

**DIPLOMA EXAMINATION IN ENGINEERING/TECHNOLOGY/MANAGEMENT/
COMMERCIAL PRACTICE – NOVEMBER - 2024**

INDIAN CONSTITUTION

ANSWER SCHEME

(Maximum Marks : 75)

[Time : 3 hours]

PART–A

I. Answer **all** the following questions in one word or one sentence. Each question carries 1mark.

(9x1=9 marks)

	Module Outcome	Cognitive level
1	A)Original Indian constitution had 22... parts and 375....articles	1 mark
2	A)DPSP consists of all the ideals which the State should follow and keep in mind while formulating policies and enacting laws for the country.	1 mark
3	A)A constitution is a set of fundamental rules that determine how a country or state is run	1 mark
4	A)Fundamental rights are the basic human rights enshrined in the Constitution of India which are guaranteed to all citizens	1 mark
5	A)Part 3	1 mark
6	A)Directive Principles of State Policy is included in part four	1 mark
7	A) Legislature consists of the President and two Houses, known as Council of States (Rajya Sabha) and House of the People (Lok Sabha)	1 mark
8	A) President.	1 mark
9	11 fundamental duties	1 mark

PART - B

II. Answer **any Eight** questions from the following. Each question carries 3 marks.

(8x3=24marks)

	Module Outcome	Cognitive level
1	A) The Constituent Assembly of India was elected to write the Constitution of India. It was set up as a result of negotiations between the leaders of the Indian independence movement and members of the British Cabinet Mission. Initially, the number of members was 389. After partition, some of the members went to Pakistan and the number came down to 299. Out of this, 229 were from the British provinces and 70 were nominated from the princely states. Dr. B.R. Ambedkar was appointed as the chairman of the drafting committee. The Constituent Assembly adopted the Constitution of India on January 26, 1950, marking the official commencement of the Republic of India.	3marks

2	<p>A) 1. Partition and Creation of India and Pakistan: The Indian Independence Act, introduced on July 4, 1947, proposed the partition of British India into two dominions – India and Pakistan.</p> <p>2. Boundary Demarcation: The act laid out the territorial boundaries for India and Pakistan</p> <p>3. Governance Structures: The act outlined the framework for each dominion's government. The two dominions were given the option to adopt the Government of India Act of 1935 as their interim constitution, with provisions for making modifications as needed.</p> <p>4.. Citizenship and Minority Rights: The act addressed the issue of citizenship, allowing people to choose their citizenship based on their place of residence.</p> <p>5.. Financial and Military Arrangements: The division of assets and liabilities between India and Pakistan was a critical aspect of the act.</p> <p>6. The two nations agreed on financial settlements and the division of the military,</p>	3 mark
3	<p>1. Rule of Law:-A constitution establishes the rule of law. It ensures that everyone, including those in power, is subject to and accountable under the law.</p> <p>2. Limitation of Government Power: Constitutions often include checks and balances that distribute power among different branches of government,</p> <p>3. Protection of Individual Rights: Constitutions commonly include a bill of rights that protects the fundamental rights and freedoms of individuals,</p> <p>4. Stability and Governance: A constitution provides a stable and predictable framework for governance</p> <p>5. Social Contract: Constitutions reflect a social contract, between the government and the governed, outlining the rights and responsibilities of each party.</p> <p>6. National Identity: Constitutions often contribute to the creation of a national identity</p> <p>7. Flexibility and Adaptability: they include mechanisms for amendment to adapt to changing circumstances and societal needs</p>	3marks
4	<p>The functions of Election Commission are:</p> <p>a. Prepares the list and issues the identity card to voters.</p> <p>b. Prepares the timetable for the election.</p> <p>c. The responsibility to conduct an election in a state.</p> <p>d. Allows the eligible candidate to contest the election.</p> <p>e. The responsibility to resolve the disputes that may arise during the election</p>	3marks

