<p>U</p> <p>3</p>
9	<p>A) To make the appropriate changes as per the demand of the time. As the time advances, there is advancement in many fields like technology, business and day to day work of our fellow citizens. Also the development in different types of field like eradication of poverty, better infrastructure etc. needs new changes in laws which might make these developments fast and efficient. So the provision of amendment is there to ensure the required modifications in the Constitution as per the demand of the time and situations arising in the country.</p>	<p>M4.02</p> <p>3</p>	<p>A</p> <p>3</p>
10	<p>A) Some of the common example of constitutional bodies are:</p> <ul style="list-style-type: none"> • The Finance Commission • The UPSC • The Election Commission • The CAG • National Commissions for SCs and STs <p>Some of the common examples of statutory bodies are listed below:</p> <ul style="list-style-type: none"> • National Human Rights Commission • National Commission for Women • National Commission for Minorities • National Law Commission • National Green Tribunal • National Consumer Disputes Redressal Commission • Armed Forces Tribunal 	<p>M3.04</p> <p>1 each</p>	<p>A</p> <p>3</p>

PART C

III. Answer all questions from the following

(6x7= 42 Marks)

Module outcome Cognitive level

III	<p>salient features of Indian constitution</p> <p>1. Preamble: • The Preamble of the Indian Constitution outlines the objectives and values that guide the nation, including justice, liberty, equality, and fraternity.</p> <p>2. Federal Structure: • India has a federal system of government that divides powers between the central government and the states. The distribution of powers is outlined in the Seventh Schedule of the Constitution.</p> <p>3. Parliamentary System: • India follows a parliamentary system of government with a President as the ceremonial head and a Prime Minister as the head of government. The Council of Ministers is responsible to the Parliament.</p> <p>4. Written Constitution: • The Indian Constitution is one of the lengthiest written constitutions in the world. It provides a detailed framework for governance, defining the structure and functions of the government</p> <p>5. Rigid and Flexible Features: • While the Constitution is largely rigid, allowing for amendments through a special procedure, certain provisions (like those related to the representation of states in the Rajya Sabha) can be amended by a simple majority.</p> <p>6. Fundamental Rights: • The Constitution guarantees fundamental rights to Indian citizens, including the right to equality, freedom of speech and expression, right to life and personal liberty, and cultural and educational rights.</p> <p>7. Directive Principles of State Policy: • The Directive Principles provide guidelines for the government to achieve social and economic justice. They are not enforceable by the courts but are fundamental to the governance of the country.</p> <p>8. Secularism: • The Constitution of India declares the country to be a secular state, ensuring the equal treatment of all religions. It prohibits discrimination on the grounds of religion</p> <p>9. Universal Adult Franchise: • The Constitution grants the right to vote to all citizens over the age of 18, irrespective of caste, creed, gender, or education.</p> <p>10. Independent Judiciary: • The judiciary in India is independent and has the power of judicial review. The Supreme Court is the highest court of appeal.</p> <p>11. Single Citizenship: • Unlike some federal systems, India follows the principle of single citizenship. Every Indian citizen is a citizen of the country as a whole and not of any particular state.</p> <p>12. Emergency Provisions: • The Constitution provides for the proclamation of a state of emergency during war, external aggression, or armed rebellion. During an emergency, the normal functioning of the Constitution may be temporarily suspended.</p> <p>13. Caste-based Reservations: • The Constitution allows for affirmative action in the form of reservations for Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC) to address historical social injustices.</p> <p>14. Integrated Judiciary: • The judiciary is integrated, with the Supreme Court at the top, followed by High Courts in each state and subordinate courts at the district level.</p> <p>15. Local Self-Government: • The Constitution provides for local self-government institutions, known as Panchayats and Municipalities, to ensure grassroots democracy</p> <p style="text-align: center;">OR</p> <p style="text-align: center;">KEY ELEMENTS COMMONLY FOUND IN CONSTITUTIONS</p> <p>1. Preamble: A statement that mention goals and purposes of the constitution.</p> <p>2. Articles or Sections: Detailed provisions that define the structure of the government, powers of each branch, and e relationship between the government and the governed.</p> <p>3. Bill of Rights: A list of fundamental rights and freedoms guaranteed to individuals,</p> <p>4. Amendment Process: Procedures for making changes or additions to the constitution to adapt to changing circumstances.</p> <p>5. Distribution of Powers: Allocation of authority among different levels of government (federal, state, local) and branches (executive, legislative, judicial).</p>	M1.04	U
		3.5	
			7
IV		M1.01	U
		3.5	
			7
		3.5	