5	<p>list any 6 directive principles of state policy</p> <ol style="list-style-type: none"> 1. Equal Pay for Equal Work: Ensuring that men and women receive <u>equal pay for equal work</u>. 2. Right to Work, Education, and Public Assistance in Certain Cases: Ensuring opportunities for work, education, and public assistance, particularly for marginalized sections of society. 3. Provision of Adequate Means of Livelihood: Ensuring that the citizens have the means to earn a livelihood that is adequate and sustainable. 4. Equal Justice and Free Legal Aid: Ensuring that justice is accessible to all and that free legal aid is provided to those who cannot afford it. 5. Promotion of Educational and Economic Interests of Scheduled Castes, Scheduled Tribes, and Other Weaker Sections: Ensuring the development and protection of marginalized communities. 6. Protection of Monuments and Places of National Importance: Preserving cultural heritage and historical sites. 7. Promotion of International Peace and Security: Pursuing policies that contribute to international peace and security. 8. Uniform Civil Code: Striving to secure for the citizens a <u>uniform civil code</u> throughout the territory of India. 9. Protection of the Environment: Promoting sustainable development and protecting the environment. 	3marks
6	<p>Write about the composition of union and state executive</p> <p>The Union executive consists of the President, the Vice-President, and the Council of Ministers with the Prime Minister as the head to aid and advise the President.</p> <p>State executive consists of Governor and Council of Ministers with Chief Minister as its head. The Governor of a State is appointed by the President for a term of five years and holds office during his pleasure. Executive power of the State is vested in Governor.</p>	3marks
7	<p>A democratic country is one that sets equal focus on human and political rights. There are various reasons why a democratic country needs a Constitution:</p> <ul style="list-style-type: none"> • The basic ideas on the basis of which we as citizens seek to live in our country are mentioned in the Constitution. • It describes the fundamental nature of society • To define the nature of the political system of the country • It states a set of rules based on which people belonging to different religions and communities can peacefully co-exist with each other. 	3marks
8	<p>Original Jurisdiction means the power to hear and determine a dispute in the first instance; i.e., those cases which cannot be moved in any court other than the Supreme Court.</p> <p>The Supreme Court has original jurisdiction in the following types of cases:-</p> <ol style="list-style-type: none"> 1. Dispute between the Government of India and one or more States; or 2. Dispute between the Government of India and any State or States on one side and one or more other States on the other; or 3. Dispute between two or more States. 	3marks

9	<ul style="list-style-type: none"> • The Legislature would make laws. The function of the legislative is to form policies and laws that will govern the nation. • The Executive implements those laws. • The Judiciary checks on the entire process. 	3marks
10	<p>As in other parliamentary democracies, the Parliament in India has:</p> <ol style="list-style-type: none"> a. the cardinal functions of legislation, overseeing of administration b. passing of the Budget c. ventilation of public grievances d. discussing various subjects like development plans e. National policies and international relations. 	3marks

PART - C

Answer **all** questions from the following. Each question carries 7 marks.

(6x7=42marks)

	Module Outcome	Cognitive level
III	<p>A Constitution refers to a system of laws and principles that act as a basis for governance in a country.</p> <p>There are two types of constitutions. A Constitution that has been systematically and meticulously written down and embodied in a single document is known as a Written Constitution</p> <p style="text-align: center;">-----</p> <p>Type</p> <p>Codified</p> <p>In single act (document)</p> <p>Eg: Most of the world (first: United States)</p> <p>Uncodified</p> <p>Fully written (in few documents)</p> <p>Eg: San Marino, Israel, Saudi Arabia</p> <p>Partially unwritten (see constitutional convention)</p> <p>Eg: Canada, New Zealand, United Kingdom</p> <p style="text-align: center;">OR</p>	7 marks
IV	<p>We need a constitution for the following reasons:</p> <ol style="list-style-type: none"> A Constitution has written laws accepted by people living together in a country. It generates trust and coordination between the government and the citizens. It specifies the type of government for a country and how it should function. It lays down limits on the powers of the government. It lays down the rights and duties of the citizens. 	7 marks
V	<p>A) The Preamble of the Indian Constitution is a concise statement that outlines the fundamental values, objectives, and philosophy underlying the Constitution</p> <ol style="list-style-type: none"> 1. Sovereign: India is described as a sovereign nation, indicating its independence from external control. 2. Socialist: The term "socialist" reflects the commitment to achieving social and economic equality. It implies the goal of reducing economic disparities and promoting social justice. 3. Secular: India is declared a secular state, affirming the principle of religious neutrality and ensuring that the state does not favor any particular religion. 4. Democratic: The term "democratic" signifies the commitment to a form of government where power is derived from the people through free and fair elections. It emphasizes the importance of participatory governance. 5. Republic: India is described as a republic, indicating that the head of state is elected, and there is no hereditary monarchy. The President of India, elected by an electoral college, is the ceremonial head of the state. 6. Justice: The Preamble envisions justice in three dimensions—social, economic, and political. It reflects a commitment to creating a just and fair society. 7. Liberty: The Preamble emphasizes the importance of individual liberties, including freedom of thought, expression, belief, faith, and worship. It 	7 marks

VI	<p>underscores the importance of personal freedoms in a democratic society. 8. Equality: The principle of equality is enshrined in the Preamble, aiming to ensure equality of status and opportunity for all citizens. 9. Fraternity: The term "fraternity" underscores the need for unity and a sense of brotherhood among the people. It emphasizes the dignity of the individual and the unity and integrity of the nation</p> <p style="text-align: center;">OR</p> <p>Directive Principles of State Policy are a set of guidelines or principles enshrined in Part IV (Articles 36 to 51) of the Constitution of India. The provisions contained in this Part cannot be enforced by any court, but these principles are fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws. The concept of Directive Principles of State Policy was borrowed from the Irish Constitution. The Directive Principles of State Policy aim to promote the welfare of the people, ensure social and economic justice, and create a just and equitable society. While the Directive Principles themselves are not legally enforceable, they are considered fundamental in the governance of the country. They guide the formulation of policies and laws by the government and are taken into consideration by the legislature while enacting laws.</p>	7 marks
VII	<p>Directive Principles of State Policy are a set of guidelines or principles enshrined in Part IV (Articles 36 to 51) of the Constitution of India. The provisions contained in this Part cannot be enforced by any court, but these principles are fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws. The concept of Directive Principles of State Policy was borrowed from the Irish Constitution. The Directive Principles of State Policy aim to promote the welfare of the people, ensure social and economic justice, and create a just and equitable society. While the Directive Principles themselves are not legally enforceable, they are considered fundamental in the governance of the country. They guide the formulation of policies and laws by the government and are taken into consideration by the legislature while enacting laws.</p>	7 marks

VIII	<p>The views of Gandhian Principles in Directive Principles of State Policy.</p> <ul style="list-style-type: none"> Articles 40, 43, 43B, 46, 47, and 48 are categorized as Gandhian Principles. These principles are inspired by Mahatma Gandhi's ideas and focus on promoting village panchayats, rural development, education, and the welfare of weaker sections. The Gandhian Principles found in the Directive Principles of State Policy (DPSP) are called that because they reflect the ideas of Mahatma Gandhi, who played a huge role in India's fight for freedom. These principles and rules in the DPSP show the kind of country Gandhi wanted India to become. Let's look at the specific articles that show these Gandhian principles: <p>Article 40: This rule tells the government to help village councils become like their own bosses</p> <p>Article 43: This rule suggests that the government should support small-scale industries in rural areas, similar to Gandhi's idea of people making things on their own and helping each other.</p> <p>Article 43B: This DPSP rule talks about how people should work together in groups, and the government should help them do that, like how Gandhi believed in people cooperating and working together</p> <p>Article 46: This rule guides the government to make sure that everyone, especially those who were treated unfairly before, gets a good education and opportunities to improve their lives, which Gandhi strongly believed in.</p> <p>Article 47: This DPSP rule tells the government to focus on public health by stopping things like alcohol and drugs that can harm people's health, similar to Gandhi's ideas about living a healthy life.</p> <p>Article 48: This rule advises against killing young animals like calves and cows that give milk, so they can grow up and make more milk, in line with Gandhi's thoughts on respecting all life.</p>	7 marks
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IX	<p>The main function of the Judiciary is to interpret laws and settle disputes between peoples. It works as the protector of the constitution.</p> <p>Some other functions are listed below:</p> <ul style="list-style-type: none"> • It takes care of the fundamental rights of the people and protects them. • To Give Justice to the people • Interpretation and Application of Laws • Role in Law-making • Equity (fairness) Legislation (law enactment) • Protection of Rights • Guardian of the Constitution 	7 marks
X	<p>Explain the structure of Judiciary.</p> <ol style="list-style-type: none"> India has a single integrated judicial system. The judiciary in India has a pyramidal structure with the Supreme Court (SC) at the top. High Courts are below the SC, and below them are the district and subordinate courts. The lower courts function under the direct superintendence of the higher courts. <div data-bbox="571 1377 1158 1890"> <pre> graph TD SC["Supreme Court of India ♦ Its decisions are binding on all courts. ♦ Can transfer Judges of High Courts. ♦ Can move cases from any court to itself. ♦ Can transfer cases from one High Court to another."] HC["High Court ♦ Can hear appeals from lower courts. ♦ Can issue writs for restoring Fundamental Rights. ♦ Can deal with cases within the jurisdiction of the State. ♦ Exercises superintendence and control over courts below it."] DC["District Court ♦ Deals with cases arising in the District. ♦ Considers appeals on decisions given by lower courts. ♦ Decides cases involving serious criminal offences."] SubC["Subordinate Courts ♦ Consider cases of civil and criminal nature"] SC --> HC HC --> DC DC --> SubC SubC --> HC SubC --> SC </pre> </div>	7 marks