<p>V</p>	<p>Main Features of Right to Education (RTE) Act, 2009</p> <ul style="list-style-type: none"> • Free and compulsory education to all children of India in the 6 to 14 age group. • No child shall be held back, expelled or required to pass a board examination until the completion of elementary education. • If a child above 6 years of age has not been admitted in any school or could not complete his or her elementary education, then he or she shall be admitted in a class appropriate to his or her age. However, if a case may be where a child is directly admitted in the class appropriate to his or her age, then, in order to be at par with others, he or she shall have a right to receive special training within such time limits as may be prescribed. Provided further that a child so admitted to elementary education shall be entitled to free education till the completion of elementary education even after 14 years. • Proof of age for admission: For the purpose of admission to elementary education, the age of a child shall be determined on the basis of the birth certificate issued in accordance with the Provisions of Birth, Deaths and Marriages Registration Act 1856, or on the basis of such other document as may be prescribed. No child shall be denied admission in a school for lack of age proof • A child who completes elementary education shall be awarded a certificate. • Call need to be taken for a fixed student–teacher ratio. • Twenty-five per cent reservation for economically disadvantaged communities in admission to Class I in all private schools is to be done. • Improvement in the quality of education is important • School teachers will need adequate professional degree within five years or else will lose job. • School infrastructure (where there is a problem) need to be improved in every 3 years, else recognition will be cancelled. • Financial burden will be shared between the state and the central government. 	<p>M4.04</p> <p>1 each</p>	<p>R</p> <p>7</p>
<p>VI</p>	<p style="text-align: center;">OR</p> <p>A) Important features of the R T I. act, 2005 It empowers the citizen of India to access the information available with Government departments, Public Sector Undertakings, Local Bodies, Voluntary Organisations substantially benefited from Government, Statutory Bodies under law of the State.</p> <ul style="list-style-type: none"> • Applicant can obtain Information within 30 days from the date of request in a normal case. • Information can be obtained within 48 hours from time of request. If it is a matter of life or liberty of a person. • Every public authority is under obligation to provide information on written request or request by electronic means. • Certain informations are prohibited. • Restrictions made for third party information <ul style="list-style-type: none"> • Appeal against the decision of the Central Information Commission or State Information Commission can be made to an officer who is senior in rank. • Penalty for refusal to receive an application for information or for not providing information is Rs. 250/- per day but the total amount of penalty should not exceed Rs. 25,000/- • Central Information Commission and State Information Commission are to be constituted by the Central Government and the respective State Governments. • No Court can entertain any suit, application or other proceedings in respect of any order made under the Act 	<p>M4.03</p> <p>1 each</p>	<p>U</p> <p>7</p>

<p>VII</p>	<p>A) The salient features of the Indian Constitution are listed and briefed below:</p> <ul style="list-style-type: none"> • Lengthiest Written Constitution. • Drawn from Various Sources. • Blend of Rigidity and Flexibility. • Federal System with Unitary Bias. • Synthesis of Parliamentary Sovereignty and Judicial Supremacy. • Rule of Law. • Integrated and Independent Judiciary 	<p>M1.04</p> <p>1 each</p>	<p>A</p> <p>7</p>
<p>VIII</p>	<p style="text-align: center;">OR</p> <p>A) The effects of fundamental rights in National Emergency.</p> <ul style="list-style-type: none"> • Fundamental rights can be suspended only when a National emergency is imposed on the grounds of war or external aggression. • Suspension of Fundamental rights under Article 19: According to Article 358, when a proclamation of National Emergency is made, the six fundamental rights under article 19 are automatically suspended. • Article 19 is automatically revived after the expiry of the emergency. 	<p>M1.04</p> <p>2 each</p>	<p>R</p> <p>7</p>
<p>IX</p>	<p>Powers and Functions loksabha Speaker</p> <ol style="list-style-type: none"> 1. The basic function of the Speaker is to preside over the house and conduct the meetings of the House in orderly manner. No member can speak in the House without she permission. He/she may ask a member to finish his speech and in case the member does not obey he/she may order that the speech should not be recorded. 2. All the Bills, reports, motions and resolutions are introduced with Speaker's permission. He/she puts the motion or bill to vote. He/she does not participate in the voting but when there is a tie i.e. equal number of votes on both sides, he/she can use his casting vote. But he/she is expected to caste her vote in a manner so that her impartiality and independence is retained. 3. His/her decisions in all parliamentary matters are final. She also rules on points of order raised by the members and her decision is final. 4. He/she is the custodian of rights and privileges of the members. 5. He/she disqualifies a member of his/her membership in case of defection. He/she also accepts the resignation of members and decides about the genuineness of the resignation. 6. In case of joint sitting of Lok Sabha and Rajya Sabha, the Speaker presides over the Meeting 	<p>M3.01</p> <p>1 each</p>	<p>R</p> <p>7</p>
<p>X</p>	<p style="text-align: center;">OR</p> <p>Write about Supreme Court jurisdiction</p> <p>The Supreme Court has the following powers that are jurisdiction:</p> <p>A) Original Jurisdiction: Original jurisdiction is the right of a court to hear a case and make a verdict. The first court to hear the case has the original jurisdiction, but if someone appeals the verdict, then a higher court can hear and decide upon it. Original jurisdiction is a court's power to hear and decide a case before any appellate review. X 7 marks 7 marks The Supreme Court has original jurisdiction over disputes between states and issues involving constitutional law. The Supreme Court is mainly an appellate court as it is the highest court in the land; it is a last result for those seeking justice.</p> <p>B) Appellate Jurisdiction: As per article 132, 133, 134 of the Constitution, the SC has appellate jurisdiction in matters that are related to civil, criminal, or Constitution. Also, as per article 136, the SC has the power to issue special leave that is being by any tribunal courts in India but this does not apply to Army courts.</p> <p>C) Advisory Jurisdiction: As per article 143 of the Constitution, the SC can advise the President of India that is related to the question of law, and the nature</p>	<p>M3.03</p> <p>3.5</p>	<p>U</p> <p>7</p>

	<p>of the matter is associated with the public importance. And the President can also seek opinion in the matters that are related to Article 131 of the Constitution.</p> <p>D) Review Jurisdiction: As per article 137 of the Constitution, the SC has the power to review any laws that are being passed by the legislature.</p>	3.5																	
XI	<p>A Constitution has written laws accepted by people living together in a country.</p> <p>a. It generates trust and coordination between the government and the citizens.</p> <p>b. It determines the relationship of the citizens with the governments.</p> <p>c. It protects and provides the basic rights to all the citizens of the country.</p> <p>d. It specifies on how the Government would be elected and who will have the power and theresponsibility to take important decisions.</p> <p style="text-align: center;">OR</p>	M1.02 3.5 3.5	U 7																
XII	<p>The Four fundamental duties I would pledge to abide by are:</p> <ul style="list-style-type: none"> • to protect and improve the natural environment and to have compassion for living creatures • to promote harmony and the spirit of brotherhood amongst all the people irrespective of religious, linguistic and regional or sectional diversities • to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem • to uphold and protect the sovereignty, unity and integrity of the nation. 	M1.02 4 3	A 7																
XIII	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #c6e0b4;">Fundamental Rights</th> <th style="background-color: #c6e0b4;">Directive Principles</th> </tr> </thead> <tbody> <tr> <td>• These are negative as they prohibit the State from doing certain things.</td> <td>• These are positive as they require the State to do certain things.</td> </tr> <tr> <td>• These are justiciable, that is, they are legally enforceable by the courts in case of their violation.</td> <td>• These are non-justiciable, that is, they are not legally enforceable by the courts for their violation.</td> </tr> <tr> <td>• They aim at establishing political democracy in the country by guaranteeing equality, liberty, religious freedom and cultural rights.</td> <td>• They aim at establishing social and economic democracy in the country.</td> </tr> <tr> <td>• These have legal sanctions.</td> <td>• These have moral and political sanctions.</td> </tr> <tr> <td>• They promote the welfare of the individual. Hence, they are personal and individualistic.</td> <td>• They promote the welfare of the community. Hence, they are societal and socialistic.</td> </tr> <tr> <td>• They do not require any legislation for their implementation. They are automatically enforced.</td> <td>• They require legislation for their implementation. They are not automatically enforced.</td> </tr> <tr> <td>• The courts are bound to declare a law violative of any of the Fundamental Rights as unconstitutional and invalid.</td> <td>• The courts cannot declare a law violative of any of the Directive Principles as unconstitutional and invalid. However, they can uphold the validity of a law on the ground that it was enacted to give effect to a directive.</td> </tr> </tbody> </table>	Fundamental Rights	Directive Principles	• These are negative as they prohibit the State from doing certain things.	• These are positive as they require the State to do certain things.	• These are justiciable, that is, they are legally enforceable by the courts in case of their violation.	• These are non-justiciable, that is, they are not legally enforceable by the courts for their violation.	• They aim at establishing political democracy in the country by guaranteeing equality, liberty, religious freedom and cultural rights.	• They aim at establishing social and economic democracy in the country.	• These have legal sanctions.	• These have moral and political sanctions.	• They promote the welfare of the individual. Hence, they are personal and individualistic.	• They promote the welfare of the community. Hence, they are societal and socialistic.	• They do not require any legislation for their implementation. They are automatically enforced.	• They require legislation for their implementation. They are not automatically enforced.	• The courts are bound to declare a law violative of any of the Fundamental Rights as unconstitutional and invalid.	• The courts cannot declare a law violative of any of the Directive Principles as unconstitutional and invalid. However, they can uphold the validity of a law on the ground that it was enacted to give effect to a directive.	M2.04 7	U 7
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