XI	<p>1. Executive Powers:</p> <p>□ Appointment of the Prime Minister: The President appoints the Prime Minister. The leader of the majority party in the Lok Sabha (the lower house of Parliament). The President appoints other members of the Council of Ministers on the advice of the Prime Minister.</p> <p>2. Legislative Powers:</p> <p>□ Summoning and Proroguing of Parliament: The President has the authority to summon Parliament (Lok Sabha and Rajya Sabha). The President also has the power to dissolve the Lok Sabha. Addressing Parliament: The President addresses both houses of Parliament at the beginning of the first session after each general election.</p> <p>3. Financial Powers:</p> <p>□ Budget Approval: The President causes the budget to be laid before Parliament and, after general discussion, allows it to be voted on.</p> <p>4. Military Powers:</p> <p>Commander-in-Chief: The President is the supreme commander of the Indian Armed Forces, and all armed forces' commands are exercised by him/her</p> <p>5. Judicial Powers:</p> <p>□ Pardon and Reprieve: The President has the power to grant pardons, reprieves, remit punishment or to suspend, remit or commute the sentence of any person convicted of any offense (Art 72).</p> <p>6. Emergency Powers:</p> <p>□ Proclamation of Emergency: The President can proclaim a state of emergency if he is satisfied that a grave emergency exists whereby the security of India or any part of its territory is threatened, whether by war or external aggression or armed rebellion (Art 352- 360).</p> <p>7. Ceremonial Head of the State:</p> <p>The President of India plays a dual role, serving as both the ceremonial head of the state and the guardian of the Constitution. These roles underscore the symbolic and constitutional aspects of the President's position:</p> <p>□ Symbolic Representation: The President represents the unity and integrity of the nation. The ceremonial aspects of the office involve state functions, ceremonies, and events where the President acts as the symbol of the Indian state.</p> <p>□ Diplomatic Protocol: The President hosts foreign dignitaries, receives credentials in state visits. These activities contribute to projecting India's image on the global stage.</p> <p>8. Guardian of the Constitution:</p> <p>Assent to Legislation: The President has the power to assent to bills passed by Parliament.</p> <p>In certain circumstances, the President can also return the bill for reconsideration or refuse assent, potentially preventing legislation that might violate the Constitution.</p> <p>Gram Sabha : Gram Sabha are the basic units of democratic system which consists of the people registered in the electoral rolls of the village within the area of the Panchayat.</p>	7 marks
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XII	<p>Three-tier System: As per Article 243B of the COI, there shall be constituted in every State, Panchayats at the village, intermediate and district levels. However, Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.</p> <p>Election of Members and Chairpersons : The members of Panchayats at the village, intermediate, and district levels shall be elected directly by the people. The chairman of the Panchayat at the intermediate and district level shall be elected indirectly from amongst the elected members thereof. The conduct of elections to the Panchayats shall also be handled by the State election commission.</p> <p>Reservation of Seats: Seats shall be reserved for Schedule Castes and Schedule Tribes and chairpersons of the Panchayats at all levels in proportion to their population. One third of the positions in all panchayat institutions are reserved for women.</p> <p>Duration of Panchayat: As per Article 243E of the COI, every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.</p> <p>Powers and Functions of Panchayats: The powers and functions of the Panchayats are endowed by the State legislature. The Panchayats prepare a plan for economic development and social justice for the people of the Panchayats. It implements the scheme of the Central and State government for the betterment of the people at the ground level.</p> <p>Panchayats have the power to enhance employment facilities and undertake development activities in the area.</p> <p>Bar to Interference by Courts in Electoral Matters</p> <p>The act prohibits courts from interfering in panchayat elections. It also states that no election to a panchayat may be challenged unless accompanied by an election petition filed with the appropriate authority and in the manner prescribed by the state legislature</p>	7 marks
XIII	<p>Five important amendments of the Indian Constitution are:</p> <p>Amendment I. Freedoms, Petitions, Assembly.</p> <p>Amendment II. Right to bear arms.</p> <p>Amendment III. Quartering of soldiers.</p> <p>Amendment IV. Search and arrest.</p> <p>Amendment V. Rights in criminal cases.</p> <p>Amendment VI. Right to a fair trial.</p> <p>Amendment VII. Rights in civil cases.</p> <p>Amendment VIII. Bail, fines, punishment.</p>	7 marks
XIV	<p>The Indian Constitution divides our governing system into three tiers, with local self-government taking care of the grassroots level.</p> <p>The local self-government falls under the state government's</p>	

	<p>jurisdiction and is further divided into Zila Parishads, Panchayat Samitis, Mahanagar Palikas, Nagar Palikas, and Panchayats. India has a strong local self-government system and has ensured democracy at even the remotest corners.</p> <p>The primary objective of these local bodies is to promote local economic development, social justice, and infrastructure development. The various functions of the local government include:</p> <ul style="list-style-type: none"> To build basic infrastructure like transport, roads, power lines, schools, hospitals, etc To construct and maintain community assets To promote the development of agriculture by proper management of irrigation and water schemes, and improvement, and soil conservation To promote education To enhance health facilities and promote awareness about health To promote small-scale industries of the village To develop social forestry, dairy, poultry, and animal husbandry <p>The local government bodies are also responsible for implementing a wide variety of schemes that the state government comes up with to develop rural and urban areas.</p>	7 marks
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